



# ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ♦ 800 PARK AVENUE ♦ UTICA, N.Y. 13501-2977

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5404

George Joseph  
Majority Leader

## COMMUNICATIONS FOR DISTRIBUTION

December 26, 2012

(Correspondence relating to upcoming legislation, appointments, petitions, etc)

Frank D. Tallarino  
Minority Leader

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**READ & FILED**

We, the undersigned, being members of the Oneida County Board of Legislators 2012-2013 Term of Office, and being members of the Democratic Party, hereby designate Pamela Nash Mandryck as Minority Legislative Analyst pursuant to Rule No. 2 of the Rules of the Board of Legislators of the County of Oneida, to serve for a term commencing January 1, 2013 and terminating on December 31, 2013.

*L. A. D. D-14*  
*John Chry*  
*Joseph J. J. J.*  
*Sammy Beaulieu*  
*Chad Davis*  
*Frank Talarone*  
*[Signature]*



Dated: Dec. 21, 2012

*INTRODUCTORY  
NO.*

*F.N. 2012-480.2*

## **ONEIDA COUNTY BOARD OF LEGISLATORS**

*RESOLUTION NO.*

*INTRODUCED BY: Mr. Tallarino*

*2ND BY:*

**RE: APPOINTMENT OF PAMELA MANDRYCK TO THE POSITION OF  
MINORITY LEGISLATIVE ANALYST FOR THE BOARD OF LEGISLATORS  
GRADE 25M, STEP 9**

**WHEREAS,** The Rules of the Board of County Legislators of the County of Oneida provide a Minority Legislative Analyst shall be appointed, now, therefore, be it hereby

**RESOLVED,** That, after duly being so elected by the Minority Party of the Board Pamela Mandryck be and hereby is appointed to serve in the position of Minority Legislative Analyst to the Board of Legislators at Grade 25M, Step 9 (\$41,553, 2013 M-Scale) beginning January 1, 2013.

DATED: December 26, 2012

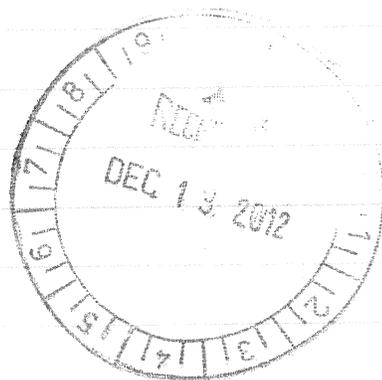
Adopted by the following v.v. vote:  
AYES NAYS ABSENT

READ &amp; FILED

12/12/12

738,185

Motion to accept ~~\$676,126~~ from Utica National Insurance Company in settlement of certain claims which Oneida County <sup>Self-Insurance Plan</sup> and Utica National have made against each other, and to agree not to exercise the ~~County's~~ <sup>Plan</sup> option to extend its current third party administration contract with Utica National beyond its March 15, 2013 expiration date, and to authorize attorney Christopher Whyland to execute an agreement setting forth such settlement terms on the Plan's behalf.



12/12/12

Norm

CHAD

Yea  
Chad Davis

Ney

Hermoy special

Ben Mandel

Ronald D. Townsend

Paul D-14

Jan K. My

Edward P. Webb

Bob  
Bob Leach



# ONEIDA COUNTY BOARD OF LEGISLATORS

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Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5404

George Joseph  
Majority Leader

Frank D. Tallarino  
Minority Leader

December 19, 2012

FN 20 12 - 484

Oneida County  
Board of Legislators  
800 Park Avenue  
Utica, New York 13501

**READ & FILED**



Honorable Members:

Pursuant to the recommendation of the Oneida County Agricultural & Farmland Protection Board and to Article 25AA, Section 302 of the Agriculture & Markets Law, I hereby appoint the following persons to the Farmland Protection Board:

**Brymer Humphreys, Chair**

8661 Tibbits Rd, New Hartford, NY 13413

**Paul Snider**

7221 Quaker Hill Rd.  
Ava, NY 13303

**Thomas Cassidy**

PO Box 353  
Barneveld, NY 13304

These appointments are all four (4) year terms and will expire on December 31, 2016.

These appointments do not require Board approval.

Respectfully submitted,

GERALD J. FIORINI  
CHAIRMAN OF THE BOARD OF LEGISLATORS

GJF:pp

cc: Farmland Protection Board members  
County Clerk

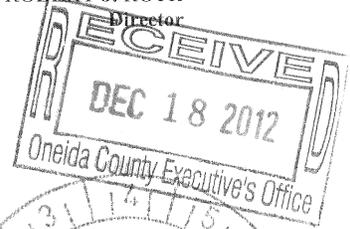
60.

ANTHONY J. PICENTE, JR.  
County Executive



**ONEIDA COUNTY YOUTH BUREAU**  
County Office Building ♦800 Park Avenue ♦Utica, New York 13501  
Phone: (315) 798-5027 ♦Fax: (315) 798-6438

ROBERT J. ROTH  
Director



December 17, 2012

Honorable Anthony J. Picente, Jr.  
County Executive  
800 Park Avenue  
Utica, NY 13501

FN 20 13-001

**WAYS & MEANS**



Dear Mr. Picente:

Pursuant to the Board of Legislators Resolution #291 of 1977 and the Oneida County Charter and Administrative Code, I hereby recommend the following appointments to the Oneida County Youth Bureau Advisory Board.

Appointment to a Two Year term expiring on 1/31/15

Pastor Mike Ballman  
500 Plant Street  
Utica, NY 13502

Todd Grover  
623 Healy Avenue  
Rome, NY 13440

David O'Brien  
124 East Bacon Street  
Waterville, NY 13480

Amy Barok  
709 E. Garden Street  
Rome, NY 13440

Elaine Hage  
17 Talcott Road  
Utica, NY 13502

Lee Pavlot  
1290 Brothertown Road  
Waterville, NY 13480

Steve Gigliotti  
2216 Portal Road  
Utica, NY 13502

Gary Harvey  
503 Woodburn Drive  
Utica, NY 13502

Jolene Rocco  
5105 Indian Town Road  
Vernon, NY 13476

Thomas Giruzzi  
1931 Holland Avenue  
Utica, NY 13501

Gary Heenan  
6715 Dix Road  
Rome, NY 13440

Patrick Sullivan  
6354 Trenton Road  
Utica, NY 13502

Susan Grande  
8678 Teugega Point Road  
Rome, NY 13440

Bruce Karam  
1105 Columbus Avenue  
Utica, NY 13501

\*Peter Caruso  
2 Parkway Circle  
Utica, NY 13501

Daniel Griffiths  
138 St. Mary's Avenue  
Clinton, NY 13323

Ralph Leo  
9485 Jaelyn Avenue  
Sauquoit, NY 13456

\*Brian Miller  
9195 Red Hill Road  
New Hartford, NY 13413

\*\*Julia Hobika  
1104 Parkway East  
Utica, NY 13501

\*\*Natale Schirripa  
1800 Copperfield Street  
Utica, NY 13501

To insure the Youth Bureau is serving the needs and interests of the youth of this area, we have appointed two (2) youth to the Youth Advisory Board. \*\*Denotes Youth Members.

In compliance with the Oneida County Youth Bureau By-Laws, we have appointed two (2) County Legislators to serve in an ex-officio capacity. One of the legislators is required to be a member of the Health and Human Services Committee. \*Denotes County Legislator.

We, therefore, request that you approve these appointments and forward to the County Board of Legislators.

Very truly yours,

Robert J. Roth  
Oneida County Youth Bureau Director

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 12/18/12

7.

JOSEPH J. TIMPANO  
Comptroller



SHERYL A. BROWN  
Deputy Comptroller

DEBORAH S. JOANIS  
Deputy Comptroller - Administration

**ONEIDA COUNTY DEPARTMENT OF AUDIT & CONTROL**

County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501  
(315) 798-5780 ♦ Fax: (315) 798-6415  
E-Mail: jtimpano@ocgov.net

FN 20 13 - 002

**MEMO**

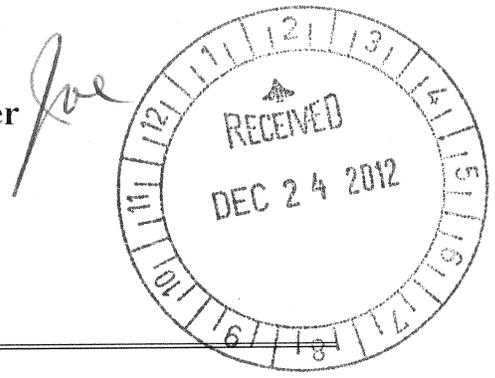
**WAYS & MEANS**

*Tony*  
**TO: Anthony Picente Jr., County Executive  
Board of Legislators**

**FROM: Joseph J. Timpano, County Comptroller**

**RE: Advanced Refunding Bond Resolution**

**DATE: December 21, 2012**



As part of my on going duties as County Comptroller, I annually review our current debt portfolio to ascertain any possible refinancing of bonds. Just in the last 6 years, my office has refunded almost \$27M in bonds for a total cash savings of \$1.5M in principal and interest costs.

During my latest research, we have determined that \$16,325,000 in 2003, 2005 and 2006 bonds can be refunded for a total cash savings of about \$715,000. Therefore, I am requesting your assistance in facilitating the passage of the enclosed resolution by the full board of legislators. If adopted, I will monitor the market on a daily basis to determine the correct time to sell the refunding bonds and maximize the County's savings. Under no circumstance, will I let the savings fall below the \$715,000 mark.

Please submit this proposal to the appropriate committees so the full board can act on this transaction at their January 9, 2013 meeting.

As always, thank you for your support and cooperation in the matter.

Cc: Sheryl Brown, Deputy Comptroller  
Mike Billard, Clerk of the Board

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
*Anthony Picente Jr.*  
Anthony J. Picente, Jr.  
County Executive  
Date 12/21/12

8

Motion Made By \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

## REFUNDING BOND RESOLUTION DATED JANUARY 9, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF ONEIDA, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the County of Oneida, New York (hereinafter, the "County") heretofore issued \$8,749,200 Public Improvement (Serial) Bonds, 2003, pursuant to a bond determination certificate dated April 10, 2003 (the "2003 Bond Certificate"), to finance the cost of various capital items, such Public Improvement (Serial) Bonds, 2003, being dated April 1, 2003, with remaining maturities on April 1 in the years 2013 through 2018, both inclusive (the "2003 Refunded Bonds"); and

WHEREAS, the County also heretofore issued \$14,150,000 Public Improvement (Serial) Bonds, 2005 pursuant to a bond determination certificate dated April 21, 2005 (the "2005 Bond Certificate") to finance the cost of various capital items in and for said County as further described in the 2005 Bond Certificate, such Public Improvement (Serial) Bonds, 2005, being dated April 15, 2005 with remaining maturities on April 15 in each of the years 2013 through 2020, both inclusive (the "2005 Refunded Bonds"); and

WHEREAS, the County also heretofore issued \$18,575,000 Public Improvement (Serial) Bonds, 2006 pursuant to a bond determination certificate dated April 20, 2006 (the "2006 Bond Certificate") to finance the cost of various capital items in and for said County as further

described in the 2006 Bond Certificate, such Public Improvement (Serial) Bonds, 2006, being dated April 15, 2006 with remaining maturities on April 15 in each of the years 2013 through 2021, both inclusive (the "2006 Refunded Bonds", and together with the 2003 Refunded Bonds and the 2005 Refunded Bonds, the "Refunded Bonds"); and

WHEREAS, it would be in the public interest to refund a portion of the remaining outstanding principal balance of the Refunded Bonds by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law;

NOW, THEREFORE, BE IT

RESOLVED, by the County Legislature of the County of Oneida, New York, as follows:

Section 1. For the object or purpose of refunding a portion of the outstanding principal balance of the Refunded Bonds as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the

redemption premium to be paid on such Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$18,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$16,085,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-13 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Comptroller pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be

issued to refund all, or any portion of, the Refunded Bonds, subject to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Comptroller shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Comptroller. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000

each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Comptroller as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Comptroller providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Comptroller as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Comptroller is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The County Comptroller is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Comptroller, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Comptroller shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from

registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified the Bond Certificates which are incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to

accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Comptroller is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Comptroller; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County

Comptroller shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Comptroller is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Comptroller shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Oneida, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section

90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the County Comptroller shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem

the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The County Comptroller and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 11. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Comptroller and all powers in connection thereof are hereby delegated to the County Comptroller.

Section 12. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said County, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated: \_\_\_\_\_, 2013.

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ONEIDA )

I, the undersigned, Clerk of the Legislature of the County of Oneida, New York, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 9th day of January, 2013, by two-thirds of the voting strength of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of nineteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this \_\_\_\_\_ day of January, 2013.

Date sent to County Executive: \_\_\_\_\_

\_\_\_\_\_  
Clerk, County Legislature  
County of Oneida

Approved: \_\_\_\_\_

Date: January \_\_\_\_\_, 2013

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ONEIDA )

I, the undersigned Clerk of the County Legislature of the County of Oneida, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 9th day of January, 2013.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the County Legislature of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said County Legislature .
- 5) That all members of the County Legislature of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication)

**POSTING** (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of January, 2013.

\_\_\_\_\_  
Clerk, County Legislature

(CORPORATE  
SEAL)

EXHIBIT A

PRELIMINARY REFUNDING FINANCIAL PLAN

COUNTY OF ONEIDA, NEW YORK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the County Legislature of the County of Oneida, New York, on January 9, 2013, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Utica, New York

\_\_\_\_\_, 2013

\_\_\_\_\_  
Clerk, County Legislature

SOURCES AND USES OF FUNDS

County of Oneida, New York  
Refunding of Series 2003, 2005 & 2006

Sources:	Refunding of Series 2003	Refunding of Series 2005	Refunding of Series 2006	Total
<b>Bond Proceeds:</b>				
Par Amount	3,115,000.00	5,055,000.00	7,930,000.00	16,100,000.00
Premium	217,236.05	482,669.60	966,707.35	1,666,613.00
	<u>3,332,236.05</u>	<u>5,537,669.60</u>	<u>8,896,707.35</u>	<u>17,766,613.00</u>
<b>Uses:</b>				
	Refunding of Series 2003	Refunding of Series 2005	Refunding of Series 2006	Total
<b>Refunding Escrow Deposits:</b>				
Cash Deposit	0.30	0.24	0.88	1.42
SLGS Purchases	3,288,297.00	5,474,481.00	8,791,807.00	17,554,585.00
	<u>3,288,297.30</u>	<u>5,474,481.24</u>	<u>8,791,807.88</u>	<u>17,554,586.42</u>
<b>Delivery Date Expenses:</b>				
Cost of Issuance	15,478.26	25,118.01	39,403.73	80,000.00
Underwriter's Discount	14,017.50	22,747.50	35,685.00	72,450.00
Bond Insurance	11,027.55	17,895.42	28,073.33	56,996.30
	<u>40,523.31</u>	<u>65,760.93</u>	<u>103,162.06</u>	<u>209,446.30</u>
<b>Other Uses of Funds:</b>				
Additional Proceeds	3,415.44	-2,572.57	1,737.41	2,580.28
	<u>3,332,236.05</u>	<u>5,537,669.60</u>	<u>8,896,707.35</u>	<u>17,766,613.00</u>

BOND PRICING

County of Oneida, New York  
Refunding of Series 2003, 2005 & 2006

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Premium (-Discount)
Bond Component:						
	04/01/2013	180,000	2.000%	0.630%	100.234	421.20
	04/01/2014	595,000	2.000%	0.780%	101.420	8,449.00
	04/01/2015	1,625,000	3.000%	1.000%	104.286	69,647.50
	04/01/2016	2,890,000	3.000%	1.190%	105.617	162,331.30
	04/01/2017	2,875,000	4.000%	1.300%	110.928	314,180.00
	04/01/2018	2,870,000	4.000%	1.470%	112.554	360,299.80
	04/01/2019	1,920,000	4.000%	1.580%	114.176	272,179.20
	04/01/2020	1,810,000	4.000%	1.750%	115.101	273,328.10
	04/01/2021	1,335,000	4.000%	1.950%	115.414	205,776.90
		16,100,000				1,666,613.00

Dated Date	01/29/2013	
Delivery Date	01/29/2013	
First Coupon	04/01/2013	
Par Amount	16,100,000.00	
Premium	1,666,613.00	
Production	17,766,613.00	110.351634%
Underwriter's Discount	-72,450.00	-0.450000%
Purchase Price	17,694,163.00	109.901634%
Accrued Interest		
Net Proceeds	17,694,163.00	

*Handwritten mark*

BOND DEBT SERVICE

County of Oneida, New York  
 Refunding of Series 2003, 2005 & 2006

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/01/2013	180,000	2.000%	100,465.84	280,465.84	
10/01/2013			289,875.00	289,875.00	
12/31/2013					570,340.84
04/01/2014	595,000	2.000%	289,875.00	884,875.00	
10/01/2014			283,925.00	283,925.00	
12/31/2014					1,168,800.00
04/01/2015	1,625,000	3.000%	283,925.00	1,908,925.00	
10/01/2015			259,550.00	259,550.00	
12/31/2015					2,168,475.00
04/01/2016	2,890,000	3.000%	259,550.00	3,149,550.00	
10/01/2016			216,200.00	216,200.00	
12/31/2016					3,365,750.00
04/01/2017	2,875,000	4.000%	216,200.00	3,091,200.00	
10/01/2017			158,700.00	158,700.00	
12/31/2017					3,249,900.00
04/01/2018	2,870,000	4.000%	158,700.00	3,028,700.00	
10/01/2018			101,300.00	101,300.00	
12/31/2018					3,130,000.00
04/01/2019	1,920,000	4.000%	101,300.00	2,021,300.00	
10/01/2019			62,900.00	62,900.00	
12/31/2019					2,084,200.00
04/01/2020	1,810,000	4.000%	62,900.00	1,872,900.00	
10/01/2020			26,700.00	26,700.00	
12/31/2020					1,899,600.00
04/01/2021	1,335,000	4.000%	26,700.00	1,361,700.00	
12/31/2021					1,361,700.00
	16,100,000		2,898,765.84	18,998,765.84	18,998,765.84

27.

SAVINGS

County of Oneida, New York  
Refunding of Series 2003, 2005 & 2006

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 01/29/2013 @ 1.5898628%
04/01/2013	56,800.00	280,465.84	-223,665.84		-223,056.67
04/15/2013	270,287.50		270,287.50		269,385.41
10/01/2013	56,800.00	289,875.00	-233,075.00		-230,607.04
10/15/2013	270,287.50		270,287.50		267,260.87
12/31/2013				83,834.16	
04/01/2014	656,800.00	884,875.00	-228,075.00		-223,880.29
04/15/2014	270,287.50		270,287.50		265,153.08
10/01/2014	46,150.00	283,925.00	-237,775.00		-231,561.14
10/15/2014	270,287.50		270,287.50		263,061.92
12/31/2014				74,725.00	
04/01/2015	696,150.00	1,908,925.00	-1,212,775.00		-1,171,766.35
04/15/2015	1,270,287.50		1,270,287.50		1,226,578.53
10/01/2015	34,612.50	259,550.00	-224,937.50		-215,617.48
10/15/2015	250,287.50		250,287.50		239,769.42
12/31/2015				82,862.50	
04/01/2016	684,612.50	3,149,550.00	-2,464,937.50		-2,344,171.12
04/15/2016	2,550,287.50		2,550,287.50		2,423,846.36
10/01/2016	23,075.00	216,200.00	-193,125.00		-182,214.61
10/15/2016	203,475.00		203,475.00		191,861.71
12/31/2016				95,700.00	
04/01/2017	673,075.00	3,091,200.00	-2,418,125.00		-2,263,522.20
04/15/2017	2,503,475.00		2,503,475.00		2,341,972.64
10/01/2017	11,537.50	158,700.00	-147,162.50		-136,667.26
10/15/2017	156,662.50		156,662.50		145,400.17
12/31/2017				94,850.00	
04/01/2018	661,537.50	3,028,700.00	-2,367,162.50		-2,181,005.18
04/15/2018	2,456,662.50		2,456,662.50		2,262,073.27
10/01/2018		101,300.00	-101,300.00		-92,597.52
10/15/2018	109,850.00		109,850.00		100,351.19
12/31/2018				98,050.00	
04/01/2019		2,021,300.00	-2,021,300.00		-1,833,082.51
04/15/2019	2,084,850.00		2,084,850.00		1,889,550.91
10/01/2019		62,900.00	-62,900.00		-56,593.06
10/15/2019	68,687.50		68,687.50		61,762.21
12/31/2019				69,337.50	
04/01/2020		1,872,900.00	-1,872,900.00		-1,671,815.86
04/15/2020	1,943,687.50		1,943,687.50		1,733,935.10
10/01/2020		26,700.00	-26,700.00		-23,645.39
10/15/2020	29,218.75		29,218.75		25,860.05
12/31/2020				73,306.25	
04/01/2021		1,361,700.00	-1,361,700.00		-1,196,404.12
04/15/2021	1,404,218.75		1,404,218.75		1,233,001.99
12/31/2021				42,518.75	
	19,713,950.00	18,998,765.84	715,184.16	715,184.16	662,617.02

Savings Summary

PV of savings from cash flow 662,617.02  
Plus: Refunding funds on hand 2,580.28

28

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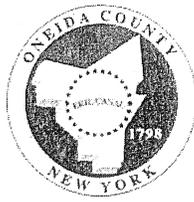
SAVINGS

County of Oneida, New York  
Refunding of Series 2003, 2005 & 2006

Savings Summary

Net PV Savings	665,197.30
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29.



## ONEIDA COUNTY DEPARTMENT OF CENTRAL SERVICES

Oneida County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501  
(315) 798-5905 ♦ Fax: (315) 797-3047 ♦ Email: helpdesk@ocgov.net

December 12, 2012

FN 20 13-603 Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Mr. Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, NY 13501

GOVERNMENT OPERATIONS

*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive

WAYS & MEANS

Date 12/30/12

Subject: Contract Amendment Recommendation – Northland Communications MPLS

Dear Mr. Picente:

In the August 2010, Oneida County established a Master Contract with Northland Communications to provide Multi-Protocol Label Switching (MPLS) network connections to Oneida County facilities on West Dominick Street and Griffiss Airport in Rome. In July 2012, the Master Contract was modified to add MPLS service for Child Advocacy Center (CAC), 930 York Street and Women's Infants and Children (WIC), 617 South Street, Utica. Oneida County selected an MPLS solution because:

- It is a modern network solution that handles data efficiently
- It offers a guaranteed connection covered by a Service Level Agreement
- Northland monitors the MPLS connection 24x7 from their Network Operations Center (NOC) so that they can immediately and proactively respond should a connection fail
- It's easy to use and simplifies maintenance – non-County Office Building (COB) users log on to the network, work and print as if they were physically located inside the COB; Network Administrators can more easily address network issues, perform backups and assist users remotely over an MPLS connection

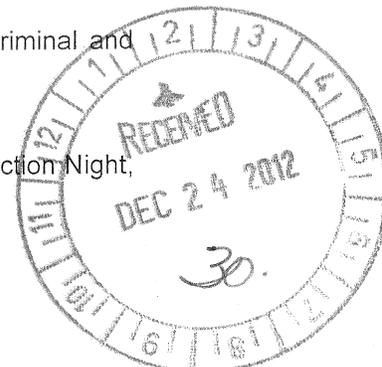
At the time the MPLS Master Contract was put into place in 2010, it was agreed that incremental additions of MPLS sites would be evaluated at the time each new site was identified. I am writing this letter to recommend the addition of new MPLS network connections at:

- Union Station, 321 Main Street, Utica and
- 120 Airline Drive, Oriskany

Union Station and 120 Airline Drive are each currently connected to the County network via Cisco Aironet Wireless devices. These Wireless devices work well most of the time but periodically go "down" causing internet and email outages that interrupt work for employees within these two County facilities including:

- Union Station – Board of Elections, Planning, Probation, Public Defender Criminal and DMV
- 120 Airline Drive – Office for the Aging, Mental Health

If the Aironet Wireless at Union Station were to go "down" at the wrong time on an Election Night, tallying and posting of elections results in a timely manner would be impacted.



In order to waive installation fees of \$600 for Union Station and 120 Airline Drive, Oneida County is being asked by Northland to extend the end date of the existing Master Contract from December 31, 2014 to December 31, 2015. This would increase the value of the existing contract by \$32,191.92. Funding for additional costs associated with upgrades at Union Station and 120 Airline Drive to MPLS in 2013 was planned into the Central Services 1610.492 account. To provide better insight into the remaining value of the existing Northland MPLS Master Contract if no changes are made and compare it to the financial impact of the requested contract modification, the following table is provided for your consideration:

<b>MPLS Contract Summary as of January 1, 2013 - Northland Communications</b>			
<b><u>MPLS Locations - Existing</u></b>	<b><u>Monthly Cost</u></b>	<b><u>Months Left on Master Contract</u></b>	<b><u>Contract Value</u></b>
800 Park Ave 50M Fiber and MPLS	\$597.11	18	\$10,747.98
800 Park Ave 10M Dedicated Internet	\$325.00	18	\$5,850.00
300 W. Dominick 3M MPLS	\$387.11	18	\$6,967.98
301 W. Dominick 3M MPLS	\$387.11	18	\$6,967.98
Griffiss Airport 3M MPLS	\$112.11	18	\$2,017.98
CAC 1M MPLS	\$287.11	18	\$5,167.98
WIC 1M MPLS	\$287.11	18	\$5,167.98
		<b>Remaining Contract Value if no changes are made</b>	<b>\$42,887.88</b>
<b><u>MPLS Locations - Proposed</u></b>	<b><u>Monthly Cost</u></b>	<b><u>Months on Master Contract if Modification Accepted</u></b>	<b><u>Contract Value</u></b>
Union Station, 321 Main St 10M MPLS	\$397.11	36	\$14,295.96
120 Airline Dr, Oriskany 10M MPLS	\$497.11	36	\$17,895.96
800 Park Ave 50M Fiber and MPLS	\$597.11	18	\$10,747.98
800 Park Ave 10M Dedicated Internet	\$325.00	18	\$5,850.00
300 W. Dominick 3M MPLS	\$387.11	18	\$6,967.98
301 W. Dominick 3M MPLS	\$387.11	18	\$6,967.98
Griffiss Airport 3M MPLS	\$112.11	18	\$2,017.98
CAC 1M MPLS	\$287.11	18	\$5,167.98
WIC 1M MPLS	\$287.11	18	\$5,167.98
		<b>Contract Value if MPLS Connections are added and existing locations are extended by 18 months</b>	<b>\$75,079.80</b>
		<b>Additional Contract Cost to be incurred if contract modified</b>	<b>\$32,191.92</b>

31.

Our Northland Communications MPLS Network connections have been extremely reliable since we began the build-out in 2010. We have experienced numerous outages due to failures of Aironet Wireless devices. In contrast, to date, no outages have been experienced by Oneida County due to an MPLS failure. In order to provide reliable email and internet connections to County Departments located at both Union Station and 120 Airline Drive, I respectfully request your approval of this contract with Northland Communications.

Respectfully submitted,



Anne B. Hartman  
Director, Central Services

Attachments:

1. 3 Copies of Northland Contract signed by Northland
2. 3 Copies of Oneida County Standard Clauses Addendum signed by Northland
3. Northland MPLS Service Level Agreement
4. Northland Contract dated July 2012



**Northland Communications**  
**Dedicated Internet and MPLS Services**  
 Service Level Agreement (SLA)  
 03/30/2010

**Introduction**

Northland's Service Level Agreement (SLA) specifies guaranteed minimum service levels measured as Service Availability, Network Latency, Packet Loss and Jitter. This SLA applies to Internet and MPLS services delivered over T1, Ethernet, fiber optic facilities and wireless only.

**I. Service Availability Guarantee**

Northland guarantees 100 percent Service Availability to customers with Dedicated Internet service or MPLS services managed by Northland,

Service Availability is defined as a customer's ability to exchange IP packets with Northland's network through network components provided or owned by Northland. Service availability is continuously monitored by logging any connectivity status changes on the customer's router. If there is no connectivity for 10 consecutive minutes, the service is considered to be in a "network outage" situation. If the outage is a result of a failure of any component on Northland's network or customer premise equipment supplied and managed by Northland, Northland may issue a credit (see credits below) based on the length of the outage. Service outages caused by planned maintenance, unauthorized modification of installed hardware, excessive bandwidth use caused by the customer, failure of telco circuits, power failures or failure of any customer premises equipment obtained from a source other than Northland are not covered by this Service Availability Guarantee and are not eligible for compensation. Situations where Northland cannot reach the technical contact and/or arrange access to customer premise for repair may also not be eligible for some or all credit. For Northland products that are not supported 24/7, credits may only apply for outages that occur during business hours.

For any outage that occurs during business hours, (Mon-Fri 8am – 6pm), Northland will provide 1 day of credit for each complete hour of the outage. During non business hours (nights, weekends and holidays), Northland will provide 1-day credit for any outage lasting more than 1 hour. A maximum of 15 days of credit may be provided during any single month. One day's credit is based on 1/30<sup>th</sup> of the monthly service charge.

**II. Network Latency Guarantee**

Network Latency refers to the amount of time (Round Trip Time) that it takes for an IP packet to traverse Northland's network backbone. Northland monitors latency at regular intervals and compiles the data into a monthly average. This measurement is guaranteed to meet the following standard:

Type of Connection	Metric
T1, Ethernet, Optical and licensed point to point wireless	45ms
NorthAir Wireless	80ms

Network Latency Credit: In the event that guaranteed network latency measurements are not met during any one calendar-month period, Northland will provide a credit equivalent to one (1) day of service charges (based on 1/30<sup>th</sup> of the monthly service charge).



### III. Packet Loss

"Packet Loss" is a measurement of the percentage of packets that are dropped on the Northland network backbone. Northland monitors packet loss at regular intervals and compiles the data into a monthly average. This measurement is guaranteed to meet the following standard:

Type of Connection	Metric
T1, Ethernet, Optical and licensed point to point wireless	.05%
NorthAir Wireless	1%

Packet Loss Credit: In the event that guaranteed packet loss measurements are not met during any one calendar-month period, Northland will provide a credit equivalent to one (1) day of service charges (based on 1/30<sup>th</sup> of the monthly service charge).

### IV. Jitter

"Jitter" is a measurement of packet delay variation between network nodes on the Northland network backbone. Northland monitors jitter at regular intervals using packet tests and compiles the data into a monthly average. This measurement is guaranteed to meet the following standard:

Type of Connection	Metric
T1, Ethernet, Optical and licensed point to point wireless	2ms
NorthAir Wireless	150ms

Jitter Credit: In the event that jitter loss measurement standards are not met during any one calendar-month period, Northland will provide a credit equivalent to one (1) day of service charges (based on 1/30<sup>th</sup> of the monthly service charge).



## Eligible Service Credits

Credits are based on Internet or MPLS bandwidth charges only and only apply to the specific circuit or affected service. This excludes credit for any other fees that might be charged to the customer. This includes, but is not limited to, set-up fees, local loop fees, muxing charges, and fees for additional services such as additional IP addresses, support charges, and other services.

## Service Credit Process:

### Filing Period

Claims for service availability must be submitted within 2 weeks of the event. Network Latency, Jitter and Packet Loss claims must be submitted within 30 days after the last day of the month when service levels are not met.

### Claim Process

Customer must submit the required information by electronic mail to: [sla-claims@northlandcom.com](mailto:sla-claims@northlandcom.com). Northland will acknowledge all claims within two business days and will review all claims within ten business days of receipt. Customer will be informed by electronic mail whether the appropriate service credit claim will be granted or rejected. If rejected, the notification will specify the basis for rejection.

### Required Information

The claim must include the following information:

- a. Organization name
- b. Administrative Contact's name and contact information
- c. Date and beginning/end time of outage or failed metric
- d. Brief description of the characteristics of the outage or failed metric.

### Credit Process

Approved Service Level Guarantee credits will be applied to the Customer's billing during the billing cycle following the claim approval.

### Policy Change

Northland reserves the right to change, amend, or revise this policy at any time.

The Northland Network does not include equipment located at Customer's premises whether or not provided by Northland, telephone circuits or networks between a POP and Customer's location, inactive POPs, or any networks, network equipment, or telephone circuits not owned or controlled by Northland.



1 Depot Park Dr, 5<sup>th</sup> Floor, Syracuse, NY 13204  
 Phone: (315) 571-5200 Fax: (315) 571-5260

317 Court St, Utica, NY 13502  
 Phone: (315) 524-2000 Fax: (315) 524-5255

## NORTHLAND COMMUNICATIONS SERVICE AGREEMENT FOR ONEIDA COUNTY

Effective May 29, 2012, Northland Communications and Oneida County will enter into the following agreement for the period of 26 months. Northland Communications will provide the following list of services at the location(s) listed below.

BTN: N/A

<p><b>VOICE/FACILITY SERVICE</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Units</th> <th style="text-align: left;">Service</th> <th style="text-align: left;">Rate</th> <th style="text-align: left;">Monthly</th> <th style="text-align: left;">Install Charge</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>20M Fiber Local Loop - 800 Park Ave., Utica, NY</td> <td>\$ 400.00</td> <td>\$ 400.00</td> <td>N/A</td> </tr> <tr> <td>1</td> <td>3M Local Loop - 300 W Dominick St., Rome, NY</td> <td>\$ 275.00</td> <td>\$ 275.00</td> <td>N/A</td> </tr> <tr> <td>1</td> <td>3M Local Loop - 301 W Dominick St., Rome, NY</td> <td>\$ 275.00</td> <td>\$ 275.00</td> <td>N/A</td> </tr> <tr> <td>1</td> <td>1M Local Loop - 617 South St., Utica NY</td> <td>\$ 199.00</td> <td>\$ 199.00</td> <td>N/A</td> </tr> <tr> <td>1</td> <td>1M Local Loop - 930 York St., Utica NY</td> <td>\$ 199.00</td> <td>\$ 199.00</td> <td>N/A</td> </tr> </tbody> </table>	Units	Service	Rate	Monthly	Install Charge	1	20M Fiber Local Loop - 800 Park Ave., Utica, NY	\$ 400.00	\$ 400.00	N/A	1	3M Local Loop - 300 W Dominick St., Rome, NY	\$ 275.00	\$ 275.00	N/A	1	3M Local Loop - 301 W Dominick St., Rome, NY	\$ 275.00	\$ 275.00	N/A	1	1M Local Loop - 617 South St., Utica NY	\$ 199.00	\$ 199.00	N/A	1	1M Local Loop - 930 York St., Utica NY	\$ 199.00	\$ 199.00	N/A	<p><b>ORDER INFORMATION</b></p> <p><input type="checkbox"/> <b>New Contract</b>        The terms for the services contained in this contract are effective at such time services are available for customer use.</p> <p><input checked="" type="checkbox"/> <b>Existing Contract (Addendum)</b>        Northland Communications will amend the existing agreement dated July 9, 2010. All terms and conditions of the original contracted dated July 9, 2010 will apply. Extend existing contract to July 31, 2014.</p> <p>Incorporate: Extend existing contract to:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Schedule A Terms and Conditions</b></p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Internet Installation Process</b></p>
Units	Service	Rate	Monthly	Install Charge																											
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<p><b>PRIVATE DATA NETWORK</b></p> <p>Northland provides tariffed and non-tariffed network facilities. In the event that tariffed facilities are used, the pricing is reflective of tariffed services purchased from another network provider on behalf of Oneida County, plus a monthly access coordination charge for services performed by Northland Communications. In the event of a tariff change by the other network provider, Northland Communications reserves the right to adjust this pricing in accordance with the tariffed rate change.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Service</th> <th style="text-align: left;">Monthly</th> <th style="text-align: left;">Install Charge</th> </tr> </thead> <tbody> <tr> <td>MPLS Data Network (20M Fiber) - 800 Park Ave, Utica, NY</td> <td>\$ 197.11</td> <td>N/A</td> </tr> <tr> <td>MPLS Data Network (3M) - 300 W Dominick St., Rome, NY</td> <td>\$ 112.11</td> <td>N/A</td> </tr> <tr> <td>MPLS Data Network (3M) - 301 W Dominick St., Rome, NY</td> <td>\$ 112.11</td> <td>N/A</td> </tr> <tr> <td>MPLS Data Network (3M) - Bldg 100 Griffiss Airfield, Rome, NY</td> <td>\$ 112.11</td> <td>N/A</td> </tr> <tr> <td>MPLS Data Network (1M) - 617 South St., Utica, NY</td> <td>\$ 88.11</td> <td>\$ 300.00</td> </tr> <tr> <td>MPLS Data Network (1M) - 930 York St., Utica, NY</td> <td>\$ 88.11</td> <td>\$ 300.00</td> </tr> </tbody> </table>	Service	Monthly	Install Charge	MPLS Data Network (20M Fiber) - 800 Park Ave, Utica, NY	\$ 197.11	N/A	MPLS Data Network (3M) - 300 W Dominick St., Rome, NY	\$ 112.11	N/A	MPLS Data Network (3M) - 301 W Dominick St., Rome, NY	\$ 112.11	N/A	MPLS Data Network (3M) - Bldg 100 Griffiss Airfield, Rome, NY	\$ 112.11	N/A	MPLS Data Network (1M) - 617 South St., Utica, NY	\$ 88.11	\$ 300.00	MPLS Data Network (1M) - 930 York St., Utica, NY	\$ 88.11	\$ 300.00	<p><b>CANCELLATION OF CIRCUITS</b></p> <p>Any private network circuits with Northland or any other provider, require a minimum 30 day written notification to cancel the circuits to the appropriate provider.</p> <p>Initials _____ Date _____</p> <p><b>ADDITIONAL INFORMATION</b></p> <p>Pricing is subject to change, without the bundled services of Northland which may include local usage, long distance, dedicated Internet, communications equipment and/or data services. Additional installation charges may apply for inside wiring beyond the Telco demarcation location. Taxes and surcharges are not included in the pricing.</p> <p>Initials _____ Date _____</p>									
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<p><b>INTERNET</b></p> <p>Northland Communications will provide dedicated Internet access using IP routing.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Service</th> <th style="text-align: left;">Monthly</th> <th style="text-align: left;">Install Charge</th> </tr> </thead> <tbody> <tr> <td>10M Dedicated Internet - 800 Park Ave., Utica, NY</td> <td>\$ 325.00</td> <td>N/A</td> </tr> </tbody> </table>	Service	Monthly	Install Charge	10M Dedicated Internet - 800 Park Ave., Utica, NY	\$ 325.00	N/A	<p><b>VENDOR INFORMATION</b></p> <p>All vendor related charges are the responsibility of the customer, if required.</p> <p>Initials _____ Date _____</p>																								
Service	Monthly	Install Charge																													
10M Dedicated Internet - 800 Park Ave., Utica, NY	\$ 325.00	N/A																													
<p><b>CO LOCATION</b></p> <p>Northland will provide colocation service, whereby Northland will provide rack space, power, cooling and network connectivity (internet or MPLS) to servers or network devices provided by the customer. Northland is not responsible for maintaining equipment or software provided by the customer. Northland does not provide any insurance on any equipment that a customer colocates in its data centers. Northland is not liable for any loss of equipment or business in any event.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Service</th> <th style="text-align: left;">Monthly</th> <th style="text-align: left;">Install Charge</th> </tr> </thead> <tbody> <tr> <td>First Rack Unit Co-Location</td> <td>\$ -</td> <td>\$ -</td> </tr> <tr> <td>Second Rack Unit Co-Location</td> <td>\$ -</td> <td>\$ -</td> </tr> </tbody> </table> <p style="font-size: 2em; font-weight: bold; color: red; margin-left: 20px;">N/A</p>	Service	Monthly	Install Charge	First Rack Unit Co-Location	\$ -	\$ -	Second Rack Unit Co-Location	\$ -	\$ -	<p><b>CUSTOMER AGREEMENT</b></p> <p>I agree to the terms and conditions of this Service Agreement.</p> <p><i>Anthony J. Picone, Jr</i>        Customer Name &amp; Title</p> <p><i>Susan Migliore</i> 7/17/12        Signature Date</p> <p><i>Susan Migliore</i> 5-29-12        Northland Authorized Signature Date</p>																					
Service	Monthly	Install Charge																													
First Rack Unit Co-Location	\$ -	\$ -																													
Second Rack Unit Co-Location	\$ -	\$ -																													
<p>Signature _____ Date _____</p>	<p>Signature _____ Date _____</p>																														

Approved As to Form  
 ONEIDA COUNTY ATTORNEY  
 By *Gregory J. Amora* 30.

Oneida Co. Department: Central Services

Competing Proposal – N/A  
Only Respondent – N/A  
Sole Source RFP - N/A

**Oneida County Board of Legislators**

**Name of Proposing Organization:** Central Services Department

**Title of Activity or Service:** MPLS and Internet

**Proposed Dates of Operation:** January 1, 2013 for 36 months

**Client Population/Number to be Served:** Employees located at 300 & 301 W. Dominick , Griffiss, CAC, WIC, Union Station and 120 Airline Drive.

**Summary Statements:**

- 1. Narrative Description of Proposed Services:** Network Data Services and Internet
- 2. Program/Service Objectives and Outcomes:** Efficient Communications across County Network
- 3. Program Design and Staffing :** N/A

**Total Funding Requested:** \$75,079.80

**Account #:** 1610.492

**Oneida County Dept. Funding Recommendation:** Funded via 1610 account.

**Proposed Funding Sources (Federal \$/State \$/County \$):** County

**Cost per Client Served:** N/A

**Past Performance Data:** Northland MPLS connections have proven highly reliable since inception in 2010.

**O.C. Departmental Staff Comments:** Recommend contract based on superior past performance.

# Griffiss International Airport



Oneida County Department of Aviation  
592 Hangar Road, Suite 200  
Rome, NY 13441  
Telephone: 315-736-4171 / Fax: 315-736-0568

ANTHONY J. PICENTE, JR.  
County Executive

F. RICHARD GIFFORD, II  
Commissioner of Aviation

November 30, 2012

Anthony J. Picente, Jr  
Oneida County Executive  
800 Park Drive  
Utica, NY 13501

FN 20 13 - 004

**AIRPORT**

**WAYS & MEANS**



Re: Design of Federal Inspection Station (FIS) Facility

Dear County Executive Picente,

In anticipation of funding, the Department of Aviation is submitting for approval of a Consultant agreement with C&S Engineers, Inc. for the design of an FIS Facility to accommodate Customs and Border Protection (CBP) staff to clear international flight crews and up to 20 international passengers arriving at the County Airport. C&S Engineers, Inc.'s, maximum amount payable under this agreement is \$122,000.00.

This contract was reviewed and approved by the Oneida County Board of Acquisition and Contract on November 28, 2012.

The Oneida County Board of Legislators designated C&S Companies as an approved Airport Consultant (F.N. 2009-#348).

C&S will provide professional Design Services for an FIS building of approximately 3,000 square feet. The building design shall include all plumbing, HVAC, fire protection, mechanical and electrical systems. Building shall include all spaces and equipment as required by CBP. Services include letter update of Environmental Assessment (EA) and State Environmental Quality Review (SEQR) approvals.

Please consider acceptance of the agreement from C&S Engineers for \$122,000.00 for providing necessary consultant services associated with the design for the FIS facility at Griffiss International Airport. At present, this project will be funded 100% with County dollars.

If you concur, please forward to the Board Legislators for consideration.

Sincerely,

*F. Richard Gifford II*  
F. Richard Gifford, II  
Commissioner of Aviation

Reviewed and Approved for submission to the  
Oneida County Board of Legislators by

*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive

Date 12/18/12



Oneida County Department: Aviation

Competing Proposal   x    
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_

## Oneida County - Contract Summary

**Name of Proposing Organization:** C&S Engineers

**Title of Activity or Service:**  
Professional Design services for a  
Federal Inspection Station

**Client Population/No. to be Served:** N/A

**Summary Statements:**

**1) Narrative Description of Proposed Services:**

C&S will provide professional Design Services for a Federal Inspection Station

**2) Program/Service Objectives and Outcomes:**

C&S will provide Drawings and Specification for the future Federal Inspection Station

**3) Program Design and Staffing Level:** N/A

**Total Funding Requested:** \$122,000

**Oneida County Department Funding  
Recommendation:**

**Account #**

<b>Proposed Funding Source:</b>	<b>Federal</b> \$ _____	<b>State</b> \$ _____	<b>County</b> \$ 122,000 _____
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**Cost Per Client Served:** N/A

**Past Performance Data:**

**Oneida County Department Staff Comments:** Approved at A&C on 8-29-2012



**MOHAWK VALLEY COMMUNITY COLLEGE**

1101 Sherman Drive  
Utica, New York 13501-5394  
www.mvcc.edu

Office of the President  
(315) 792-5333  
Fax (315) 792-5678

FN 20 13 - 005

December 18, 2012

Honorable Anthony Picente  
County Executive  
800 Park Avenue  
Utica, New York 13501

**ECONOMIC DEVELOPMENT  
& TOURISM**

Reviewed and Approved for submission to the  
Oneida County Board of Legislators by

**WAYS & MEANS**

*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive

Date 12/30/12

Dear Mr. Picente:

I am pleased to forward for your review a revised three-year contract that the members of the MVCC Association of Mohawk Valley Administrators and the MVCC Board of Trustees have both ratified. This collective bargaining agreement is well within the parameters set forth by the MVCC Board of Trustees. With savings from the concessions, the three year average net cost as percentage of payroll for this unit is 1.42%.

**BACKGROUND**

Mohawk Valley Community College began negotiations with the Association of Mohawk Valley Administrators on March 10, 2011. From March, 2011 through August 2011 the parties participated in six (6) negotiations sessions. In September 2011, impasse was declared and a mediator was assigned. The first mediation session was held in October 2011 and the last mediation session (with a total of 3) was in August 2012. In October 2012 the parties came back to the table to negotiate and reached a tentative agreement in November 2012 of which AMVA membership approved last week.

**NON-FINANCIALS**

**Incorporation of prior memoranda of agreement** – The parties shall incorporate prior memoranda of agreement into the collective bargaining agreement concerning assistant deans/MVCC academic reorganization and the parties, ongoing joint committee.

**FINANCIALS**

**Salary Adjustments**

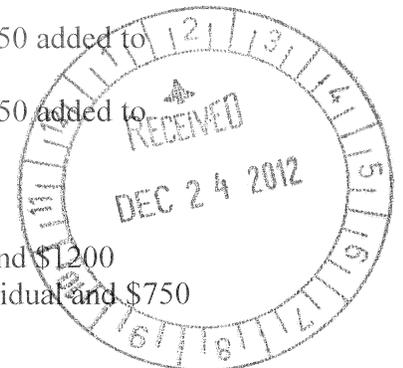
**Year 1 – 2011-2012** no increase to base salary and a one-time payment of \$700 to bargaining unit members not added to base salary.

**Year 2 – 2012-2013** all bargaining unit members will receive \$1,850 added to their base salary. Approximately 2.79% of AMVA base salaries.

**Year 3 – 2013-2014** all bargaining unit members will receive \$1,850 added to their base salary. Approximately 2.78% of AMVA base salaries.

**Health Insurance**

Waiver/buyout - effective January 1, 2013: \$600 annually for individual and \$1200 annually for a family. Current waiver amounts are \$300 annually for individual and \$750 annually for a family.



40.

**Health Reimbursement Account (Benefit Year 2012 only) –**

AMVA filed an Improper Practice Charge with PERB against the College for changing the health and prescription plans effective January 1, 2012. These plan changes saved the College approximately \$70,000 for 2012.

**Promotion Compensation**

Effective with and retroactive to the 2011-2012 fiscal year, (a) a fourth promotion step will be added, and (b) promoted employees will receive upon promotion to each higher level the following increase in base salary:

- Level 1 to Level 2            \$1,500 (was \$1,000 added to base)
- Level 2 to Level 3            \$2,000 (was \$1,000 added to base)
- Level 3 to Level 4            \$2,500 (NEW)

**Long-term Disability Coverage**

The College shall continue to provide long-term disability coverage to all bargaining unit members. The cost of this coverage is approximately \$4,800 annually.

I hope that you will support this collective bargaining agreement and respectfully request that you forward it for expedited review by the Oneida County Board of Legislators. Enclosed are three copies of the contract with original signatures. One is for your records. I would appreciate the return of the other two when they are signed.

If there are any questions about this agreement or about the changes it contains, please do not hesitate to call me directly.

Sincerely,



Randall J. VanWagoner  
President

**Enclosures**

- cc:     MVCC Board of Trustees  
        Gerald Fiorini, Chairman of the Board  
        David Wood, Majority Leader  
        Brian Miller, Assistant Majority Leader  
        Stephen Roefaro, Assistant Majority Leader; Chairman, Education & Youth  
        Patricia Hudak, Minority Leader  
        Mike Clancy, Assistant Minority Leader  
        Bill Goodman, Assistant Minority Leader  
        Rose Ann Convertino, Assistant Minority Leader  
        Stephen Roefaro, Chairman, Education & Youth  
        Les Porter, Chairman, Ways and Means  
        Alfred Candido, Chief of Staff  
        Anthony Carvelli, Commissioner of Finance  
        John Talerico, Commissioner of Personnel  
        Tom Keeler, Budget Director  
        Joseph Timpano, Comptroller  
        Mike Billard, Clerk of the Board

MOHAWK VALLEY COMMUNITY COLLEGE  
Utica and Rome New York

MEMORANDUM

December 17, 2012

**TO:** MVCC Board of Trustees

**FROM:** Randall J. VanWagoner  
President

**SUBJECT:** Ratification of Collective Bargaining Agreement

I recommend that the Board of Trustees adopt the following resolution:

RESOLVED that the Board of Trustees approve the Agreement negotiated by the College and the Association of Mohawk Valley Administrators for the period of September 1, 2011 through August 31, 2014, proposed among and between the Association of Mohawk Valley Administrators, the Board of Trustees of Mohawk Valley Community College and the Board of Legislators of the County of Oneida.

TENTATIVE AGREEMENT FOR A SUCCESSOR COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE COUNTY OF ONEIDA, THE BOARD OF  
TRUSTEES OF MOHAWK VALLEY COMMUNITY COLLEGE, AND  
THE ASSOCIATION OF MOHAWK VALLEY ADMINISTRATORS\*

1. Salary
  - A. Year 1 (2011-12): one-time \$700 payment to each unit member, not to increase or be added to the base salary of any unit members.
  - B. Year 2 (2012-13): increase salaries by \$1,850.00.
  - C. Year 3 (2013-14): increase salaries by \$1,850.00.
  
2. Health Insurance
  - A. Waiver/buyout effective January 1, 2013: \$600 for individual; \$1200 for family.
  - B. Reimbursement: for calendar year 2012 only and provided proof is submitted, bargaining unit members shall be reimbursed the exact dollar amount of co-pay and other costs paid under the SimplyBlue health insurance plan that are higher than the costs the member would have paid under the health insurance plan in which he or she was enrolled during 2011, based on that plan's costs in 2012.
  
3. Promotion

Effective with and retroactive to the 2011-2012 fiscal year, (a) a fourth promotion step will be added, and (b) promoted employees will receive upon promotion to each higher level the following increase in base salary:

Level 1 to Level 2	\$1500
Level 2 to Level 3	\$2000
Level 3 to Level 4	\$2500
  
4. Long-Term Disability Coverage

The College shall provide long-term disability coverage for bargaining unit members.
  
5. Incorporation of Prior Memoranda of Agreement

The parties shall incorporate prior memoranda of agreement into the collective bargaining agreement concerning assistant deans/MVCC academic reorganization and the parties' ongoing joint committee.
  
6. Improper Practice Charge

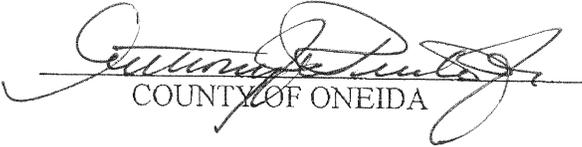
The Association shall withdraw PERB improper practice charge, case no. U-31707.

\* This Tentative Agreement is conditioned upon ratification by the membership of the Association of Mohawk Valley Administrators and the Board of Trustees of Mohawk Valley Community College, and legislative approval by the Board of Legislators of Oneida County.

7. Overload

No language change. Overload payment will continue as per collective bargaining agreement (i.e., \$59.38 for 2011-12, \$60.86 for 2012-13, etc.).

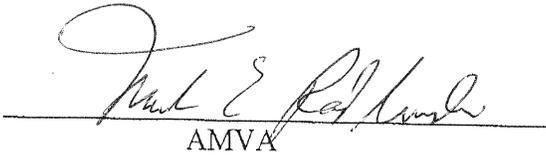
Date: 11/28/12

  
COUNTY OF ONEIDA

Date: 11/28/12

  
MVCC

Date: 11/27/12

  
AMVA



David L. Mathis  
Director, Workforce Development

Anthony J. Picente, Jr.  
Oneida County Executive

December 6, 2012

FN 20 13 006

Oneida County Executive Anthony J. Picente Jr.  
Oneida County Office Building  
800 Park Avenue  
Utica, NY 13501

HEALTH & HUMAN SERVICES

Dear County Executive Picente:

**WAYS & MEANS**

Attached for your approval are five (5) copies of a Purchase of Services Agreement (DSS / EP-13-01) that has been reviewed and is recommended for your signature. By means of the attached Agreement, Oneida County Workforce Development contracts with the Workforce Investment Board of Herkimer, Madison and Oneida Counties, Inc., to provide Oneida County Department of Social Services with employment functions for employable recipients of TANF assistance.

This Agreement covers the period January 1, 2013 - December 31, 2013 and has a total budget of \$553,237.00. **It is completely funded by the Department of Social Services.**

**Board of Legislators' approval is required.**

Please sign and date the attached Agreements where clipped, and return them to Anthony Ricci of my staff (ext. 5908).

If you have any questions, please feel free to contact me. Thank you.

Sincerely,

*David Mathis*

David Mathis, Director  
Oneida County Workforce Development



Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

*Anthony J. Picente Jr.*  
Anthony J. Picente Jr.  
County Executive  
Date 12/19/12

45.

11/06/12

**Oneida Co. Workforce Development**

**Competing Proposal** \_\_\_\_\_  
**Only Respondent** \_\_\_\_\_  
**Sole Source RFP**  X

**Oneida County Board of Legislators**  
**Contract Summary**

**Name of Proposing Organization:**

Oneida County Department Workforce Development  
209 Elizabeth Street  
Utica, New York 13501

**Title of Activity or Services:**

DSS Employment Unit

**Proposed Dates of Operations:**

January 1, 2013 through December 31, 2013

**Client Population/Number to be Served:**

Eligible employable TANF Recipients.

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services:** The Oneida County Department of Social Services delegates the functions of its Employment Unit to Oneida County Workforce Development and has provided the funds necessary to accomplish this goal.

Oneida County Workforce Development, in turn, contracts with the Workforce Investment Board of Herkimer, Madison, and Oneida Counties, Inc. to hire personnel to staff the Employment Center Unit.

Employment Center services are provided to the Department of Social Services' employable Family Assistance (FA), Temporary Assistance for Needy Families (TANF) and Safety Net (SN) recipients of Temporary Assistance.

Duties to be performed include, but are not limited to the following:

All assessments, employability plans, referral to activity, assignment to activity, actual attendance monthly, job attainment/loss, non-compliance, conciliation, end of activity, and narration on each case activity must be done according to New York State mandates and the Department of Social Services' local Employment Policy plan, which is reported to the New York State Office of Temporary and Disability Assistance (OTDA) immediately, but not after the 15th of the following calendar month in order to derive statistics and participation rates. Reporting is accomplished via a PC-based database -- the Case Management System (CMS) -- which is updated and maintained by OTDA and coordinated with the Welfare Management System (WMS).

Communication with corresponding Temporary Assistance Worker pertinent information concerning each case will include, but will not be limited to: employability code changes, reimbursement requests, activity updates, and other general information concerning cases which could have an impact on budgeting or eligibility.

46.

Orientation and assessment, which has specific mandatory components, including state and local forms, agreements, HIPAA acknowledgements, medical/psychiatric, drug-alcohol, domestic violence forms, employability plans, etc., as well as supportive services, including but not limited to childcare and transportation assistance, as well as diversion from Temporary Assistance and transitional services upon case closing, which are a required part of any assessment.

**2). Program/Service Objectives and Outcomes** The objective of this program is to assist eligible employable TANF and Safety Net recipients find sustainable employment thereby reducing or eliminating their need for public assistance.

**3). Program Design and Staffing Level -** Staffing is currently as follows: (1) full-time coordinator, (1) full-time Senior Employment Advisor, (9) full-time Employment Advisors, and (1) full-time Principal Account Clerk. **No additional hires are expected in calendar year 2013 at this time.**

**Total Funding Requested:** \$ 553,237, funded in full by Department of Social Services.

**Mandated or Non-mandated:** Mandated.

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

<b>Federal / State</b>	100 %	=	\$ 550,237
<b>County</b>	0 %	=	\$ 0

**Cost Per Client Served:** \$328.90, based on average monthly caseload as of September 30, 2012

**Past performance Served:** This Agreement represents the third year of DSS Employment Unit functions managed by Oneida County Workforce Development. The current monthly caseload (January through September, 2012) of the Employment Center averages 1,673 clients. The monthly caseload of the Employment Center for the calendar year 2011 averaged 1,344 clients. A listing of the caseloads for calendar year 2011, and for the period January through September 2012, monthly, aggregate, and average, is attached.

**O.C. Department Staff Comments:** This Agreement consolidates employment services under the auspices of Oneida County Workforce Development. Staff recommends continuation.

**Employment Center Statistics**

<b>2011</b>	Family Assistance	Safety Net Family	Safety Net Individual	Total Cases
January	733	166	202	1101
February	763	173	223	1159
March	827	174	235	1236
April	840	177	220	1237
May	864	186	245	1295
June	863	198	237	1298
July	900	198	236	1334
August	982	204	255	1441
September	990	258	262	1510
October	998	214	280	1492
November	1006	209	277	1492
December	1037	208	283	1528
Average	900.25	197.08	246.25	1343.58

<b>2012</b>	Family Assistance	Safety Net Family	Safety Net Individual	Total Cases
January	1079	213	312	1604
February	1064	204	316	1584
March	1084	232	307	1623
April	1151	238	313	1702
May	1161	243	291	1695
June	1132	233	298	1663
July	1165	241	313	1719
August	1166	252	308	1726
September	1178	247	316	1741
Average	1131.11	233.67	308.22	1673.00

**Anthony J. Picente Jr.**  
County Executive



**Lucille A. Soldato**  
Commissioner

**ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES**

County Office Building, 800 Park Avenue, Utica, NY 13501  
Phone (315) 798-5733 Fax (315) 798-5218

December 7, 2012

Honorable Anthony J. Picente Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, New York 13501

FN 20 13 - 007

HEALTH & HUMAN SERVICES

Dear Mr. Picente:

**WAYS & MEANS**

I am submitting the following Purchase of Services Agreement for review and approval by the Board of Legislators per Board Resolutions and Local Law #3 of 2001, amending Article VIII, Section 802 of the Administrative Code.

The Purchase of Services Agreement with the Utica Police Department ensures a full-time Utica Police Officer specially trained in the area of Child Abuse and investigation that is assigned to the Child Advocacy Center.

The Child Advocacy Center has been in effect since 1990. The Center is comprised of a multidisciplinary team that includes Law Enforcement, Child Protective Services, medical providers, advocacy and counseling.

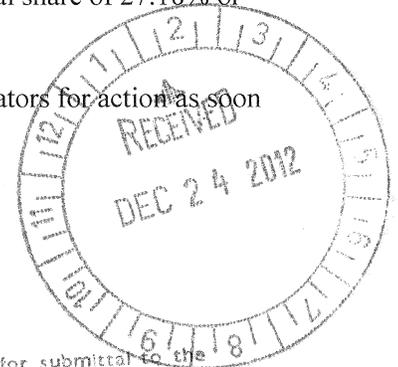
This Agreement is scheduled to become effective January 1, 2013 through December 31, 2013. The total budget for participation of a Utica Police Department is \$ 105,873.91 with a local share of 27.18% or \$28,776.53.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for action as soon as possible. Thank you for your consideration.

Sincerely,

Lucille A. Soldato  
Commissioner

LAS/tms  
Attachment



Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Date 12/19/12

12/7/12  
# 19001

Oneida Co. Department Social Services

Competing Proposal \_\_\_\_\_  
Only Respondent \_\_\_\_\_  
Sole Source RFP \_\_\_\_\_

Oneida County Board of Legislators  
Contract Summary

Name of Proposing Organization: City of Utica Police Department  
413 Oriskany Street West  
Utica, New York 13501

Title of Activity or Services: Child Advocacy Center

Proposed Dates of Operations: 1/1/2013-12/31/2013

Client Population/Number to be Served:

**SUMMARY STATEMENTS**

**1). Narrative Description of Proposed Services**

Multidisciplinary team which provides on-site law-enforcement, Caseworkers, victim advocacy, scheduled medical examinations, and counseling to victims of Child Sexual Abuse cases. The contract allows for (1) Police Officer from the Utica Police Department to be dedicated to the Child Advocacy Center.

**2). Program/Service Objectives and Outcomes -**

Provides for participation of a Police Officer at the Child Advocacy Center. The Child Advocacy Center allows Oneida County Department of Social Services to:

(1). Establish a multidisciplinary team consisting of Law Enforcement, District Attorney's Office, Child Protective Services and Medical Providers Rape Crisis.

(2). Increase percentage of reported Child Sexual Abuse case that are indicated, prosecuted, and convicted.

(3). Decrease the number of interviews with the child, level of trauma to the child and secondary victims.

**3). Program Design and Staffing Level -**

1 Full-time Utica Police Officer

Which will work with a multidisciplinary team consisting of and additional:

1 Full-Time Oneida County Deputy Sheriff

1 Full-Time Rome Police Officer

1 Child Advocacy Administrator through the Sheriff's Office

**Total Funding Requested:** \$ 105,873.91

**Oneida County Dept. Funding Recommendation:** Account #: A6011.49537

**Mandated or Non-mandated Service:** The Department is mandated to investigate instances of alleged abuse or neglect

**Proposed Funding Source (Federal \$ /State \$ / County \$):**

Federal	38.39	%	\$ 40,644.99
State	34.43	%	\$ 36,452.39
County	27.18	%	\$ 28,776.53

**Cost Per Client Served:**

**Past performance Served:** The Department has had a contract with the Utica Police Department as part of the Child Advocacy Center since 1990. The Department's 2012 total support for this service was \$ 105,383.34.

**O.C. Department Staff Comments:** The Department is satisfied with the provider's services.

5/.



**ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL**

51 Leland Ave, PO Box 442, Utica, NY 13503-0442  
(315) 798-5656 wpc@ocgov.net FAX 724-9812

**Anthony J. Picente, Jr.**  
County Executive

**Steven P. Devan, P.E.**  
Commissioner

December 20, 2012

FN 20 13 - 008

The Honorable Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, NY 13501

**PUBLIC WORKS  
WAYS & MEANS**

Re: SEQR Determination of Significance  
Capital Project HG479 – North Utica Parallel Interceptor

Dear County Executive Picente:

I am enclosing a Short Form Environmental Assessment Form and supporting Statement of Findings in regards to the North Utica Parallel Interceptor project. I ask that you forward these documents to the Oneida County Board of Legislators, so that they may review and make the necessary determination of significance.

I would appreciate consideration of this request by you and Board of Legislators so that the legislation could be acted upon during the January 9<sup>th</sup> meeting prior to acting on the bond resolution for this project. I am available to meet with you or the Board at your convenience to discuss this request and explain it in more detail.

Thank you for you consideration in this matter.

Sincerely,  
**THE ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY AND WATER POLLUTION CONTROL**

Steven P. Devan, P.E.  
Commissioner



Cc: Gregory J. Amoroso, County Attorney

Reviewed and Approved for submittal to the  
Oneida County board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive  
Date 12/20/12

**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Oneida County	2. PROJECT NAME North Utica Interceptor Sewer Upgrades
3. PROJECT LOCATION: Municipality City of Utica County Oneida	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Beginning at NYS Route 12 interchange with NYS Route 790, running easterly approximately 9,300 lf, generally bounded on the north by the NYS Thruway and on the south by the NYS Barge Canal and extending easterly of Leland Avenue. See attached map.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Upgrade approx. 9,300 lf of existing 30-inch diameter sanitary sewer with 42-inch diameter sanitary sewer to increase hydraulic capacity and provide redundancy to critical infrastructure. New alignment will generally closely follow existing, with the exception of the area of North Genesee Street where an alternate alignment is necessary to avoid conflicts with buildings, roads, and utilities.	
7. AMOUNT OF LAND AFFECTED: Initially <u>8.5</u> acres    Ultimately <u>&lt;1</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: With the exception of the area immediately adjacent to North Genesee Street, which is commercial property, existing land use is open space containing natural and constructed wetlands, and existing utility easements (Oneida County Sewer District, National Grid). See attached narrative for complete description.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: NYSDEC - sewer plan approval, SWPPP NOI, wetland; ACOE - wetland NYSTA/Canal Corp - plan approval/work permit; NYSDOT - plan approval, work permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Steven Devan, PE, Commissioner, Water Pollution Control</u> Date: <u>9/11/12</u> Signature: <u></u>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
 No adverse impacts are anticipated. Engineering control will be incorporated into the design.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
 No adverse impacts are anticipated. Sewer will be constructed below grade and ground surface restored.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
 No adverse impacts anticipated.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
 No adverse impacts anticipated.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
 No adverse impacts anticipated.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
 No adverse impacts anticipated.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
 No adverse impacts anticipated.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  
 Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Oneida County	Oneida County
_____	_____
Name of Lead Agency	Date
Gerald Fiorini	Chairman - Oneida County Board of Legislators
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

**North Utica Interceptor Sewer  
Oneida County Sewer District  
County of Oneida**

**State Environmental Quality Review – Statement of Findings  
November 14, 2012**

Oneida County (County), as Lead Agency, has concluded the State Environmental Quality Review (SEQR) for the proposed construction of upgrades to the North Utica Interceptor Sewer (Interceptor Sewer). The County, through the Oneida County Sewer District (District) owns and operates this interceptor sewer in conjunction with other District-owned facilities.

The County initiated the SEQR process preparing Part I of the Environmental Assessment Form (Short Form) and a bound document titled “State Environmental Quality Review, Supplemental Information – Oneida County Sewer District, North Utica Interceptor Sewer Upgrade”, dated September 7, 2012. Both documents were submitted on September 11, 2012 to: New York State Department of Environmental Conservation, New York State Department of Transportation, New York State Canal Corporation, Oneida County Department of Planning, NYS Thruway Authority, NYS Office of Parks, Recreation, and Historic Preservation, and City of Utica Department of Engineering. Written comments were received from New York State Department of Conservation and New York State Department of Transportation. No other comments were received. The County has taken into consideration the comments provided.

The following summarizes the County’s responses to applicable comments received:

**1. Commenter: New York State Department of Transportation (reference – letter from Alice F. Romanych, Planning and Program Manager, Region 2 - Utica, dated October 15, 2012).**

*a. Comment: The New York State Department of Transportation has reviewed the information provided and does not have any concerns at this time.*

**Response: Comment noted.**

*b. Comment: Please continue to work with our Regional Permit Coordinator Ken Andela and Assistant Resident Engineer Scott Luscomb as the project progresses.*

**Response: Comment noted.**

**2. Commenter: New York State Department of Environmental Conservation (reference – letter from Rosa Howard, Environmental Analyst I, Region 6 - Utica, dated October 23, 2012).**

*a. Comment: The DEC has no objections to Oneida County being Lead Agency for this project.*

**Response: Comment noted.**

*b. Comment: To expedite any forthcoming technical review or permit application, the DEC offers the following checklist of items to be considered:*

- General*
- Brief engineering report*
- Two (2) complete sets of plans(including location map on cover page)*
- Form 92-19-4, “Application for Approval of Plans for Wastewater Disposal System*

- *NYSDEC and/or Local authority wetlands determination shown on the plans (if necessary)*
- *NYSDEC and/or Local authority wetlands disturbance permit (if necessary)*
- *All metes and bounds, easements, and rights-of-way shown on plans*

**Response: Comment noted.**

- c. *Comment: The NY Natural Heritage Program element occurrence database indicates that there are one or more Listed Species on or in close proximity to the project site.*

**Response:** As noted in the Supplemental Information document, the engineering consultant previously reviewed the NYSDEC’s internet-based Environmental Resource Mapper. The potential of rare plants and animals within the project area was identified. The engineering consultant subsequently requested a list of potential rare species from Region 6 Deputy Permit Administrator Patrick Clearey. On August 24, 2012 Region 6 Biologist Steve Heerkens contacted the engineering consultant to discuss NYDEC information regarding potential rare plants and/or animals within the limits of the proposed interceptor sewer project. Mr. Heerkens is familiar with the general location of the project based on an earlier site walk of the project route with the consulting engineer on May 4, 2012. Mr. Heerkens noted that based on available information and his knowledge of the project location, he recommended that a review of technical information be done to assess the impact on four species of birds that have been detected in the past but are generally considered rare for this locale: Least Bitterns; Pied-Billed Grebe; Sedge Wren, and Black Tern. More specifically, his recommendation was to assess the impact that the proposed sewer construction process may have on the nesting/breeding habits of these birds. An on-line literature search of the Cornell Lab of Ornithology (“Birds of North America” technical document) was conducted. Below is a brief overview of the findings:

Species	Range	Habitat	Migratory	Breeding	Endangered
Least Bitterns	Atlantic and Gulf Coast States, Central Plain States.	Freshwater and brackish marshes with dense, tall vegetative growth	Yes. Move southerly to the Atlantic and Gulf Coast Regions in Aug./Sept. and return in April.	Late April	No
Pied-Billed Grebe	Majority of North America.	Seasonal or permanent ponds within freshwater wetlands.	Yes. Move to southern states and Mexico in Aug./Nov. and return April/May.	April - June	No
Black Tern	Nesting populations primarily concentrated in Central Plain and upper mid-West States.	Shallow marshes and semi-permanent ponds	Yes. Move southwesterly to the California and Gulf Coast regions in Aug./Sept. and return in March/April.	May	No
Sedge Wren	Nomadic terrestrial bird. Nesting populations concentrated in the upper Central Plain states.	Sedges/grasses, bushes, sedge meadows, and wet meadows.	Yes. Move southerly to the Atlantic and Gulf Coast regions in Sept. and return April/May.	May-June	No

*Ste.*

Additionally, a current search of the Endangered Species database at the U.S. Fish and Wildlife Service website (<http://www.fws.gov/Endangered/>) listed no federally identified threatened/endangered species in Oneida County, although written correspondence from the U.S. Fish and Wildlife Service did note the potential presence of the Indiana Bat (summer impact). However, any tree removal/trimming will be limited and will occur during the winter months while bat population has migrated away from the project area. For informational purposes, a previous Indiana Bat study performed at the nearby Marcy Nanocenter site did not result in the collection/identification of this species of bat.

It is also noted that the proposed project site is in the adjacent limits of the Utica Marsh, which is the primary habitat for water fowl in the area. The Utica Marsh provides a much higher quality habitat for water fowl than the proposed project site.

Because these specific species of birds are migratory in nature and because construction of the proposed interceptor sewer is expected to begin in the winter when these species are nesting in the warm climate regions of the country, it is not anticipated that there will be a long term impact to their mortality as a result of the temporary construction activities.

- d. *Comment: Any impact to DEC freshwater wetlands, the 100-foot adjacent area, or regulated stream will require a Joint Application for Permit.*

**Response:** Comment noted. A wetland delineation has been performed for this project. A Joint Application for Permit will be prepared and submitted along with the required supporting documentation.

**3. Additional Review Information: Cultural Resources Assessment.**

A review of the New York State Office of Parks, Recreation, and Historic Preservation (SHPO) interactive web site indicated that the proposed project sewer route is within an archaeo-sensitive area. Fisher Associates was retained to perform a Phase 1 Cultural Resource survey. This included both Phase 1A and 1B investigations. Upon completion of this work, a report was prepared for submission to the New York State Office of Parks, Recreation, and Historic Preservation which concluded that the proposed sewer alignment is considered to be heavily disturbed. No further archaeological investigative work is recommended with regard to this project.

- 4. Other Agencies:** No SEQR related comments were received from New York State Thruway Authority, New York State Canal Corporation, Oneida County Department of Planning, or City of Utica.

**DETERMINATION OF SIGNIFICANCE**

Based on comments received plus additional assessment and review by the County, there do not appear to be any issues related to this project that cannot be addressed through appropriate engineering design and construction methods. Therefore, no further evaluation and assessment under the SEQR process is warranted, an environmental impact statement is not required, and issuance of a Negative Declaration is recommended.

57.

JOSEPH J. TIMPANO  
Comptroller



SHERYL A. BROWN  
Deputy Comptroller

DEBORAH S. JOANIS  
Deputy Comptroller - Administration

**ONEIDA COUNTY DEPARTMENT OF AUDIT & CONTROL**

County Office Building • 800 Park Avenue • Utica, New York 13501  
(315) 798-5780 • Fax: (315) 798-6415  
E-Mail: jtimpano@ocgov.net

FN 20 13-009

**PUBLIC WORKS**

**Memo**

**WAYS & MEANS**

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

*Tony*  
**To:** Anthony J. Picente Jr., County Executive  
Board of Legislators  
**From:** Joseph J. Timpano, Comptroller *Joe*  
**Date:** December 21, 2012  
**Re:** Bond Resolution

*Anthony J. Picente Jr.*  
Anthony J. Picente, Jr.  
County Executive  
Date 12/31/12

Attached is a bond resolution to authorize \$6,630,000 funding for "HG479 -- North Utica Parallel Interceptor project", which was created by the Board of Legislators on November 14, 2012 as part of the 2013 Capital budget.

This amount will be issued as a county bond that will be repaid by the rate payers of the part county sewer district.

The Sewer fund principal payment for 2013 will be \$1,251,195; therefore this issue will increase their outstanding debt to \$18,947,140. This does NOT include the \$2,559,450 that has been drawn down to date under the short term financing agreement with EFC toward the DEC consent order projects.

I respectfully request that the Ways and Means Committee and the Board of Legislators consider this resolution at their January 9, 2013 meetings.

Thank you.

Cc: Mike Billard, Clerk of the Board  
Sheryl Brown, Deputy Comptroller  
Dee Elliott, Auditor III





**ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL**

51 Leland Ave, PO Box 442, Utica, NY 13503-0442  
(315) 798-5656 wpc@ocgov.net FAX 724-9812

**Anthony J. Picente, Jr.**  
County Executive

**Steven P. Devan, P.E.**  
Commissioner

December 21, 2012

The Honorable Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Avenue  
Utica, NY 13501

FN 20 13-010

Re: Public Hearing  
Capital Project HG482 - Consent Order Plant Upgrades Phase 6B

**WAYS & MEANS**

Dear County Executive Picente:

The Department of Water Quality and Water Pollution Control is in the process of preparing the necessary documents to secure funding for the capital project listed above. EFC has notified the County that they now have funding for this portion of the project. Consequently, it is time to move forward with the bonding process.

Article 5-A, Section 268 of the County Law requires, among other things, that a public hearing be held by the Board of Legislators to consider the improvements that will be made by the capital project in question. This public hearing is required before the Board can consider a bonding resolution for the project. The Board must pass the attached resolution establishing the public hearing to continue the funding process.

The engineers have calculated estimated cost of the project on annual basis for the average Sewer District ratepayer to be approximately \$38.00 for HG482 per year using the conservative assumption that the annual debt service translates directly to the sewer rate. Normally, this is a worst case assumption as debt service is part of the total Department budget and the sewer rate is derived from considering all expenses and revenues that affect the entire budget.

I would appreciate consideration of this request by you and Board of Legislators so that the legislation could be acted upon during the January 9<sup>th</sup> meeting. This would allow the public hearing to be held prior to the board meeting on February 13<sup>th</sup>. I am available to meet with you or the Board at your convenience to discuss this request and explain the project in more detail.

Thank you for your consideration in this matter.

Sincerely,  
**THE ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY AND WATER POLLUTION CONTROL**



Steven P. Devan, P.E.  
Commissioner

Reviewed and Approved for submission to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive

Cc: Brian D. Miller, Chairman-DPW Committee  
Joseph J. Timpano, Comptroller

Date: 12/21/12

59.



**ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY & WATER POLLUTION CONTROL**

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(315) 798-5656 wpc@ocgov.net FAX 724-9812

Anthony J. Picente, Jr.  
County Executive

Steven P. Devan, P.E.  
Commissioner

December 21, 2012

The Honorable Anthony J. Picente, Jr.  
Oneida County Executive  
800 Park Ave.  
Utica, NY 13501

FN 20 13 - 011

Re: Resolution Authorizing Submittal of Application  
CWSRF Project Number C6-6070-08-06  
Consent Order Plant Upgrades- Phase 6B

**PUBLIC WORKS**

**WAYS & MEANS**

Dear County Executive Picente:

As you know, the New York State Environmental Facilities Corporation (NYSEFC) has indicated that funding through them is now available for Consent Order Plant Upgrades-Phase 6B. This work entails the design and construction of the solids handling portion of the project. Concurrently, the engineering design, regulatory permitting and construction documents need to be developed for the rest of the work that will be done at the plant. Completion of the above items will be covered under this portion of the project.

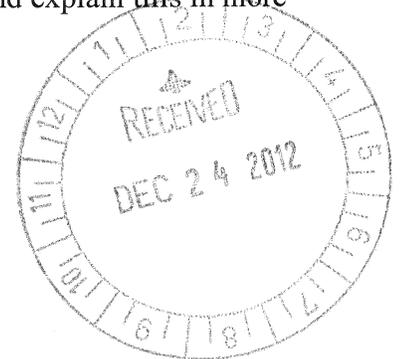
As part of the application process, a resolution from the Board of Legislators authorizing the submittal of the application must be passed. The application for funding to NYSEFC is due February 1<sup>st</sup>. NYSEFC has indicated that they will accept the application without the resolution but they will need the authorizing resolution to be passed to proceed with processing the application. A draft resolution is attached.

I would appreciate consideration of this matter by you and the Board of Legislators at your earliest possible convenience. I would request that this resolution be acted upon at the January 9<sup>th</sup> Board meeting. I am available to meet with you or the Board to discuss this request and explain this in more detail.

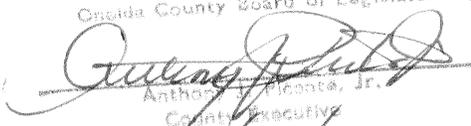
Thank you for your consideration in this matter.

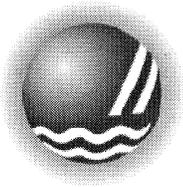
Sincerely,  
**THE ONEIDA COUNTY DEPARTMENT OF  
WATER QUALITY AND WATER POLLUTION CONTROL**

  
Steven P. Devan, P.E.  
Commissioner



Cc: Karl E. Schrantz, P.E. – Shumaker Engineering

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive  
Date 12/21/12 60.



**RESOLUTION AUTHORIZING CWSRF APPLICATION  
AND AGREEMENT FOR PROJECT FINANCING  
NEW YORK CLEAN WATER STATE REVOLVING FUND**

Resolution authorizing the execution and filing of an application and execution and delivery of an agreement setting forth the terms of the Project financing and other documents necessary for CWSRF assistance.

**WHEREAS,**

County of Oneida

(Legal Name of Applicant)

herein called the "Applicant", after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the project generally described as:

Consent Order Plant Upgrades- Phase 6B

(Description of Project)

and identified as CWSRF Project Number(s) C6-6070-08-06

herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

**WHEREAS**, the United States, pursuant to the Federal Water Quality Act of 1987 (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

**WHEREAS**, the State of New York has, pursuant to the State Water Pollution Control Revolving Fund Act, Chapter 565 of the Laws of New York 1989, as amended (the "CWSRF Act") established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

**WHEREAS**, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

**WHEREAS**, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

**WHEREAS**, the CWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible CWSRF projects;

*Col*

**NOW, THEREFORE, BE IT RESOLVED BY**

Oneida County Board of Legislators as follows;  
(Governing Body of Applicant)

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person is directed and authorized as the official representative of the Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Applicant as may be required:

Anthony J. Picente, Jr. County Executive  
(print name) (print title)

3. The official designated above is authorized to make application for financial assistance under the CWSRF Program for either short-term or long-term financing or both.
4. One (1) certified copy of this Resolution shall be prepared and sent to the **New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.**
5. This Resolution shall take effect immediately.

**CERTIFICATE OF RECORDING OFFICER**

The attached Resolution is a true and correct copy of Resolution No. \_\_\_\_\_  
authorizing the execution and filing of an application and the execution and delivery of a Project financing agreement and other documents necessary for CWSRF assistance, as regularly adopted at a legally convened meeting of the Oneida County Board of Legislators  
(Name of Governing Body of the Applicant)

duly held on the \_\_\_\_\_ day of \_\_\_\_\_ ; and further that such Resolution has  
(month) (year)  
been fully recorded in the records of the Board in my office. In witness whereof, I  
(Title of Record Book)

have hereunto set my hand at this \_\_\_\_\_ day of \_\_\_\_\_  
(month) (year)

If the Applicant has an Official Seal, impress here.

X

\_\_\_\_\_  
(Signature of Recording Officer)

Secretary to the Oneida County Board of Legislators  
(Title of Recording Officer)

62.



ONEIDA COUNTY DEPARTMENT OF WATER QUALITY & WATER POLLUTION CONTROL

51 Leland Ave, PO Box 442, Utica, NY 13503-0442

(315) 798-5656

wpc@ocgov.net

FAX 724-9812

Anthony J. Picente, Jr. County Executive

Steven P. Devan, P.E. Commissioner

December 21, 2012

The Honorable Anthony J. Picente, Jr. Oneida County Executive 800 Park Ave. Utica, NY 13501

FN 20 13 - 012

PUBLIC WORKS

WAYS & MEANS

Re: Establishment of Capital Project HG-482

Dear County Executive Picente:

As you are all aware the County is under a consent order to fix the various problems concerned with the wet weather overflows from the Sauquoit Creek Pumping Station and to address wet weather flows at the Oneida County Water Pollution Control Plant. The first phase of this work is to design and construct the solids handling portion of the project. Concurrently, the engineering design, regulatory permitting and construction documents need to be developed for the rest of the work that will be done at the plant. The New York State Environmental Facilities Corporation (NYSEFC) has accepted this portion of the project for funding through their agency. This will result in the Sewer District paying a lower interest rate on the bonds.

As part of the application process, a resolution will need to be passed by the Board of Legislators authorizing the submittal of the application for funding from the NYSEFC. That will be coming to you under separate cover.

I therefore request your Board approval to establish Capital Project HG-482 – Consent Order Plant Upgrades Phase 6B, as follows:

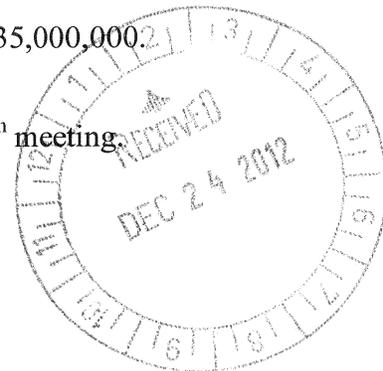
Table with 4 columns: Item, PROPOSED, CHANGE, PROPOSED. Rows include Bonding and TOTAL.

I also, respectfully request to have your Board act on this legislation at their January 9th meeting.

Sincerely, THE ONEIDA COUNTY DEPARTMENT OF WATER QUALITY AND WATER POLLUTION CONTROL

Handwritten signature of Steven P. Devan

Steven P. Devan, P.E. Commissioner



Reviewed and Approved for submittal to the Oneida County Board of Legislators by

Handwritten signature of Anthony J. Picente, Jr.

Date: 12/21/12

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CC: County Attorney Comptroller Budget Director



# ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ♦ 800 PARK AVENUE ♦ UTICA, N.Y. 13501-2977

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5404

George Joseph  
Majority Leader

Frank D. Tallarino  
Minority Leader

December 24, 2012

FN 20 12 - 013

## WAYS & MEANS

Honorable Gerald J. Fiorini  
Chairman of the Board  
800 Park Ave.  
Utica, NY 13501

Dear Chairman Fiorini,

At the December 12, 2014 Board of Legislators meeting, the issue of using brine from gas extraction wells as a road surface treatment was presented during the public comment period. We share the speaker's concern that the usage of such a surface treatment may have certain health and safety risks for our constituents, and as a result requested the County Attorney research this issue. He has developed at our request the attached draft local law restricting the usage of gas extraction brine on County Roads. Please forward this legislation to the appropriate Committee.

Thank you in advance.

Sincerely,

Jim D'Onofrio  
County Legislator (R-15)

Brian Miller  
County Legislator (R-16)

County of Oneida

Local Law No. \_\_\_\_ of the year 2013

LOCAL LAW INTRODUCTORY "A" PROHIBITING THE USE OF BRINE FROM GAS  
EXTRACTION WELLS AS A ROAD SURFACE TREATMENT ON COUNTY ROADS  
AND/OR COUNTY PROPERTY

**BE IT ENACTED**, by the County Legislature of the County of Oneida as follows:

WHEREAS, this Legislature hereby finds and determines that brine from gas extraction wells may contain toxic substances, including but not limited to heavy metals and radioactive elements, and

WHEREAS, this Legislature hereby finds and determines that the use of brine from gas extraction wells as a road surface treatment may create health and safety risks to the citizens of Oneida County,

NOW THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF ONEIDA COUNTY, NEW YORK AS FOLLOWS:

Section 1: Title.

This Local Law shall be known by and may be cited as the "Hydraulic Fracturing Brine Prohibition Act".

Section 2: Definitions.

As used in this Chapter, the following terms shall have the following meanings:

"Application" shall mean the physical act of placing Brine on one or more County Roads or one or more pieces of County Property. Each physical act shall be deemed separate when the person committing the act stops for any reason the placement of the Brine for any purpose, including but not limited to stopping a vehicle used in the placement of the Brine, stopping work for any reason, or re-loading or replacing any material or equipment necessary to apply the Brine.

"Brine" shall mean: (a) production brine; or (b) produced waters; or (c) flowback; or (d) flowback fluids; or (e), hydraulic fracturing fluid, any or all, which are generated as a result of drilling for, or seeking gas in wells including but not limited to High Volume Hydraulic Fracturing, as defined herein.

“Commissioner” shall mean: The Commissioner of the Department of Public Works except for the use of the word “commissioner” in Section 5 may mean any other commissioner designated by the County Executive or may mean the Commissioner of Public Works as determined by the County Executive.

“Flowback” shall mean liquids and solids produced during initial completion and clean-up of the well or clean-up of a well following a re-fracture or workover.

“Flowback fluids” shall mean liquids produced following drilling and initial completion and clean-up of the well or clean-up of a well following a re-fracture or workover.

“High Volume Hydraulic Fracturing” shall mean a natural gas well stimulation technique consisting of the injection into the earth of a water and chemical mix with the intent of increasing the ability to extract natural gas from very tight rock.”

“Hydraulic fracturing fluid” shall mean fluid used to perform hydraulic fracturing and includes the primary carrier fluid and all applicable additives.

“Municipality” shall mean the County of Oneida

“Production brine or produced waters” shall mean liquids co-produced during oil and gas production.

“Property” shall mean real property, improved or otherwise, which the County of Oneida owns or controls.

“Roads” shall mean public roads, streets, or bridges owned or controlled by the Municipality.

### Section 3: Use of Brine prohibited.

No Brine shall be applied to or placed upon Property or Roads of the Municipality. In any bid for materials, services, or equipment which relate to property maintenance or road improvements or road construction, the Municipality, in a bid specification or bid document describing the nature of the services or equipment sought, and any agency or division of the Municipality, shall expressly state in capitalized, bold font, “THE PLACEMENT OF BRINE ON ANY ROAD OR PROPERTY OF THE COUNTY OF ONEIDA IS UNLAWFUL. ANY BIDDER SHALL FILE A SWORN STATEMENT WITH THEIR BID THAT NO BRINE AS DEFINED BY LOCAL LAW OF THE MUNICIPALITY WILL BE SOLD TO THE MUNICIPALITY AS PART OF THE BID, OR UTILIZED ON OR PLACED ON ANY PROPERTY OR ROAD OF THE COUNTY OF ONEIDA. BIDDERS ARE DIRECTED TO COUNTY OF ONEIDA LOCAL LAW NO. \_\_\_ OF THE YEAR 2013 FOR THE DEFINITION OF BRINE.”

Section 4: Statement to be included in Bid.

The Statement provided for in Section 3, which shall be a sworn statement under penalty of perjury, shall read substantially as follows:

“We, \_\_\_\_\_ hereby submit a bid for materials, equipment, or labor for the \_\_\_\_\_ of \_\_\_\_\_. The bid is for bid documents titled \_\_\_\_\_. We hereby certify under penalty of perjury that no Brine will be used by the undersigned bidder or any contractor, sub-contractor, agent, or vendor thereof in connection with the bid; nor will the undersigned Bidder or any sub-contractor, agent, or vendor thereof and/or therefor apply or supply any Brine to any property or road(s) of the County of Oneida as a result of the submittal of this bid if selected.” The Statement shall otherwise be sworn to under penalty of perjury in a form satisfactory to the County Attorney.

Section 5: Duty of Employees to be Familiar with this Local Law.

The County Executive or, at the County Executive’s option, a department head of a commissioner of any Department appointed by the County Executive is authorized to develop policies to ensure County employees are familiar with this Local Law and take such steps as are directed by the County Executive or such department head or commissioner to ensure a diligent effort by the County that materials supplied to the County or used on County Roads or Property comply with this Local Law. This shall not excuse non-compliance by a contractor or vendor of the County.

Section 6: Penalties for Violations.

- A. Breach of Contract. A violation of the provisions of this Local Law shall be deemed a breach of contract and shall authorize the Director of Purchasing in cooperation with the County Attorney and any other officer or employee of the County deemed necessary by the County Attorney, commence a civil Breach of Contract action against the violator of the provisions of this Local Law. Damages sought shall be determined by the County Attorney but may include, but shall not be limited to the cost of any consequential damages of the breach of contract. In addition, the Director of Purchasing may make a finding that the Contractor is not a responsible bidder. The County Attorney is further authorized to commence any necessary action to enjoin any violation of this Local Law he or she believes to be occurring.
- B. Criminal Penalties. In addition to prosecution for Perjury as determined by the District Attorney, any person who violates this article shall be guilty of an

unclassified misdemeanor and subject to a fine not to exceed \$25,000.00 per violation and/or up to fifteen days' imprisonment. Each application of Brine shall constitute a separate and distinct violation.

Section 7: Severability.

If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 8: Emergency Clause and Effective Date.

It is hereby declared that an emergency exists and this Local Law, being necessary for the preservation of the health, safety and welfare of citizens of Oneida County, New York, shall be effective immediately upon its passage and approval and filing with the New York State Secretary of State.

December 17, 2012

Hon. Anthony J. Picente, Jr.  
Oneida County Executive  
Oneida County Office Building  
800 Park Avenue  
Utica, New York 13501

FN 20 12 - 014



**ECONOMIC DEVELOPMENT  
& TOURISM**

RE: Proposed Oneida County Business Park Extension

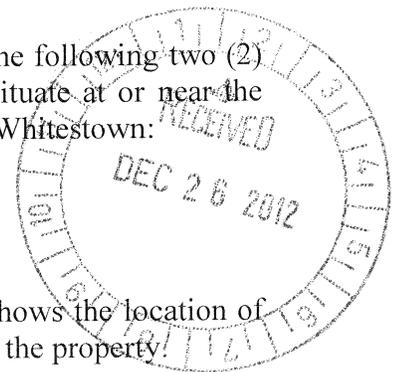
**WAYS & MEANS**

Dear Tony:

As you may be aware, the County of Oneida (the "County") owns the following two (2) parcels of unimproved real property (collectively, the "Subject Parcels") situate at or near the northeast corner of the Airport Road-Judd Road intersection in the Town of Whitestown:

1. Tax Parcel ID No. 290.000-1-24 (67.09+/- acres); and
2. Tax Parcel ID No. 290.000-1-48 (15.661+/- acres).

Enclosed is a copy of that portion of the Oneida County Tax Map which shows the location of the Subject Parcel along with an aerial that notes the potential subdivision of the property.



Upon information and belief, neither of the Subject Parcels is necessary for public use and are suitable locations to support the expansion of the Oneida County Business Park for business attraction and business expansion activities. The conveyance of this property to EDGE for expansion of the Oneida County Business Park, could create approximately four suitable potential development sites. To that end, EDGE proposes that the County convey the Subject Parcels to EDGE, without public advertisement or bidding, pursuant to the provisions of Section 202(m) of the Oneida County Charter.

EDGE proposes that the Subject Parcels be conveyed to it by the County upon such terms and conditions as are customary in real property sale transactions of like size and character for a **minimum** purchase price of \$ 10,000.00 per acre (with the acreage to be determined by an accurate survey thereof), payable as hereinafter set forth. Each time that EDGE closes upon the sale of a portion of the Subject Parcels to a third party purchaser, EDGE shall remit to the County an amount equal to \$5,000 per acre multiplied by the number of acres sold to such third party purchaser X, less costs incurred by EDGE for surveys, testing & permitting fees, redating of abstracts and issuance of preliminary title reports, legal and other documented closing costs.

The difference in the purchase price and the net per acre amount that is to be paid to Oneida County will be applied by EDGE for purchase of sewer credits, engineering, site

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development, demolition, infrastructure and construction of an access road necessary to enhance the development potential of the Oneida County Business Park Expansion and offset the likely development costs associated with making the subject property shovel ready. EDGE will provide Oneida County with a written report on the expenditure of any gross sales proceeds realized from this project to confirm that said funds have been appropriately used for the development of the Oneida County Business Park Extension.

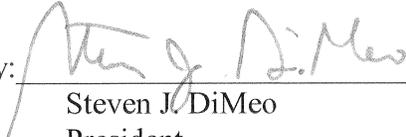
As you know, EDGE is currently working with a prospective site selection firm who represents a company not located in NYS. This potential prospect has an interest in a portion of the subject property for expansion of its production operations to service the Northeast and Canadian markets. This client has an aggressive timeframe for commencing construction and ramping up operations and need to begin construction in April 2013. They have expressed interest in acquiring approximately 20 acres of the property proposed for the Oneida County Business Park Extension and would require that the site be subdivided and required infrastructure be built to serve their operational requirements. The planned development of the Oneida County Business Park extension would serve their requirements, but in the process also benefit other parties that may have an interest in locating within the proposed Oneida County Business Park Extension.

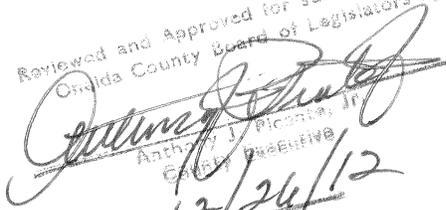
The difference in the amount remitted to Oneida County vs. the gross purchase price paid would be used to help offset some of these costs. Per our discussion, additional economic development funding is required to meet the requirements for extension of water and sewer lines, construction of an access road and because of the Consent Order, the purchase of sewer credits to enable the company to locate here. All of the likely net proceeds realized from the sale (after paying the County) are not sufficient to support all of these requirements and we would recommend that Oneida County provide additional funding required for this potential lead and to establish additional sites that can be part of the region's inventory of available sites.

If EDGE's proposal meets with your approval, I would ask that you refer this matter to the Board of Legislators for its consideration. Of course, if you have any questions regarding EDGE's proposal or if you need any additional information, please feel free to contact me.

Sincerely,

**ECONOMIC DEVELOPMENT GROWTH  
ENTERPRISES CORPORATION**

By:   
Steven J. DiMeo  
President

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picone, Jr.  
County Executive  
Date 12/26/12



JOSEPH J. TIMPANO  
Comptroller



SHERYL A. BROWN  
Deputy Comptroller

DEBORAH S. JOANIS  
Deputy Comptroller - Administration

**ONEIDA COUNTY DEPARTMENT OF AUDIT & CONTROL**

County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501  
(315) 798-5780 ♦ Fax: (315) 798-6415  
E-Mail: jtimpano@ocgov.net

# Memo

FN 20 13 - 015 to  
2013-030

*Tony*  
**To:** Anthony J. Picente Jr., County Executive  
Board of Legislators  
**From:** Joseph J. Timpano, Comptroller *Joe*  
**Date:** December 24, 2012  
**Re:** Bond Resolutions

## WAYS & MEANS

*Bond Resolutions  
to Follow*

Please refer to the attached schedule of 18 bond resolutions totaling \$17,961,825. These resolutions are the funding source for the 2013 Capital Budget adopted by the Board of Legislators on November 14, 2012.

As has been my procedure for several years, ongoing capital projects are reviewed to estimate cash outlays for the current year and bonds are issued only for the amount needed (often less than the amounts budgeted and authorized). If all these new authorizations are approved we expect to sell \$16,884,325 of this amount as well as \$900,000 for projects that were authorized in prior years for a total of \$17,784,325. The General Fund principal pay down will be \$13,013,805 in 2013. Our outstanding balance at December 31, 2013 will therefore increase to \$125,007,877. (Please note that these figures do NOT include any sewer debt).

I respectfully request that the Ways and Means Committee and the Board of Legislators consider these resolutions at their January 9, 2013 meetings.

Thank you.

Cc: Mike Billard, Clerk of the Board  
Sheryl Brown, Deputy Comptroller  
Dee Elliott, Auditor III

Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

*Anthony J. Picente Jr.*  
Anthony J. Picente, Jr.  
County Executive

Date: *12/24/12*

Capital Project Name	Proj #	Docket #		estimated
		to be authorized	to be issued	
COB Asbestos Abatement <i>Public Works</i>	305	2013-015	1,096,500	1,096,500
Griffiss Airfield <i>Airport</i>	339	2013-016	357,500	100,000
County Highway Bridge Phase 3 <i>Public Works</i>	374	2013-017	1,759,500	1,759,500
Light Duty Equipment Phase 3 <i>Public Works</i>	377	2013-018	94,800	94,800
OCOB Parking Lot Improvements <i>Public Works</i>	402	2013-019	820,000	-
Oriskany Former Airfield Bldg Improvements <i>PW</i>	403	2013-020	294,350	294,350
Griffiss Bldg 100 Renovation Ph 2 <i>Airport</i>	408	2013-021	325,000	325,000
County Wide Computerization <i>Govt Oper.</i>	433	2013-022	350,000	350,000
COB Parking Garage Rehab <i>Public Works</i>	454	2013-023	734,400	734,400
Griffiss - Customs Inspection Facility <i>Airport</i>	471	2013-024	1,507,400	1,507,400
Enterprise Content Mgmt System <i>Govt Oper.</i>	472	2013-025	405,000	405,000
Comprehensive Bldg Phase 4 <i>Public Works</i>	473	2013-026.1	890,000	890,000
Comprehensive Bldg Phase 4 <i>Public Works</i>	473	2013-026.2	347,000	347,000
Comprehensive Bldg Phase 4 <i>Public Works</i>	473	2013-026.3	63,000	63,000
Energy Performance Improvements <i>Public Works</i>	474	2013-027	3,468,000	3,468,000
MVCC Payne Hall Exterior Restoration <i>ED and Transportation</i>	476	2013-028	241,875	241,875
Consol Highway Rd Ph 4 <i>Public Works</i>	477	2013-029	3,890,000	3,890,000
Const/Maint/Snow Equip Phase 4 <i>Public Works</i>	478	2013-030	1,317,500	1,317,500
			17,961,825	16,884,325
COB Asbestos Abatement	305			900,000
				17,784,325

73.