



ONEIDA COUNTY BOARD OF LEGISLATORS

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COMMUNICATIONS FOR DISTRIBUTION FEBRUARY 25, 2009 (Correspondence relating to upcoming legislation, appointments, petitions, etc)

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Crabtree, Susan

RE: FW 2009-044

From: Parry, Phyllis
Sent: Tuesday, February 24, 2009 11:28 AM
To: Crabtree, Susan
Subject: FW: Revised procurement policy
Attachments: PROCDraft.byWaterman.doc

From: Dillon, Linda
Sent: Tuesday, February 24, 2009 11:05 AM
To: Picente, Anthony; Candido, Alfred; Parry, Phyllis; Waterman_ Mike; ewelsh@aaany.com; mhenn0307@yahoo.com
Cc: Tosti, Joseph; Billard, Mike
Subject: Revised procurement policy

To All: I believe the attached revised copy of the 2009 Procurement policy encompasses all of the changes discussed and agreed upon by the Internal Affairs Committee last evening. Please advise if there is any question or concern regarding same. Thank you. LMHD

2009 FEB 24 AM 11:30
LEGISLATURE
ONIDA COUNTY

2/24/2009

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ARTICLE 1 – GENERAL PROVISIONS

Part A – Purpose and Applications

1-101 **Purpose**

The purpose of this Policy is to provide for the fair and equitable treatment of all persons involved in public purchasing with the County of Oneida, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

1-102 **Application**

This Policy applies to contracts for the procurement of all supplies, services, materials and equipment; as well as professional service contracts entered into by the County of Oneida after the effective date of this Policy. It shall apply to every expenditure of public funds by a public agency for public purchasing irrespective of the source of the funds. When the procurement involves the expenditure of federal and/or state grant monies or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal and/or state laws and regulations. Nothing in this Policy shall prevent any public agency from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

Part B – Definitions

1-201 **Definitions**

- 1) *Architect-Engineer and Land Surveying Services.* Those professional services within the scope of the practice of architecture, professional engineering, or land surveying, as defined by the laws of the State of New York.
- 2) *Brand Name or Equal Specification.* A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet County requirements, and which provides for the submission of equivalent products.
- 3) *Brand Name Specification.* A specification limited to one or more items by manufacturers' names or catalogue numbers.
- 4) *Business.* Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- 5) *Change Order.* A written order signed and issued by the Director of Purchasing or his or her designee directing the contractor to make changes in relation to a specific purchase order or county contract.
- 6) *Contract Modification (bilateral change).* Any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.

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- 7) *Confidential Information.* Any information which is available to an employee only because of the employee's status as an employee of the County and is not a matter of public knowledge or available to the public on request.
- 8) *Construction.* The process of building, altering, repairing, improving, or demolishing any public structure, building, road, highway, bridge or other public improvements of any kind to any public real property. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.
- 9) *Contract.* All types of County agreements, regardless of what they may be called, for the procurement of supplies, services or construction.
- 10) *Contractor.* Any person, firm or corporation having a contract with the county or a using agency thereof.
- 11) *Cost Analysis.* The evaluation of cost data for the purpose of arriving at costs actually incurred or estimates of costs to be incurred, prices to be paid, and costs to be reimbursed.
- 12) *Cost Data.* Factual information concerning the cost of labor, material, overhead, and other cost elements which are expected to be incurred or which have been actually incurred by the contractor in performing the contract.
- 13) *Cost-Reimbursement Contract.* A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this Policy, and a fee for profit, if any.
- 14) *Direct or Indirect Participation.* Involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.
- 15) *Employee.* An individual drawing a salary of wages from the County, whether elected or not; any non-compensated individual performing personal services for the County or any department, agency, commission, council, board, or any other entity established by the executive or legislative branch of the County.
- 16) *Financial Interest.*
 - a) Ownership of any interest or involvement in any relationship from which, or as a result of which, a person within the past year has received, or is presently or in the future entitled to receive more than \$100.00 per year, or its equivalent;
 - b) Ownership of 25% of any property or business; or
 - c) Holding a position in a business such as officer, director, trustee, partner, employee, or the like or holding any position of management.
- 17) *Gratuity.* A payment, loan, subscription, advance, deposit of money, service, or anything else with a nominal value of \$25.00 or more.
- 18) *Immediate Family.* A spouse, children or step-children, parents, or step-parents, brothers or step-brothers, and sisters or step-sisters.

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- 19) *Invitation for Bids.* All documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.
- 20) *Person.* Any business, individual, union, committee, club, other organization, or group of individuals.
- 21) *Price Analysis.* The evaluation of price data, without analysis of the separate cost components and profit as in cost analysis, which may assist in arriving at prices to be paid and costs to be reimbursed.
- 22) *Pricing Data.* Factual information concerning prices for items substantially similar to those being procured. Pricing in this definition refers to offered or proposed selling prices, historical selling prices and current selling prices. The definition refers to data relevant to both prime and subcontract prices.
- 23) *Procurement.* The buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection, and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- 24) *Public Agency.* A public entity subject to or created by the County or created under State law.
- 25) *Request for Proposals.* All documents, whether attached or incorporated by reference, utilized for soliciting proposals.
- 26) *Responsible Bidder of Offeror.* A person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.
- 27) *Responsive Bidder.* A person who has submitted a bid that conforms in all material respects to the requirements set forth in the invitation for bids.
- 28) *Services.* The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.
- 29) *Specification.* Any description of the physical or functional characteristics or of the nature of a supply, service, equipment or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, equipment or construction item for delivery.
- 30) *Supplies.* All property, including but not limited to equipment, materials, and printing, excluding land or a permanent interest in land.
- 31) *Surplus.* Any unused, obsolete or excess materials, equipment or supplies no longer needed for public use as determined by the Director of Purchasing or his or her

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designee after consultation with and upon the recommendation of the relevant department head.

- 32) *Using Agency.* Any department, commission, board, or public agency requiring supplies, services, equipment, or construction procured pursuant to this Policy.

Part C – Public Access to Procurement Information

1-301 Public Access to Procurement Information

Procurement information shall be a public record to the extent provided in the New York State Freedom of Information Law (Public Officers Law,–Article 6), and shall be available to the public as provided in such statute.

ARTICLE 2 – OFFICE OF THE DIRECTOR OF PURCHASING

2-101 Authority and Duties

- 1) *Principal Public Purchasing Official.* Except as otherwise provided herein, the Director of Purchasing shall serve as the principal public purchasing official for the County, and shall be responsible for the procurement of supplies, services, equipment, and public works projects in accordance with this Policy, as well as the management and disposal of supplies, services, and equipment.
- 2) *Duties.* In accordance with this Policy the Director of Purchasing or his or her designee shall:
 - a) Procure or supervise the procurement of all supplies, services, materials and equipment, as well as professional services \$50,000.00 as needed by the County;
 - b) Sell, trade, or otherwise dispose of surplus supplies belonging to the County; and shall, with the prior approval of the County Executive, provide electronic notification to the members of the Board of Legislators of any sale, trade or disposition of surplus property with an original value in excess of \$10,000.
 - c) Establish and maintain programs for specification development, contract administration and inspection and acceptance, in cooperation with the public agencies using the supplies, services, and construction.
- 3) *Operational Procedures.* Consistent with this Policy the Director of Purchasing may adopt operational procedures relating to the execution of his or her duties.
- 4) *In accordance with General Municipal Law §104-b (2)(f) the Procurement Policies of Oneida County will include the names and titles of the individuals responsible for purchasing at the end of this document. This list will be updated biennially as required.*

2-102 Delegations to Other County Officials

With the approval of the County Executive, the Director of Purchasing may delegate authority to purchase certain supplies, services, equipment, or construction items to

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other County officials, if such delegation is deemed necessary for the effective procurement of those items.

ARTICLE 3 – SOURCE SELECTION AND CONTRACT FORMATION

PART A – Methods of Source Selection

3-101 **Competitive Sealed Bidding.**

- 1) *Conditions for Use.* All contracts of the County of Oneida shall be awarded by competitive sealed bidding, and in accordance with Section 103 of the General Municipal Law and any applicable federal or state laws, rules or regulations governing same, except as otherwise provided in Sections 3-102 (Competitive Sealed Proposals), 3-103 (Contracting for Designated Professional Services), 3-104 (Small Purchases), 3-105 (Sole Source Procurement), 3-106 (Emergency Procurements), and 5-401 (Public Announcement and Selection Process) of this Policy. No later than ten (10) days prior to the invitation for bids being issued, the specifications for equipment with anticipated costs in excess of \$50,000 shall be provided to the appropriate Legislative Committee for its review and comment.
- 2) *Invitation for Bids.* An invitation for bids shall be issued and shall include specifications, and all contractual terms and conditions applicable to the procurement.
- 3) *Public Notice.* Adequate public notice of the invitation for bids shall be given, not less than fifteen (15) calendar days prior to the date set forth therein for the opening of bids, unless it is determined by the Director of Purchasing, in writing that a public notice of less than fifteen (15) days is adequate. In no instance shall the public notice be less than five (5) business days. Such notice shall be in the public notice section of the Observer Dispatch, the Rome Daily Sentinel and the Oneida Daily Dispatch for a period of three (3) consecutive business days. The public notice shall state the place, date, and time of the bid opening.
- 4) *Bid Opening.* Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid, and such other relevant information as the Director of Purchasing deems appropriate, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection in accordance with Section 1-301 (Public Access to Procurement Information).
- 5) *Bid Acceptance and Bid Evaluation.* Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluations that are not set forth in the invitation for bids.

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- 6) *Correction or Withdrawal of Bids; Cancellation of Awards.* Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, correction of bids shall not be permitted. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the county or fair competition shall be permitted. In lieu of bid correction, a bidder alleging a material mistake of fact may be permitted to withdraw his bid if:
 - a) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
 - b) The bidder submits evidence that clearly and convincingly demonstrates that a mistake was made. All decisions to permit correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by written determination made by the Director of Purchasing.
- 7) *Award.* The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.
- 8) *Multi-Step Sealed Bidding.* When it is considered impractical to prepare initially a purchase description to support an award based on price, an invitation for bids may be issued requesting submission of un-priced offers to be followed by an invitation for bids based on the product information received from the first solicitation.

3-102 **Contracting for Designated Professional Services**

- 1) *Authority.* For the purpose of procuring the services of [accountants] [physicians] [lawyers], engineers, land surveyors, architects and other professional services as defined by the laws of the State of New York, any using agency requiring such services may procure them on its own behalf, in accordance with the selection procedures specified in this section.
- 2) *Selection Procedure.*
 - a) *Conditions for Use.* Except as provided under Section 3-105 (Sole Source Procurement) or Section 3-106 (Emergency Procurements), the professional services designated in subsection (1) of this Section shall be procured in accordance with this Subsection.
 - b) *Request for Proposals.* Proposals shall be solicited via a formal Request for Proposals (RFP) document. The using agency shall make every reasonable effort to obtain at least (3) proposals.
 - c) *Statement of Qualifications.* Persons solicited for providing the designated types of professional services may submit statements of qualifications or expressions of interest in providing such professional services. An agency using such professional services may specify a uniform format for statements of qualifications and may request submittal of fee estimates with statements of

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qualifications. Persons may amend these statements at any time prior to the request for proposals due date by filing a new statement.

- d) *Discussions.* The head of a using agency procuring the required professional services or a designee of such officer may conduct discussions with any offeror who has submitted a Statement of Qualifications to determine such offeror's qualifications for further consideration. Discussions shall not disclose any information derived from Statements of Qualification's submitted by other offerors.
- e) *Award.* Award shall be made to the offeror determined in writing by the head of the using agency procuring the required professional services or a designee of such officer, to be best qualified based on the agency's evaluation of the Statement of Qualifications, and negotiation of compensation determined to be fair and reasonable. If compensation cannot be agreed upon with the best-qualified offeror, the negotiations will be formally terminated with the selected offeror. If Statements of Qualifications were submitted by one or more other offerors determined to be qualified, negotiations may be conducted with such other offeror or offerors, in the order of their respective qualification ranking, and the contract may be awarded to the offeror then ranked best qualified if the amount of compensation is determined to be fair and reasonable. Awards in excess of \$50,000 must be approved by the Oneida County Board of Legislators.

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Purchases not subject to Competitive Bidding

- Purchases of \$10,000 or less for commodities, equipment, materials, supplies and services.
- Purchases of \$20,000 or less for public works projects.

Section 104-b of New York State General Municipal Law requires that procedures for purchasing goods and services that fall below the monetary bid limits be established and approved by the governing board. The following shall constitute Oneida County Policy:

- 1) *Cumulative Purchases.*
 - a) Purchases shall be evaluated with attention given to cumulative dollar amounts expected in a given fiscal year. The Director of Purchasing shall canvas using agencies to determine yearly value of a commodity or service. Past history can be taken into consideration when evaluating yearly costs associated with the purchase of a commodity or service. If the bid limit is suspected to be exceeded, competitive bidding shall be used. This decision shall rest with the Director of Purchasing.
 - b) If there are several comparable separate public works projects for the same or various locations, in a foreseeable time frame, whose expected cumulative total is \$5,000 or more, written quotes must be obtained from a minimum of three suppliers.
- 2) *Methods of Procurement Not Covered By Competitive Bidding.*

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- a) Purchases for **commodities, equipment, supplies, materials and services** under \$1,000 shall be awarded at the discretion of the Director of Purchasing; Purchases from \$1,000 to \$2,999.99 will require a minimum of three telephone, facsimile or e-mail quotes; Purchases from \$3,000 to \$10,000 will require a minimum of three written quotes. All purchases of more than \$10,000 will be Competitively Bid,
 - b) Purchases that are defined as **Public Works Projects** under \$4,999.99 will be awarded at the discretion of the Director of Purchasing; Purchases from \$5,000 to \$20,000 will require a minimum of three written quotes. All purchases of more than \$20,000 will be Competitively Bid.
 - c) Purchases and contracts defined as **Professional Services** up to \$50,000 will be awarded by the Board of Acquisition and Contract, upon the advice of the Director of Purchasing and the Commissioner or Director of the using Agency. Purchases and contracts of more than \$50,001 will require the issuing of a formal Request for Proposal; and the approval of the County Legislature.
- 3) *Award.* All awards from telephone, facsimile, e-mail or written quotes shall be made to the supplier offering the best value to the County. In determining the best value for the County, the purchase price and whether the goods or services meet specifications are the most important considerations. However, the Director of Purchasing may consider other relevant factors, including:
- a) installation costs;
 - b) life cycle costs;
 - c) the quality and reliability of the goods and services;
 - d) the delivery terms;
 - e) indicators of probable supplier performance under the contract such as past supplier performance, proximity to source of need, the supplier's financial resources and ability to perform, the supplier's experience or demonstrated capability and responsibility, and the supplier's ability to provide reliable maintenance agreements and support;
 - f) the cost of any employee training associated with a purchase;
 - g) the effect of a purchase on agency productivity and other factors relevant to determining the best value for the County in the context of a particular purchase;
 - h) the completion of a certified "Statement of Good Standing," indicating that the supplier does not owe any outstanding taxes or municipal/governmental fees (e.g. school, property, water, sewer, utilities).
 - i) Oneida County vendors whose proposal to provide goods or services is within five per cent (5%) of the lowest proposal submitted may be entitled to preferential consideration in the awarding of a contract. "Oneida County vendor" shall mean any vendor doing business in Oneida County and employing Oneida County residents.

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- 4) *Documentation.* All quotes (written or telephone) shall be documented on existing quote forms and shall be filed in the respective year's quote files or attached to the Purchasing Divisions copy of the Purchase Order. All purchases resulting from a written or telephone quote shall have the quote number referenced on the electronic purchase order or voucher, thus creating an audit trail.

3-104 Preferred Sources

a) All bidders should note that certain legally established preferred source suppliers, such as Correctional Industries (Corcraft), Industries for the Blind of NYS, and NYS Industries for the Disabled have expressed an interest in supplying products/services covered by this solicitation. Therefore, one or more of these suppliers may be designated as a "Preferred Source" and as a result, we may issue no award for the products/services affected.

(In accordance with Section 162 of the State Finance Law requires that agencies afford first priority to the products/services of preferred source suppliers such as Correctional Industries (Corcraft), Industries for the Blind of NYS, and NYS Industries for the Disabled, when such products/services meet the form, function and utility of the agency.

b) **Other County Agencies Bids** as allowed Under NYS General Municipal Law section (103), subdivision (3), section (1).

3-105 Sole Source Procurement

A contract may be awarded without competition when the Director of Purchasing, after conferring with the County Attorney, determines in writing and after conducting a good faith review of available resources and the specifications for the particular good or service being required, that there is only one source for the required commodity, supply, and service or construction item. The Director of Purchasing shall conduct negotiations, as appropriate, as to price, delivery and terms. A record of sole source procurements shall be maintained as a public record and shall list each suppliers name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification number of each contract file. The Director of Purchasing shall provide the County Executive and the members of the Board of Legislators with a copy of such record upon determination that a vendor or contractor is a sole source provider

In determining whether procurement qualifies as a sole source, the Purchasing Division and the agency requesting the procurement shall show at a minimum:

- (a) the unique benefits to the County of the item as compared to other products available in the marketplace;
- (b) that no other product provides substantially equivalent or similar benefits;
- (c) and that, considering the benefits received, the cost of the item is reasonable in comparison to other products in the marketplace.

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- (d) That there is no possibility of competition, as from competing dealers or distributors.

3-106

Property Leases

The Purchasing Director shall survey available property and obtain at least three (3) written proposals for lease based on the following factors: proximity to origin of need, square footage, availability date for occupancy, building condition and review of suitability for occupancy including access for the handicapped and presence of any hazardous materials on site, landlord provided amenities, e.g., security, janitorial, parking and public access to the building. Final recommendations as to choice of properties shall be made by the Commissioner of Public Works. This procedure shall only apply to the County as Lessee.

Prospective property lease solicitations shall be provided to the Executive Director of the Utica-Rome Board of Realtors and the relevant Chambers of Commerce via e-mail from the Purchasing Director or the requesting Department head.

Proposals shall be solicited via a formal Request for Proposals (RFP) document. Each RFP shall be published for a period of (5) business days in the public notice section of the Observer Dispatch, the Rome Daily Sentinel and the Oneida Daily Dispatch. The RFP shall also be posted on the Oneida County website from the time of the publication of the RFP notice through the deadline for response. Additionally, the Purchasing Director shall provide each County legislator a copy of the RFP via the legislator's electronic mailbox.

In the event that at least three (3) proposals are not obtained, the Purchasing Director shall re-advertise the RFP for period of (2) business days in the public notice section of the Observer Dispatch, the Rome Daily Sentinel and the Oneida Daily Dispatch. A second failure to obtain at least three (3) proposals in response to the RFP shall allow the Purchasing Director or the requesting Department head to make a recommendation based on the proposals received.

Each RFP must contain language offering the unsuccessful proponent(s) an opportunity to be advised of the reasons why an award was not made to them based on their response to the RFP. Upon request, either the Purchasing Director or the relevant County department shall provide such information in writing to the unsuccessful proponent within a reasonable time after the award of the contract.

The County shall only enter into leased property with owners who can provide verification to the County that all of the applicable property taxes and municipal, governmental or district fees levied against such property have been paid to date and that the subject property is not in violation of any New York State or local building and fire code regulations or ordinances.

3-106 Emergency Procurements

Notwithstanding any other provisions of this Policy, the Director of Purchasing, with the approval of the County Executive, the Commissioner of Public Works, and the County Attorney may make or authorize others to make emergency procurements of commodities, supplies, services, or construction items when there exists a threat to public health, welfare, or safety; or county property; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular supplier shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the supplier's name, the amount and type of contract, a listing of the item(s) procured under the contract, and the identification number of the contract file.

The Board of Legislators shall be provided with electronic notification of each instance in which an emergency procurement has been required and has been approved by the County Executive.

3-107 Cancellation of Invitations for Bids or Request for Proposals

An invitation for bids, a request for proposal, or other solicitation may be cancelled, or any or all proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the County. The reasons therefor shall be made part of the contract file. Each solicitation issued by the County shall state that the solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the County. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurement of similar items. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.

Part B – Qualifications and Duties

3-201 Responsibility of Bidders and Offerors

- 1) *Determination of Non-responsibility.* If a bidder or offeror who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility, setting forth the basis of the finding, shall be prepared by the Director of Purchasing or his or her designee. The unreasonable failure of a bidder or offeror to supply promptly information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to such bidder or offeror. The final determination shall be made part of the contract file and be made a public record.

3-301 **Contract Clauses and Their Administration**

- 1) *Contract Clauses.* All County of Oneida contracts for supplies, services, materials and equipment as well as public works projects shall include provisions necessary to define the responsibilities and rights of the parties to the contract. The Director of Purchasing, after consultation with the County Attorney, may issue clauses appropriate for supply, service, or public works contracts, addressing among others the following subjects:
 - a) the unilateral right of the County of Oneida to order in writing the changes in the work within the scope of the contract;
 - b) the unilateral right of the County of Oneida to order in writing temporary stopping of the work or delaying performance that does not alter the scope of the contract;
 - c) variations occurring between estimated quantities of work in contract and actual quantities;
 - d) defective pricing;
 - e) liquidated damages;
 - f) specified excuses for delay or nonperformance;
 - g) termination of the contract for default;
 - h) termination of the contract in whole or in part for the convenience of the County of Oneida;
 - i) suspensions of work on a construction project or by the County of Oneida; and
 - j) site conditions differing from those indicated in the contract, or ordinarily encountered, except that a differing site conditions clause need not be included in a contract:
 - (i) when the contract is negotiated;
 - (ii) when the contractor provides the site or design; or
 - (iii) when the parties have otherwise agreed with respect to the risk of differing site conditions.
- 2) *Price Adjustments*
 - a) Adjustments in price resulting from the use of contract clauses required by Subsection (1) of this Section shall be computed in one or more of the following ways:
 - (i) by agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
 - (ii) by unit prices specified in the contract or subsequently agreed upon;
 - (iii) by the costs attributable to the events or situations under such clauses with adjustment of profit or fee, all as specified in the contract or subsequently agreed upon;
 - (iv) in such other manner as the contracting parties may mutually agree;
 - b) A contractor shall be required to submit cost or pricing data if any adjustment in contract price is subject to the provisions of Section 3-202 (Cost or Pricing Data).
- 3) *Standard Clauses and Their Modification.* The Director of Purchasing or his or her designee, after consultation with the County of Oneida, County Attorney, may establish standard contract clauses for use in County of Oneida contracts. If the Director of

Purchasing establishes any standard clauses addressing the subjects set forth in Subsection (1) of this Section, such clauses may be varied provided that any variations are supported by a written determination that states the circumstances justifying such variations, and provided that notice of any such material variation be stated in the invitation for bids or requests for proposals.

3-302 Contract Administration.

A contract administration system designed to insure that a contractor is performing in accordance with the solicitation under which the contract was awarded, and the terms and conditions of the contract, shall be maintained. This shall include a documented review and approval process which insures that all contracts have been examined by the relevant departments including, but not limited to the County Attorney, Budget, the Board of Legislators (when appropriate) and the County Executive.

3-303 Approval of Accounting System

Except with respect to firm fixed-price contracts, no contract shall be awarded unless it has been determined in writing by the Director of Purchasing that:

- a) the proposed contractor's accounting system will permit timely development of all necessary cost data in the form required by the specific contract type contemplated; and
- b) the proposed contractor's accounting system is adequate to allocate costs in accordance with generally accepted cost accounting principles.

3-304 Right to Inspect Plant.

The County of Oneida may, at reasonable times, inspect the part of the plant, place of business, or worksite of a contractor or subcontractor at any tier which is pertinent to the performance of any contract awarded or to be awarded by the County of Oneida.

3-305 Right to Audit Records.

- 1) *Audit of Cost or Pricing Data.* The County of Oneida may at reasonable times and places, audit the books and records of any contractor who has submitted cost or pricing data pursuant to Section 3-202 (Cost or Pricing Data) to the extent that such books, documents, papers, and records are pertinent to such cost or pricing data. Any person who receives a contract, change order, or contract modification for which cost or pricing data is required, shall maintain such books, documents, papers, and records that are pertinent to such cost or pricing data for three (3) years from the date of final payment under the contract.
- 2) *Contract Audit.* The County of Oneida shall be entitled to audit the books and records of a contractor or subcontractor at any tier under any negotiated contract or subcontract other than a firm fixed-price contract to the extent that such books, documents, papers, and records are pertinent to the performance of such a contract or subcontract. Such books and records shall be maintained by the contractor for a period of three (3) years

from the date of final payment under the contract and by the subcontractor for a period of three (3) years from the date of final payment under the subcontract.

3-306 Reporting of Anti-competitive Practices.

When for any reason collusion or other anti-competitive practices are suspected among any bidders or offerors, a notice of the relevant facts shall be transmitted to the State Attorney General, County Attorney and District Attorney.

3-307 County of Oneida Procurement Records.

- 1) *Contract File.* All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained by the County of Oneida in a contract file by the Director of Purchasing.
 - 2) *Retention of Procurement Records.* All procurement records shall be retained and disposed of by the County of Oneida in accordance with record retention guidelines and schedules approved by the State of New York.
-
- 1) **Competition.** The Director of Purchasing shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section 3-105 (Sole Source Procurement).

Part C – Fiscal Responsibility

ARTICLE 6 – DEBARMENT OR SUSPENSION

6-101 Authority to Debar or Suspend.

After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Director of Purchasing, after consultation with the County Attorney, is authorized to debar a person for cause from consideration for award of contracts. The debarment shall be for a period of not more than three years. After consultation with the County Attorney, the Director of Purchasing is authorized to suspend a person from consideration for award of contracts if there is a probable cause to believe that the person has engaged in any activity that might lead to debarment.

The suspension shall be for a period not to exceed three years. The causes for debarment include:

- a) conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such a contract or subcontract;

**COUNTY OF ONEIDA
PROCUREMENT POLICY**

February 2009

Page 15

- b) conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which
- c) currently, seriously, and directly affects responsibility as a County of Oneida contractor;
- d) conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
- e) violation of contract provisions, as set forth below, of a character which is regarded by the Director of Purchasing to be so serious as to justify debarment action:
 - i) deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - ii) a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;
- f) any other cause the Director of Purchasing determines to be so serious and compelling as to affect responsibility as a County of Oneida contractor, including debarment by another governmental entity for any cause listed in this Policy; and
- g) for violation of the ethical standards set forth in Article 12 (Ethics in Public Contracting).

6-102 Decision to Debar or Suspend

The Director of Purchasing shall issue a written decision to debar or suspend. The decision shall state the reasons for action taken and inform the debarred or suspended person involved of its rights concerning judicial or administrative review. The Board of Legislators shall receive electronic notification of each decision to debar or suspend issued by the Director of Purchasing.

6-103 Notice of Decision

A copy of the decision required by Section 6-102 (Decision to Debar or Suspend) shall be mailed or otherwise furnished immediately to the debarred or suspended person.

6-104 Finality of Decision

A decision under Section 6-102 (Decision to Debar or Suspend) shall be final and conclusive, unless fraudulent, or unless the debarred or suspended person within 10 days after receipt of the decision takes an appeal to the County Executive or commences a timely action in court in accordance with applicable law.

ARTICLE 7 – APPEALS AND REMEDIES

17.

**COUNTY OF ONEIDA
PROCUREMENT POLICY**

February 2009

Page 16

7-101 Bid Protests.

- 1) *Right to Protest.* Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the County Executive. Protestors are urged to seek resolution of their complaints initially with the Director of Purchasing. A protest with respect to an invitation for bids or request for proposals shall be submitted in writing prior to the opening of bids or the closing date of proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date for proposals. The protest shall be submitted within 3 calendar days after such aggrieved person knows or should have known of the facts giving rise thereto.
- 2) *Stay of Procurements during Protests.* In the event of a timely protest under Subsection (1) of this Section, the Director of Purchasing shall not proceed further with the solicitation or award of the contract until all administrative and judicial remedies have been exhausted or until the County Executive makes a determination on the record that the award of a contract without delay is necessary to protect substantial interests of the County of Oneida.

The Board of Legislators shall receive electronic notification of each bid protest and any stays of procurement issued during the pendency of such protest or other action taken by the County Executive under this section of the procurement policy.

7-102 Contract Claims

- 1) *Decision of the Director of Purchasing.* All claims by a contractor against the County of Oneida relating to a contract, except bid protests, shall be submitted in writing to the Director of Purchasing for a decision. The contractor may request a conference with the Director of Purchasing on the claim. Claims include, without limitation, disputes arising under a contract, and those based upon breach of a contract, mistake, misrepresentation, or other causes for contract modification or rescission.
- 2) *Notice to the Contractor of the Director of Purchasing's Decision.* The decision of the Director of Purchasing shall be promptly issued in writing, and shall be immediately mailed or otherwise furnished to the contractor. The decision shall state the reasons for the decision reached, and shall inform the contractor of its appeal rights under Subsection (3) of this Section.
- 3) *Finality of Director of Purchasing's Decision; Contractor's Right to Appeal.* The Director of Purchasing's decision shall be final and conclusive unless, within, 5 calendar days from the date of receipt of the decision, the contractor mails or otherwise delivers a written appeal to the County Executive or commences an action in a court of competent jurisdiction.
- 4) *Failure to Render Timely Decision.* If the Director of Purchasing does not issue a written decision regarding any contract controversy within 20 days after written request for a final decision, or within such longer period as may be agreed upon between parties, then the aggrieved party may proceed as if an adverse decision had been received.

7-103 Authority of the Director of Purchasing to Settle Bid Protests and Contract Claims.

The Director of Purchasing is authorized to settle any protest regarding the solicitation or award of a County of Oneida contract, or any claim arising out of the performance of a County of Oneida contract, prior to an appeal to the County Executive or the commencement of an action in a court of competent jurisdiction.

7-104 Remedies for Solicitations or Awards in Violation of Law.

- 1) *Prior to Bid Opening or Closing Date for Receipt of Proposals.* If prior to the bid opening or closing date for receipt of proposals, the Director of Purchasing, after consultation with the County Attorney, determines that a solicitation is in violation of federal, state, or municipal law, then the solicitation shall be cancelled or revised to comply with applicable law.
- 2) *Prior to Award.* If after bid opening or the closing date for receipt of proposals, the Director of Purchasing, after consultation with the County Attorney, determines that a solicitation or a proposed award of a contract is in violation of federal, state, or municipal law, then the solicitation or proposed award shall be cancelled.
- 3) *After Award.* If, after an award, the Director of Purchasing, after consultation with the County Attorney, determines that a solicitation or award of a contract was in violation of applicable law, then:
 - (a) If the person awarded the contract has not acted fraudulently or in bad faith:
 - (i) the contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of the County of Oneida; or
 - (ii) the contract may be terminated and the person awarded the contract shall be compensated for the actual costs reasonably incurred under the contract, plus a reasonable profit, prior to the termination; or
 - (b) If the person awarded the contract has acted fraudulently or in bad faith, the contract may be declared null and void or voidable, if such action is in the best interests of the County of Oneida.

ARTICLE 8 – ETHICS IN PUBLIC CONTRACTING

8-101 Criminal Penalties.

To the extent that violations of the ethical standards of conduct set forth in this Article constitute violations of any New York State or Oneida County law they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this Part. Criminal, civil, and administrative sanctions against employees or non-employees which are in existence on the effective date of this Policy shall not be impaired.

8-102 Employee Conflicts Of Interest

**COUNTY OF ONEIDA
PROCUREMENT POLICY**

February 2009

Page 18

It shall be unethical for any County of Oneida employee to participate directly or indirectly in a procurement contract when the County employee knows that:

- a) the County of Oneida employee or any member of the County employee's immediate family has a financial interest pertaining to the procurement contract;
or
- b) any other person, business, or organization with which the County employee or any member of a County employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement contract. A County of Oneida employee or any member of a County employee's immediate family who holds a financial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.

8-103 Gratuities and Kickbacks

- 1) *Gratuities.* It shall be unethical for any person to offer, give, or agree to give any County employee or former County employee, or for any County employee or former County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim, or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor.
- 2) *Kickbacks.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- 3) *Contract Clause.* The prohibition against gratuities and kickbacks prescribed in this section shall be conspicuously set forth in every contract and solicitation therefor.

8-104 Prohibition Against Contingent Fees

It shall be unethical for a person to be retained, or to retain a person, to solicit or secure a County contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

8-105 Contemporaneous Employment Prohibited

It shall be unethical for any County employee who is participating directly or indirectly in the procurement process to become or to be, while such a County employee, the employee of any person contracting with the governmental body by which the employee is employed.

8-106 Waivers for Contemporaneous Employment Prohibition and Other Conflicts of Interest.

20.

The County Board of Ethics may grant a waiver from the employee conflict of interest provision (Section 8-102; Employee Conflict of Interest) or the contemporaneous employment provision (Section 8-105; Contemporaneous Employment Prohibited) upon making a written determination that:

- a) the contemporaneous employment or financial interest of the County employee has been publicly disclosed; and
- b) the County employee will be able to perform its procurement functions without actual or apparent bias or favoritism; and
- c) the award will be in the best interests of the County of Oneida.

8-107 Use of Confidential Information

It shall be unethical for any county employee or former county employee to knowingly use confidential information for actual or anticipated personal gain, or for the actual or personal gain of any other person.

8-108 Sanctions

- 1) *Employees.* Sanctions against employees shall be in accordance with Chapter 66 of the Laws of Oneida County. (Code of Ethics)
- 2) *Non-Employees.* The Director of Purchasing may impose any one or more of the following sanctions on a non-employee for violations of ethical standards:
 - a) written warnings or reprimands;
 - b) termination of contracts; or
 - c) debarment or suspension as provided in Section 6-101 (Authority to Debar or Suspend).

ARTICLE 9 – DISPOSITION OF SURPLUS PERSONAL PROPERTY

9-101 Purpose

The method chosen for sale is within the sound discretion of the Director of Purchasing, subject to the approval of the County Executive. However, in order to fill a fiduciary duty, the method of sale adopted should be one which is thought to bring the best price or maximum benefits and may include sale by public auction or the use of online auction services such as e-Bay.

9-102 Methods of Competition to be used for Non-Bid or Auction Dispositions

The methods of disposition to be used are as follows:

2/.

1. For dispositions with an estimated value greater than one thousand (\$1,000) dollars will be offered to the public via public auction;
2. For dispositions with an estimated value less than or equal to one thousand (\$1,000) dollars, will be left to the discretion of the Director of Purchasing.
3. A good faith effort shall be made to sell all surplusd items, if the County is unable to sell said items via public auction it may at that time dispose of items any way deemed responsible by the Director of Purchasing. The attempts made shall be documented and become part of the disposition record.
4. The above notwithstanding, the Director of Purchasing, at his/her discretion, may require standards which exceed those presented in this policy.

9-103 Adequate Documentation

Documentation of actions taken in connection with each method of disposition is required, as follows, and will be maintained as part of the disposition record.

1. Any memorandums, forms, notations, or other documentation used in establishing the basis of the disposition decision.
2. No documentation other than the independent estimate itself is required when the disposition is left to the discretion of the Director of Purchasing.

9-104 Awards to Other than Highest Responsible Dollar Offer

Whenever any disposition is awarded to other than the highest responsible dollar offerer, the reasons such an award furthers the purpose of the County as set forth herein above shall be documented by the Director of Purchasing and be maintained as part of the disposition record.

9-105 Items Exempted From Disposition Policies and Procedures

The Legislature will set forth, by resolution, circumstances when, or types of dispositions for which, in the sole discretion of the governing body, the solicitation of alternative offers to purchase will not be in the best interest of the County. Such resolution will state the reasons for such conclusion, and will become an attachment to the disposition record.

**ARTICLE 10 – ADDITIONAL REQUIREMENTS FOR
FEDERAL TRANSIT ADMINISTRATION FUNDED CONTRACTS**

10-101 Disadvantaged Business Enterprise Program

The County of Oneida's Department of Planning has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U. S.

22.

Department of Transportation (DOT), 49 CFR Part 26. The County of Oneida's Department of Public Transportation has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the County of Oneida's Department of Planning acknowledges that the requirements of 49CFR part 26, as amended, shall be complied with.

It is the policy of the County of Oneida and its Department of Planning to ensure that DBE's, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts.

10-102 **Required Contract Clauses**

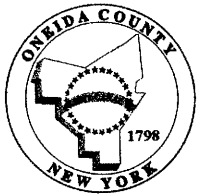
It is the policy of the County of Oneida and its Department of Planning to ensure that the most current FTA required contract clauses will be used in all FTA funded contracts and that the FTA Website and other appropriate sources shall be checked prior to the undertaking of each procurement action.

**ARTICLE 11 – NAMES AND TITLES OF ONEIDA COUNTY
PURCHASING STAFF**

Effective January 1, 2009, General Municipal Law §104-b (2) (f) requires that the procurement policies and procedures of each political subdivision and district therein will identify the individual or individuals responsible for purchasing and their respective titles. This information is required to be updated biennially.

The following individuals are the individuals responsible for purchasing in Oneida County as of January 1, 2009:

Director of Purchasing:	Mello Testa
Assistant Director of Purchasing:	Greg Grower
Senior Buyer:	Shelley Nowak
Buyer:	Ron Ling
Buyer:	Sam Trapanick
Senior Clerk:	Diana Pierce



COUNTY OF ONEIDA
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE JR.
County Executive
ce@ocgov.net

ONEIDA COUNTY OFFICE BUILDING
800 PARK AVENUE
UTICA, NEW YORK 13501
(315) 798-5800
FAX: (315) 798-2390
www.ocgov.net

RE: 2009-078

February 20, 2009

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

Honorable Members:

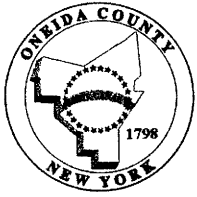
It has come to my attention there are currently no vacancies on the Fire Advisory Board. Therefore I request that you withdraw Scott Nell from the resolution docket # 2009 – 078.

Respectfully submitted,

Anthony J. Picente, Jr.
Oneida County Executive

2009 FEB 20 PM 2:31
RECEIVED
ONEIDA COUNTY LEGISLATURE

24.



COUNTY OF ONEIDA
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE JR.
 County Executive
 ce@ocgov.net

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 FAX: (315) 798-2390
 www.ocgov.net

RECEIVED
 ONEIDA COUNTY LEGISLATURE
 2009 FEB 20 AM 9:25

RE-2009-085

February 10, 2009

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

Honorable Members:

As referenced in the enclosed letter from Steven Devan, Commissioner of the Oneida County Department of Water Quality and Water Pollution Control, while preparing documents for bonding it was discovered the Capital Project HG-406 Sewer System and Treatment Plant Evaluation Study needs to be amended in order to accommodate the additional cost being added to the project. This project is also being modified to reflect the absence of funding from federal and state sources which was originally anticipated and budgeted for.

I therefore request your Board approval for an amendment to **Capital Project HG-406 – Sewer System and Plant Evaluation Study**, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding.....	\$ 1,266,667.	\$+ 3,533,333.	\$4,800,000.
Federal Aid.....	<u>333,333.</u>	<u>-333,333.</u>	<u>0.</u>
TOTAL.....	\$1,600,000.	\$ 3,200,000.	\$4,800,000.

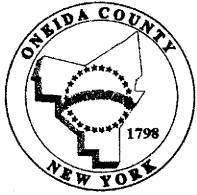
I also, respectfully request to have your Board act on this amendment at your **February 25, 2009** meeting.

Respectfully submitted,

Anthony J. Picente, Jr.
 Oneida County Executive

AJP:tbk
 Attach.
 CC: County Attorney
 Comptroller
 Budget Director
 Commissioner of Water Pollution

25.



COUNTY OF ONEIDA
OFFICE OF THE COUNTY EXECUTIVE

ANTHONY J. PICENTE JR.
County Executive
ce@ocgov.net

ONEIDA COUNTY OFFICE BUILDING
800 PARK AVENUE
UTICA, NEW YORK 13501
(315) 798-5800
FAX: (315) 798-2390
www.ocgov.net

ONEIDA COUNTY LEGISLATIVE
2009 FEB 20 AM 9:26

RE: 2009-086

February 10, 2009

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

Honorable Members:

As referenced in the enclosed letter from Steven Devan, Commissioner of the Oneida County Department of Water Quality and Water Pollution Control, while preparing documents for bonding it was discovered the Capital Project HG-407 Water Pollution Control Capital Improvements needs to be amended in order to accommodate the additional cost being added to the project. This additional funding will be used to replace two pumps for the Sauquoit Creek Pumping Station that are almost 40 years old. .

I therefore request your Board approval for an amendment to **Capital Project HG-407 – Water Pollution Control Facilities and Equipment Improvements**, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding.....	\$ 625,000.	+\$ 210,000.	\$ 835,000.
TOTAL.....	\$ 625,000.	\$ 210,000.	\$ 835,000.

I also, respectfully request to have your Board act on this amendment at your **February 25, 2009** meeting. .

Respectfully submitted,

Anthony J. Picente, Jr.
Oneida County Executive

AJP:tbk
Attach.
CC: County Attorney
Comptroller
Budget Director
Commissioner of Water Pollution

26.

PETITION BY ONEIDA COUNTY, N. Y., BOARD OF LEGISLATORS

for

MEMORIALIZING PETITION

F.N. 2009-091

READ & FILED

SPONSOR(S): Miller, Flisnik, Porter, Roefaro, Wood, Leach

RE: MEMORIALIZING PETITION CALLING UPON GOVERNOR PATERSON AND THE NEW YORK STATE LEGISLATURE TO PASS LEGISLATION AUTHORIZING AN ADDITIONAL CREDIT ON CIVIL SERVICE EXAMS FOR VOLUNTEER FIREFIGHTERS

WHEREAS, It has come to our attention that New York State Vehicle and Traffic Law prohibits individuals from driving fire trucks without a CDL, with the exception of driving to the scene of a fire, and

WHEREAS, Recruitment and retention of volunteer firefighters is a serious issue in New York State, and requiring firefighters to obtain a CDL to drive emergency vehicles will place an undue burden upon the membership, and

WHEREAS, The New York State Senate currently has a bill repealing the requirement for drivers of fire trucks to possess a CDL license, NOW THEREFORE BE IT

RESOLVED, That the members of this Board support S. 1624, and encourage support from all members of the New York State Legislature and the Governor, and Be It Further,

RESOLVED, That this Board encourages immediate passage and implementation to ensure proper fire coverage and an unnecessary burden for volunteer firefighters, and Be It Further

RESOLVED, That the Clerk of the Board shall transmit copies of this memorializing petition to New York State Governor David Paterson, New York State Assembly Speaker Sheldon Silver, New York State Majority Leader Malcolm Smith, New York State Assembly Representatives RoAnn M. Destito (D-116), David R. Townsend (R-115), and William Magee (D-111), New York State Senators Joseph A. Griffo (R-47) and David Valesky (D-49).

LEGISLATORS SUPPORTING PETITION

LEGISLATORS OPPOSING PETITION

Handwritten signatures of legislators supporting the petition, including names like Stephen Porter, Edward P. Wildt, and others.

Emil R. Fappella
 Wilbur Goodman
 Joseph Jurgal
 J. J. J. J.
 Chuck D. D.
 Joe M. M.
 Patricia A. A.
 L. L. L.
 Edward D. D.
 Martin J. J.
 Shawn J. J.
 Mel J. J.
 Frank J. J.
 Bruce J. J.
 David J. J.

The enclosed petition represents the opinion of those members of the Oneida County Board of Legislators signing the same regarding the contents or subject matter of the petition. Under the Rules of the Board, a Legislator may sign said petition or may, in the alternative, elect not to sign the petition. There are 29 members of the Oneida County Board of Legislators.

Dated: 2/11/09

PETITION BY ONEIDA COUNTY, N. Y., BOARD OF LEGISLATORS

for

MEMORIALIZING PETITION

F.N. 2009-092

SPONSOR(S): Miller, Flisnik, Porter, Roefaro, Wood, Leach

READ & FILED

RE: MEMORIALIZING PETITION CALLING UPON GOVERNOR PATERSON AND THE NEW YORK STATE LEGISLATURE TO SUPPORT SENATE BILL 1624, AN ACT TO AMEND VEHICLE AND TRAFFIC LAW TO ALLOW A PERSON TO OPERATE A FIRE TRUCK WITHOUT POSSESSING A COMMERCIAL DRIVERS LICENSE

WHEREAS, Recruitment and retention of volunteer firefighters is a serious issue in New York State, and it is prudent to offer these dedicated individuals incentives and rewards for their service to the community, and

WHEREAS, Currently, volunteer firefighters are not eligible to receive civil service credits for civil service exams, but legislation has been introduced in the New York State Legislature, but has not progressed past committee, and

WHEREAS, Offering civil service exam credits would be a strong incentive for recruiting and retaining new and current members, helping to keep the fire service strong, NOW THEREFORE BE IT

RESOLVED, That the members of this Board encourage support from all members of the New York State Legislature and the Governor for legislation authorizing civil service credits on civil service exams for volunteer firefighters, and Be It Further,

RESOLVED, That this Board encourages immediate passage and implementation to increase recruitment and retention of volunteer firefighters, and Be It Further

RESOLVED, That the Clerk of the Board shall transmit copies of this memorializing petition to New York State Governor David Paterson, New York State Assembly Speaker Sheldon Silver, New York State Majority Leader Malcolm Smith, New York State Assembly Representatives RoAnn M. Destito (D-116), David R. Townsend (R-115), and William Magee (D-111), New York State Senators Joseph A. Griffo (R-47) and David Valesky (D-49).

LEGISLATORS SUPPORTING PETITION

LEGISLATORS OPPOSING PETITION

[Handwritten signatures of legislators supporting the petition]
Edward P. Wilds
Michael Blumenthal
M. Damsky
Nancy Leach
Richard Friss

Emil R. Paparella
 William Goodman
 Joseph Jurgal
 Tony Long
 Chad Pines
 Joe An Connor
 Patricia A. Hendak
 Phil Long
 Edward Stephenson
 Martin J. Keman
 Shawn J. East
 Frank Perry
 Brian Mills
 Doug Wieg

The enclosed petition represents the opinion of those members of the Oneida County Board of Legislators signing the same regarding the contents or subject matter of the petition. Under the Rules of the Board, a Legislator may sign said petition or may, in the alternative, elect not to sign the petition. There are 29 members of the Oneida County Board of Legislators.

Dated: 2/11/09

PETITION BY ONEIDA COUNTY, N. Y., BOARD OF LEGISLATORS

for

MEMORIALIZING PETITION

F.N. 2009-093

READ & FILED

SPONSOR(S): Mssrs. Hennessy, Clancy, Davis,

2-11-09

RE: PETITION RECOGNIZING THE COACHING CAREER OF THE SECTION III ALL-TIME WINNINGEST COACH AL KNAPP

WHEREAS, On Friday, February 6, 2009, the V-V-S Varsity Basketball team, posted a win over league rival Camden, producing the 521st win in the Section III career of Coach Al Knapp and,

WHEREAS, Coach Al Knapp, now 58 years old, has spent 32 years of his life mentoring and coaching children of Central New York, the most recent 19 at the Vernon-Verona-Sherrill High School, and

WHEREAS, The 521st career basketball win by coach Knapp's teams is the most ever by a New York State Section III coach, and

WHEREAS, Mr. Knapp, a humble man whose priorities appear to be in accord with the principles of the American spirit, exemplified by the statement he made after having achieved this momentous milestone: "This win was for my family, for all the fans who supported me at Brookfield and V-V-S, and also for the more than 200 players that I've coached at those two schools... there has been too much fuss made over me." And

WHEREAS, Coach Al Knapp, has always exemplified what is best about the role athletics plays in the education of our youth: sportsmanship, leadership, and dedication, and humility,

THEREFORE BE IT

RESOLVED, That the undersigned members of the Oneida County Board of Legislators wish to go on record in as recognizing the career, the character and the achievement of the all-time winning record of Coach Al Knapp and the student-athletes who contributed to his success

LEGISLATORS SUPPORTING PETITION

LEGISLATORS OPPOSING PETITION

William Goodman
Frankenna
Joseph Jurgal
Chris Dineen
John Gallanney
Galen Carter
Derek J. ...
Doreen A. ...

Robert Long
 Edward Stephens
 Matthew J. Keenan
 Steven J. Ford
 Mark J. Murray
 Ben Elmer
 Dan Adams
 Ted Pater
 Kim Mandy
 Elmer P. Wells
 Matt Plantinga
 Mark D. Campbell
 Norm Leaf
 Richard J. ...
 Dan Wang
 Paul R. Paparella
 Brian M. ...

The enclosed petition represents the opinion of those members of the Oneida County Board of Legislators signing the same regarding the contents or subject matter of the petition. Under the Rules

of the Board, a Legislator may sign said petition or may, in the alternative, elect not to sign the petition. There are 29 members of the Oneida County Board of Legislators.

Frank J. Nebush, Jr.
Public Defender
Leland D. McCormac III
Chief Trial Counsel

Office of the Chief Investigator
James J. Larabee
Sr. Investigator
Christian M. Nebush
Confidential Investigator
Nicholas J. LaBella
Special Investigator

Oneida County Public Defender Criminal Division

250 Boehlert Center at Union Station
321 Main Street
Utica, New York 13501
Telephone: (315) 798-5870
Facsimile Transmission: (315) 734-0364
e-mail: pubdef@ocgov.net

Violent Crimes Section
Patrick J. Marthage
First Assistant Public Defender
Mark C. Curley
Assistant Public Defender
Jennifer M. Compo
Paralegal, Violent Crimes Section

Major Crimes Section
Jeffrey S. Frederick
First Assistant Public Defender
Tina L. Hartwell
First Assistant Public Defender
Peter G. Hutchins
First Assistant Public Defender
David A. Cooke
Assistant Public Defender
Patricia A. Potter
Paralegal, Major Crimes Section

Appellate Bureau
Esther Cohen Lee
Chief Appellate Counsel
Robert R. Reittinger
Appellate Counsel

City Courts Section
James F. Kehoe - Utica
Attorney-in-Charge
Ray A. Kyles - Utica
Assistant Public Defender
Luke A. Nebush - Utica
Assistant Public Defender
David L. Arthur - Rome
First Assistant Public Defender
Doreen M. St. Thomas
Assistant Public Defender(P/T)

Branch Offices

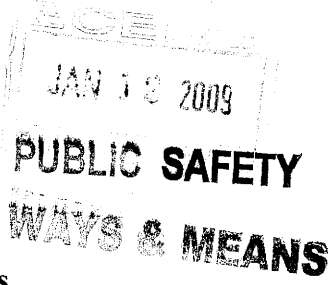
Utica City Court
411 Oriskany Street, West
Utica, New York 13502
Telephone: (315) 735-6671
Fax: (315) 724-3407

Rome City Court
100 West Court Street
Rome, New York 13440
Telephone: (315) 334-7012
Fax: (315) 334-1196

7N 2009-094

Thursday, December 18, 2008

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



Re: **Certification of Section 606 Expenses**

Raul Baerga, Brian H. Bailey, Keith Bell, David Casarez, Ruben Castro, John M. Cush, Alfio Fernandez, Chearrod Footman, Tyrone Frank, Marvin J. Garcia, Lyryan Hennigan, Siddharta Hiranman, Evaristo Jardin, Derlmont Jordan, Noel F. Kane a/k/a "Gator", Tyrone King, Anastacio Martinez, Luciano Ortiz, Carlos Perez, Francisco Puello, Francisco Sanchez, Jeffrey Sherard, Ransom Z. Smith, Juan Taveras, Jose Torres, Jeffrey Weisbrod, Curtis Woods, and John Wooten, being inmates of the State of New York

Dear Mr. Picente:

Enclosed are the following documents for certification by the Oneida County Board of Legislators pursuant to Section 606 of the Correction Law and Title 7, Part 410 of the NYCRR representing our claim for reimbursement for representing the above state inmates:

- 1) Proposed resolution certifying our expenses,
- 2) Sworn affidavit of the Oneida County Public Defender, Criminal Division setting forth the indictments and the time spent representing the above clients,
- 3) Proposed Board letter.

Should you need further information regarding this matter, please do not hesitate to contact me.

Sincerely,

Frank J. Nebush, Jr.
Oneida County Public Defender-Criminal Division

FJN/kll
Enclosures

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

Anthony J. Picente, Jr.
County Executive

Date 1/20/09

34.

CRIMINAL DIVISION
JAN 22 AM 11:21
ONEIDA COUNTY LEGISLATURE
2009 FEB 11 PM 12:37

**In the Matter of the Claim of the:
Oneida County Public Defender, Criminal Division**

under Section 606 of the Correction Law for Payment
of Legal Expenses Incurred in the Defense of Inmates
of the State of New York

**AFFIDAVIT IN SUPPORT OF
CLAIM FOR PAYMENT OF
OF
SECTION 606 EXPENSES**

STATE OF NEW YORK) ss:
COUNTY OF ONEIDA)

Frank J. Nebush, Jr., being duly sworn, deposes and says:

1. I am a duly licensed attorney-at-law in the State of New York and the Public Defender, Criminal Division in and for the County of Oneida and make this affidavit for the purpose of certifying to the Oneida County Board of Legislators and the State of New York that the legal services of the attorneys and staff assigned to the above-mentioned matters are true and accurate.
2. All rates for legal services are based upon Section 722-b of the County Law of the State of New York.
3. The following times and dates represent legal services provided by this office on behalf of the following inmates, to wit:

Raul Baerga, Brian H. Bailey, Keith Bell, David Casarez, Ruben Castro, John M. Cush, Alfio Fernandez, Chearrod Footman, Tyrone Frank, Marvin J. Garcia, Lyryan Hennigan, Siddharta Hiranman, Evaristo Jardin, Derlment Jordan, Noel F. Kane a/k/a "Gator", Tyrone King, Anastacio Martinez, Luciano Ortiz, Carlos Perez, Francisco Puello, Francisco Sanchez, Jeffrey Sherard, Ransom Z. Smith, Juan Taveras, Jose Torres, Jeffrey Weisbrod, Curtis Woods, and John Wooten, being inmates of the State of New York

pursuant to Section 606 of the Correction Law of the State of New York. A true and accurate copy of the indictment follows the itemization of expenses for each inmate.

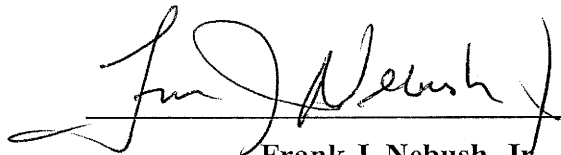
TOTAL OF EXPENSES

People v.	Raul Baerga	\$984.35
People v.	Brian H. Bailey	\$3,178.41
People v.	Keith Bell	\$108.05
People v.	David Casarez	\$684.28
People v.	Ruben Castro	\$51.80
People v.	John M. Cush	\$1,219.44
People v.	Alfio Fernandez	\$334.03
People v.	Chearrod Footman	\$54.18
People v.	Tyrone Frank	\$1,318.77
People v.	Marvin J. Garcia	\$960.87
People v.	George M. Geer	\$1,292.45
People v.	Lyryan Hennigan	\$748.61
People v.	Siddharta Hiranman	\$583.98
People v.	Evaristo Jardin	\$370.66
People v.	Derlmont Jordan	\$806.48
People v.	Noel F. Kane a/k/a "Gator"	\$2,983.92
People v.	Tyrone King	\$1,109.84
People v.	Abiodun J. Knox	\$54.18
People v.	Anastacio Martinez	\$614.76
People v.	Luciano Ortiz	\$2,158.23
People v.	Carlos Perez	\$89.30
People v.	Rafael Perez	\$977.18
People v.	Francisco Puello	\$217.83
People v.	Francisco Sanchez	\$784.07
People v.	Ransom Z. Smith	\$404.99
People v.	Juan Taveras	\$131.27
People v.	Jose Torres	\$1,074.39
People v.	Jeffrey Weisbrod	\$54.18
People v.	Curtis Woods	\$2,014.32
People v.	John Wooten	\$1,947.20

TOTAL: \$27,312.02

I hereby certify that the above statement is a true and accurate account of the expenses incurred in the defense of the above matters.

Dated: December 18, 2008


Frank J. Nebush, Jr.

Subscribed and sworn to before me this
19th day of December, 2008



KARRIE L. LIVINGSTON
Notary Public, State of New York
Qualified in Oneida County
My Commission Expires 7/28/2002

Oneida County Department of Public Works

ANTHONY J. PICENTE JR.
County Executive

JOHN J. WILLIAMS
Commissioner

6000 Airport Road
Oriskany, New York 13424
Phone: (315) 793-6235
Fax: (315) 768-6299

DIVISIONS:
Buildings & Grounds
Engineering
Highways, Bridges & Structures
Reforestation

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:23

February 6, 2009

72-2009-095

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

**PUBLIC WORKS
WAYS & MEANS**

Dear County Executive Picente,

Reconstruction of the Middle Settlement Road/Clinton Street corridor, beginning at NYS Rt. 5 and ending at Henderson Street, in the Towns of New Hartford and Whitestown is included in the Herkimer-Oneida Counties Transportation Study Transportation Improvement Plan, New York State Transportation Improvement Plan, and the budget for Capital Project H-298. The scope of work will include pavement reconstruction, safety improvements, pedestrian access and storm water management. The total cost estimate is approximately \$3,000,000 for Phase 1, NYS Rt. 5 to NYS Rt. 840, and \$1,500,000 for Phase 2, NYS Rt. 840 to Henderson Street.

All design, construction and construction inspection services are eligible for 80% Federal and up to 15% State Aid. Therefore, Preliminary Engineering and Design Services must be secured in accordance with Federal and State guidelines. As part of the Federal and State process, all Counties in NYSDOT Region 2 collectively established a pre-approved list of Consultants eligible to work on Locally Administered Federal Aid Projects. Federal guidelines were followed throughout the consultant selection process. Lochner Engineering, PC was determined to be the most qualified consultant to provide Preliminary Engineering and Design Services. This selection was the result of scoring proposals from all Consultants and was strictly based on the consultant's performance and familiarity with the TEA-21 process. Federal guidelines do not permit selection based on fee proposals.

On January 29, 2009 the Oneida County Board of Acquisition and Contract accepted a proposal from Lochner Engineering, PC for \$408,000 to provide project Scoping, Preliminary Engineering, and Design services for Phase 1 and Phase 2. This proposal has been reviewed by the Division of Engineering and the fees are reasonable for the tasks to be performed and the enclosed contract was drafted accordingly.

Parts of this project may be eligible for additional Federal Aid through the pending American Recovery & Reinvestment Act (stimulus package) and timing will be critical. The sooner preparation of plans and specifications begin the more likely additional Federal Aid will be received. Therefore, if acceptable please forward the enclosed contract to the Oneida County Board Legislators for consideration by the full Board on **February 25, 2009**.

Thank you for your support.


Sincerely,



John J. Williams
Commissioner

cc: Mark E. Laramie, P.E., Deputy Commissioner

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



Anthony J. Picente Jr.
County Executive

Date: 2/10/09

Oneida County Department: Public Works

Competing Proposal X
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: Lochner Engineering, PC
Utica, NY

Title of Activity or Service: Contract for Preliminary Engineering Services

Client Population/Number to be Served: N/A

Summary Statements:

1) Narrative Description of Proposed Services:

Grant for Preliminary Engineering Services related to reconstruction of the Middle Settlement Road/Clinton Street corridor, beginning at NYS Rt. 5 and ending at Henderson Street, in the Towns of New Hartford and Whitestown.

2) Program/Service Objectives and Outcomes:

N/A

3) Program Design and Staffing Level:

N/A

Total Funding Requested: \$408,000.00

Oneida County Department Funding Recommendation: \$408,000.00 Account # H-298

Proposed Funding Source: Federal \$326,400.00 State \$61,200.00 County \$20,400.00

Cost Per Client Served: N/A

Past Performance Data: N/A

Oneida County Department Staff Comments

Oneida County Department of Public Works

ANTHONY J. PICENTE JR.
County Executive

JOHN J. WILLIAMS
Commissioner

6000 Airport Road
Oriskany, New York 13424
Phone:(315) 793-6200
Fax: (315) 768-6299

DIVISIONS:
Buildings & Grounds
Engineering
Highways, Bridges & Structures
Reforestation

January 28, 2009

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

7N2009-096

PUBLIC WORKS
WAYS & MEANS

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:23

Dear County Executive Picente,

Proposals to prepare plans and specifications for Phase 2 of Oneida County's 2009 bridge and structure replacement/rehabilitation program were received on December 3, 2008 from qualified consultants. Funding for the program will be provided through Capital Project H-374. Phase 2 of the 2009 bridge and structure replacement/rehabilitation program includes the following projects.

1. Rehabilitation of Walker Rd. Structure (C3-92) over Branch Realls Cr., Town of Deerfield.
2. Replacement of Butternut Rd. Bridge (BIN 3310960) over Six Mile Cr., Town of Rome.
3. Rehabilitation of Mapledale Rd. Bridge (BIN 3310510) over Tionadara Cr., Town of Bridgewater.
4. Replacement of Powell Rd. Bridge (BIN 3370100) over Beaver Cr., Town of Trenton.

Proposed fees are as follows.


	Group 1
Plumley Engineering, P.C. Baldwinsville, NY	\$89,660.00
Lochner Engineering Utica, NY	\$89,900.00
Barton & Loguidice, P.C. Syracuse, NY	\$94,500.00
C&S Companies Syracuse, NY	\$116,800.00

On December 10, 2008 the Oneida County Board of Acquisition and Contract accepted the proposal from Plumley Engineering, P.C. for \$89,660.00 to prepare plans and specifications for the projects noted above.

Please consider the enclosed contract with Plumley Engineering, P.C. If acceptable please forward to the Oneida County Board of Legislators for further consideration.

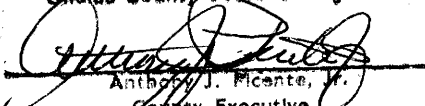
Thank you for your support.

Sincerely,


John J. Williams
Commissioner of Public Works

cc: Mark E. Laramie, P.E., Deputy Commissioner

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


Anthony J. Picente, Jr.
County Executive

Date: 2/2/09

39.

Oneida County Department: Public Works

Competing Proposal X
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: **Plumley Engineering, P.C.**
Baldwinsville, NY

Title of Activity or Service: **Professional Consulting Services**

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

Summary Statements:

1) Narrative Description of Proposed Services:

Professional Consulting Services related to the reconstruction/rehabilitation of the following bridges/structures.

- 1. Rehabilitation of Walker Rd. Structure (C3-92) over Branch Realls Cr., Town of Deerfield.**
- 2. Replacement of Butternut Rd. Bridge (BIN 3310960) over Six Mile Cr., Town of Rome.**
- 3. Rehabilitation of Mapledale Rd. Bridge (BIN 3310510) over Tionadara Cr., Town of Bridgewater.**
- 4. Replacement of Powell Rd. Bridge (BIN 3370100) over Beaver Cr., Town of Trenton.**

2) Program/Service Objectives and Outcomes:

N/A

3) Program Design and Staffing Level:

N/A

Total Funding Requested: **\$89,660.00** Department Funding Recommendation: **\$89,660.00**
Account #: **H-310**

Proposed Funding Source: Federal 0 State 0 County \$89,690.00

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

Past Performance Data: **N/A**

Oneida County Department Staff Comments

Accepted by Board of Acquisition & Contract on December 10, 2008.

**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of January 13, 2009 (“Effective Date”) between
Oneida County Department of Public Works (“Owner”)
and Plumley Engineering, P.C. (“Engineer”)
Engineer agrees to provide the services described below to Owner for Replacement of Various Bridges and
Structures in Oneida County (“Project”).
Description of Engineer’s Services: Design, Contract Documents Preparation, Contract Administration
and Project Inspection Services as in the Plumley Engineering Proposal dated December 2, 2008, attached.

Owner and Engineer further agree as follows:

1.01 Basic Agreement

A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 9.01.

2.01 Payment Procedures

A. Refer to Schedule B, attached.

B. *Payment of Invoices.* Invoices are due and payable within 45 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 45 days after receipt of Engineer's invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said 45th day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3.01 Additional Services

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the

41.

other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Engineer:

1) upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

2) upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.

3) Engineer shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Engineer.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

B. Engineer shall not at any time supervise, direct, or have control over any contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.

E. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (No. C-700, 2002 Edition).

F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or

in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$1,000,000 or the total amount of compensation received by Engineer, whichever is greater.

H. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

8.01 Total Agreement

A. This Agreement (consisting of pages 1 to 4 inclusive together with any expressly incorporated appendix and the Request For Proposal for REPLACEMENT OF VARIOUS BRIDGES AND STRUCTURES IN ONEIDA COUNTY dated 2008-09 attached hereto), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 Payment (Lump Sum Basis)

A. Using the procedures set forth in paragraph 2.01, Owner shall pay Engineer as follows:

1. A Lump Sum amount of \$ Refer to Schedule B, attached

B. The Engineer's compensation is conditioned on the time to complete construction not exceeding 9 months. Should the time to complete construction be extended beyond this period, total compensation to Engineer shall be appropriately adjusted.

C. There shall be no reimbursable expenses. Miscellaneous expenses incurred must be included in lump sum fixed fee(s) and/or hourly rates.

43

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

OWNER: Oneida County Department
of Public Works

ENGINEER: Plumley Engineering, P.C.

By:

Anthony J. Picente Jr.

By:

Joel D. Plumley, P.E.

Title:

Oneida County Executive

Title:

President

Date Signed:

Date Signed:

1-12-09

License or Certificate No. and State

NY 06383

Address for giving notices:

Address for giving notices:

Division of Engineering

Plumley Engineering, P.C.

6000 Airport Road

8232 Loop Road

Oriskany, New York 13424

Baldwinsville, New York 13027

PLUMLEY ENGINEERING, P.C.

**ONEIDA COUNTY DEPARTMENT OF PUBLIC WORKS
STANDARD TERMS AND CONDITIONS**

EFFECTIVE JANUARY 1 THROUGH DECEMBER 31, 2009

1. LABOR BILLING RATES

Principal	\$165.00 per hour
Environmental Managing Engineer	\$150.00 per hour
Civil Managing Engineer	\$135.00 per hour
Senior Engineer	\$125.00 per hour
Senior Geologist	\$130.00 per hour
Project Engineer or Project Geologist	\$115.00 per hour
Staff Engineer or Staff Geologist	\$ 90.00 per hour
Senior Technician	\$ 80.00 per hour
Geographic Information Specialist	\$ 75.00 per hour
Technician	\$ 60.00 per hour
Assistant Technician	\$ 50.00 per hour
Administrative Assistant/Clerical	\$ 45.00 per hour
CADD Designer	\$ 75.00 per hour
Senior CADD Drafter	\$ 65.00 per hour
CADD Drafter	\$ 55.00 per hour
CADD Plots	\$ 1.00 per sq. ft.

2. EQUIPMENT/MISCELLANEOUS CHARGES

Equipment Van Usage	\$ 0.75 per mile
Photoionization Detector (PID)	\$ 75.00 per day
Sampling Pump and Supplies	\$125.00 per day
Water Quality Meters (Field)	\$ 50.00 per day
Data Logger with Pressure Transducers	\$150.00 per day or \$450.00 per week
Additional Pressure Transducers	\$ 25.00 per day or \$ 75.00 per week
Pipe/Cable Locator	\$ 50.00 per day
Water Level Meter	\$ 30.00 per day
Concrete Slump Cone	\$ 20.00 per day
Survey Equipment	\$100.00 per day
Pump/Accessories	\$100.00 to \$200.00 per day
Geophysical Equipment	[Quoted by job]

All of the above equipment carries a minimum half day charge.

45.

3. SUBCONTRACTORS AND SUBCONSULTANTS

Subcontractors and subconsultants supervised by and billed through our office will be invoiced at our cost plus 15%.

4. TRAVEL

Travel time plus \$0.65 per mile will be charged portal-to-portal. If overnight stay is required, the hotel will be billed at our cost plus 10% and a \$40.00 per day meal charge will be billed for each overnight stay.

5. EXPENSES

Any out-of-pocket expenses incurred for the job will be billed at our cost plus 15%. All other overhead is included in the above rates.

6. TERMS

Invoices will be mailed at the beginning of each calendar month for the previous month's work. Payment is expected within 45 days unless prior arrangements are made. All accounts 45 days past due will be charged 1% interest per month. All projects will require a retainer to begin work unless prior arrangements are made. The retainer will be applied at the completion of the project.

7. STANDARD OF CARE

The standard of care for all professional services performed or furnished by the Engineer under this Agreement will be the skill and care used by members of the Engineer's profession practicing under similar circumstances at the same time and in the same locality. The Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with the Engineer's services.

8. COMPENSATION

For the scope of services stated, the Owner agrees to pay the Engineer the compensation stated in this Agreement. The Engineer agrees to submit invoices monthly for services rendered and the Owner agrees to submit payment to the Engineer within 45 calendar days of the Owner's receipt of invoice.

9. INDEMNIFICATION AND LIMITATION OF LIABILITY

The Owner and the Engineer each agree to indemnify and hold the other harmless, and their respective officers, employees, agents and representatives, from and against liability for all claims, losses, damages and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors or omissions. In the event claims, losses, damages or expenses are caused by the joint or concurrent negligence of the Owner and the Engineer, they shall be borne by each party in proportion to its negligence.

The Engineer's liability is limited to \$1,000,000 or the total of the engineering fees, whichever is greater. All contracts can include the option to negotiate the limit of liability.

10. FORCE MAJEURE

Neither party shall be deemed in default of this Agreement to the extent that any delay or failure in the performance of its obligations results from any cause beyond its reasonable control and without its negligence.

11. TERMINATION OF CONTRACT

The Owner may terminate this Agreement with seven days prior written notice to the Engineer for convenience or cause. The Engineer may terminate this Agreement for cause with seven days prior written notice to the Owner. Failure of the Owner to make payments when due shall be cause for suspension of services, or ultimately, termination, unless and until the Engineer has been paid in full all amounts due for services, expenses and other related charges.

12. HAZARDOUS ENVIRONMENTAL CONDITIONS

It is acknowledged by both parties that the Engineer's scope of services does not include any services related to the handling at the site of asbestos, PCBs, petroleum, hazardous waste or radioactive materials. The Owner acknowledges that the Engineer is performing professional services for the Owner and the Engineer is not and shall not be required to become an "arranger", "operator", "generator" or "transporter" of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1990 (CERCLA).

13. SUBSURFACE EXPLORATIONS AND UTILITY CLEARANCE

The Engineer will notify Dig Safely New York, formerly the Underground Facilities Protective Organization (UFPO). The Engineer will seek to locate subterranean structures in the vicinity of proposed subsurface excavation at the site using plans or information about the site provided by the Owner. The Engineer will not be responsible for any damage, injury or interference with any subterranean structure, pipe, tank, cable or any other element or condition if not called to the Engineer's attention prior to commencement of the work or which is not shown, or accurately located, on any plans furnished to the Engineer by the Owner.

14. OWNERSHIP OF DOCUMENTS

Original and generated computer disks, drawings and specification manuscripts are to remain the property of the Owner, whether or not the project is completed. The Engineer may retain copies for reference. These documents shall not be used by the Engineer for other projects without prior written approval of the Owner. The Owner's use of this data for purposes other than originally intended without written verification or adoption by the Engineer shall be at the Owner's sole risk.

In the event that it is necessary for Plumley Engineering to bring suit to enforce any provision of these *Standard Terms and Conditions*, including the collection of any payment due, Plumley Engineering shall be entitled to recover all costs and expenses of such litigation, including reasonable attorneys fees and the costs of appeals or bankruptcy proceedings.

Oneida County Department of Public Works

ANTHONY J. PICENTE JR
County Executive

JOHN J. WILLIAMS
Commissioner

6000 Airport Road
Oriskany, New York 13424
Ph:(315) 793-6000 Fax:(315) 768-6299

DIVISIONS
Buildings and Grounds
Engineering
Highways, Bridges & Structures
Reforestation

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 19 AM 9:27

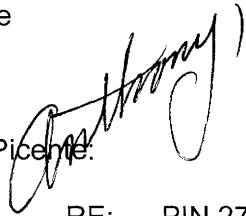
January 29, 2009

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

7N2009-097

PUBLIC WORKS
WAYS & MEANS

Dear County Executive Picente:



RE: PIN 2754.19.121,.321
Judd Road (CR 840) at Cider Street (CR 32)
Safety Improvement, Town of Whitestown

In order to advance the referenced project, the enclosed agreement and resolution must be executed.

Enclosed you will find five (5) Supplemental Agreements #1, two (2) original signature pages and a Sample Resolution.

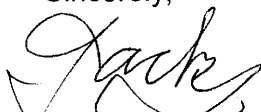
The total project costs are currently estimated at \$223,455 (\$28,000 for the Preliminary Engineering phase and \$195,455 for the Construction phase). The sample resolution commits the County to the advancement of the entire project and this agreement concerns the Construction phase.

The Agreement, when fully executed, will allow the County to be reimbursed up to \$201,109.50 in Federal funds and \$16,759.13 in State (Marchiselli) funds as expenditures are made per Schedule A of the Agreement.

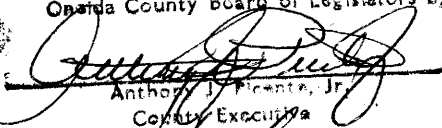
If you concur, please present the aforementioned agreement and resolution to the Public Works Committee, the Ways and Means Committee and the Oneida County Board of Legislators for consideration. Please note that once executed, Oneida County must return to New York State four (4) original Agreements, two (2) original signature pages along with five (5) original certified Resolutions. Please forward these documents to the Deputy Commissioner of Engineering for distribution.

Thank you for your assistance.

Sincerely,



John J. Williams
Commissioner of Public Works

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

Anthony J. Picente, Jr.
County Executive
Date: 2/12/09

cc: Mark Laramie, Deputy Commissioner, Division of Engineering

Oneida County Department: Public Works

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: New York State Department of Transportation

Title of Activity or Service: Grant for Construction Phase Services

Client Population/Number to be Served: N/A

Summary Statements:

1) Narrative Description of Proposed Services:

Grant for Construction Phase Services related to safety improvements and construction of a traffic signal at the Judd Road/Cider Street intersection.

2) Program/Service Objectives and Outcomes:

N/A

3) Program Design and Staffing Level:

N/A

Total Funding Requested: \$223,455.00

Oneida County Department Funding Recommendation: \$223,455.00 Account # H-298

Proposed Funding Source: Federal \$201,109.50 State \$16,759.13 County \$5,586.37

Cost Per Client Served: N/A

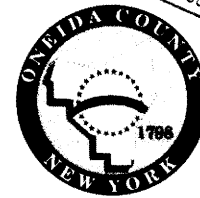
Past Performance Data: N/A

Oneida County Department Staff Comments

Please note that the Town of Whitestown has agreed to assume all maintenance and operation responsibilities for the traffic signal upon project completion.

Griffiss International Airport

592 Hangar Road, Suite 200
Rome, NY 13441
Telephone: 315-736-4171 / Fax: 315-736-0568



RECEIVED
FEB 12 2009
Onida County Executive's Office

ANTHONY J. PICENTE, JR.
County Executive

W. VERNON GRAY, III
Commissioner of Aviation

RECEIVED
ONIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:21

February 9, 2009

Anthony J. Picente, Jr.
County executive
800 Park Avenue
Utica, New York 13501

7N2009-098

AIRPORT

WAYS & MEANS

Dear Mr. Picente:

In 2004, the Department of Aviation purchased through public bid process four (4) aviation bulk fuel storage tanks manufactured by **Fuel Tech Inc.** We now have an inventory of filters and appurtenances to repair and maintain these tank systems.

Capital Project H-432 was created to increase our aviation fuel storage capacity and we will again be bidding for additional aviation bulk fuel tanks. It is the desire of the Department of Aviation to standardize our bulk fuel tank systems in order to increase the scale of economies by having one type of bulk fuel storage and components. Airport personnel are trained and familiar with the tanks, its components, and repairs; which provides safer, faster, and more efficient maintenance due to the operational knowledge of the **Fuel Tech Inc.** equipment.

I therefore, respectfully request you ask the Board of Legislators to recognize and confirm the need for the standardization of Aviation Bulk Fuel Storage systems to be used at the Griffiss International Airport pursuant to the Boards' authority under subdivision 5 of Section 103 of the General Municipal Law.

Thank you for your attention to this matter.

Sincerely,

W. Vernon Gray, III
Commissioner

Attach.

cc: County Attorney
Purchasing Director

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

Anthony J. Picente, Jr.
County Executive

Date: 2/12/09

51.



Anthony J. Picente, County Executive

Linda M. Nelson, Commissioner



Phone: (315) 798-5903
Fax: (315) 798-6445
E-mail: mentalhealth@ocgov.net
Web site: www.ocgov.net

7N2009-099

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:15

PUBLIC HEALTH

WAYS & MEANS

January 23, 2009

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

Dear Mr. Picente:

I am enclosing five (5) copies of a purchase of consulting services agreement between Oneida County through the Department of Mental Health and Knowledge Intersect for your review and signature.

This Agreement will allow maintenance to continue on the c-info data base system which is crucial to the Department's efforts to integrate services for high risk / high need individuals across providers and systems. The amount of this Agreement is \$94,000 and is supported by aid from the New York State Office of Mental Health the New Initiatives program and Infrastructure Development effort. There are no Oneida County tax generated funds associated with this agreement.

Thank you very much for your time and consideration of this request. I would be pleased to respond to any questions or concerns you might have with regard to this Agreement.

Sincerely,

Linda M. Nelson
Linda M. Nelson
Commissioner

LMN/ser
Enc.

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

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

Date: *2/12/09*

Oneida County Board of Legislators
Contract Summary

Oneida County Department of Mental Health Account No: A4310.195

Name of Proposing Organization: Knowledge Intersect

Type of Activity or Services: Comprehensive Data Base and Report generator

Proposed Dates of Operations: January 1, 2009 through December 31, 2009

Client Population to be Served: The Oneida County Department Mental Health in Support of the AOT and SPOA programs.

Summary Statements:

1.) Narrative Description of Proposed Services:

The Consultant shall complete the tasks outlined below for the Oneida County Department of Mental Health to support the requirements of the Oneida County Commissioner of Mental Health:

- (A) maintain a data base management capacity to address Adult Mental Health services: Single Point of Access and Accountability, Assisted Outpatient Treatment for the statutory requirements necessitated by Chapter 408: AOT program requirements and New York State "New Initiatives" Project; and database management capacity for, Faxton-St. Lukes Emergency Admissions, Medication Grant Card Programs, and Forensic Mental Health Services located at the Oneida County Jail, the Forensic Evaluation Unit located at Utica City Court, and the Youth Diversion Program located ant the Oneida County Probation Department.
- (B) Consult with the Oneida County Department of Central Services and other vendors as may be designated by the Department of Central Services in the configuration and ongoing maintenance of the Remote Terminal System database server.
- (C) Issue C-Info licenses as requested by the Oneida County Department of Mental Health to offer Oneida County Departments and/or provider organizations to the RTS database server. It is expressly understood that Oneida County shall provide physical access and user id's/password(s) to the Contractor to facilitate all terms and conditions of the Agreement.
- (D) Will resolve identified and reproducible c-info malfunctions within a timely manner.
- (E) Maintain HIPAA, NY State Regulatory Compliancy.

(F) Perform such duties as may be required by the Oneida County Charter, by the Oneida County Administrative Code, statutes of the State of New York and of the United States and all regulations of the New York State Department of Mental Hygiene and any other appropriate statutes, regulations, ordinances and local laws. Performance of all duties shall be in compliance with all rules and regulations.

(G) Maintain a log of daily activities; submit to Oneida County Department of Mental Health on the last day of each month.

2.) Program/Service Objectives and Outcomes:

To prepare the data necessary for compliance with New York State Office of Mental Health for Assisted Outpatient Treatment (AOT) program and Single Point of Access and Accountability.

3.) Program Design and Staffing Level:

The Consultant has completed his thesis at Rensselaer Polytechnical Institute (RPI) and was previously an instructor at SUNY in the Applied Sociology program. The consultant has been employed by IBM as a systems design engineer. He has extensive experience in the Access software and programming.

Funding:

Gross Budget	\$ 94,000.00
Revenues (All Sources)	0
Net Amount	94,000.00
State Funds	94,000.00
County Funds	0
Voluntary Contribution	0
Non-Funded	0

ONEIDA COUNTY HEALTH DEPARTMENT

Adirondack Bank Building, 5th Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.
ONEIDA COUNTY EXECUTIVE

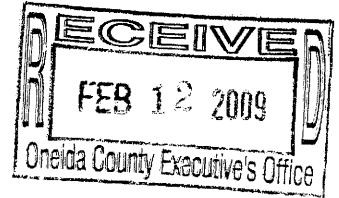
DANIEL W. GILMORE, PH.D.
DIRECTOR OF ENVIRONMENTAL HEALTH
SUPERVISOR-IN-CHARGE

ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

February 9, 2009

FN2009-100



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

PUBLIC HEALTH

WAYS & MEANS

Dear Mr. Picente:

As you are aware The Education and Transportation of Handicapped Children Program is a state mandated program that provides special education, therapeutic, and transportation services to three and four year old children with disabilities according to provisions under section 4410 of the New York State Education Law.

The New York State Education Department (SED) provides school districts Federal IDEA discretionary funds to the extent available based on the number of students served. All allowable and reasonable Committee on Preschool Special Education (CPSE) excess costs are to be reimbursed by the county in which the district's preschool student resides. SED will then reimburse the County 59 1/2 % of excess CPSE costs paid pursuant to Section 4410.

The total number of children served in the school districts applying has increase and thus we will incur a shortage in that account which reimburses the school districts.

We are therefore requesting the following transfer for the **2008** fiscal year.

From: A2960.1953 – Related Services..... \$76,000

To: A2960.49598 – EHC Excess Admin. Costs..... \$76,000

Please request the Board to act on the above mention at their earliest convenience.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Daniel W. Gilmore, Ph.D.
Director of Environmental Health/Supervisor-In-Charge

Cc: T. Keeler, Director of Budget

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

Anthony J. Picente, Jr.
County Executive

Date: 2/10/09

RECEIVED
LEGISLATURE
ONEIDA COUNTY
2009 FEB 13 AM 9:13

ONEIDA COUNTY DEPARTMENT OF HEALTH

Date: 02-09-09

ONEIDA COUNTY BOARD OF LEGISLATORS

APPROPRIATION / SUMMARY

Appropriation _____
Transfer **X**
Fiscal Year 2008

1.) Appropriation or Transfer Description –

Cost Center: EHC Program / A2960

From: Related Services.....\$ 76,000

To: Excess Admin. Costs.....\$ 76,000

2.) Activity or Service –

The NY State Education Department (SED) has provided school districts Federal IDEA discretionary funds to the extent available based on numbers of students served. All allowable and reasonable CPSE administrative costs not covered by Federal funds will be reimbursed by the county in which the district's preschool students reside. The SED will then reimburse the county 59 ½% of excess CPSE costs paid pursuant to Section 4410.

2.) Client population to be served –

Children of Oneida County between the ages of three and four with disabilities according to provisions under Section 4410 of the New York State Education Law.

3.) Explanation of Appropriation /Transfer –

The number of children served by the school districts applying for excess administrative costs has increase over past years.

4.) Funding Source –

We are transferring monies from anticipated surplus in the Related Services account, which is also reimbursed at 59 ½%.

ONEIDA COUNTY HEALTH DEPARTMENT

Adirondack Bank Building, 5th Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.
DIRECTOR OF ENVIRONMENTAL HEALTH
SUPERVISOR-IN-CHARGE

ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

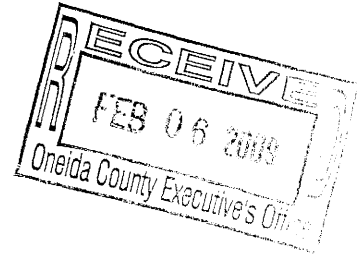
7W 2009-101

February 4, 2009

PUBLIC HEALTH

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

WAYS & MEANS



Dear Mr. Picente:

Per Title VI of the state health law "the county health authority is responsible for the services and expenses necessary for the suppression of human rabies". This includes assuming financial responsibility for human postexposure treatment render by providers after third party coverage.

We had an incident in late November 2008 when a family and their employees had contact with a cow which was declared positive on December 1, 2008. Since this family does not have third party coverage the responsibility lies with Oneida County.

We are therefore requesting the following transfer for the 2008 fiscal year.

From: A2970.495115 – Early intervention Services..... \$ 23,000

To: A4018.495– Other Expenses..... \$ 23,000

Please request the Board to act on the above mention at their earliest convenience.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Daniel W. Gilmore, Ph.D,
Director of Environmental Health/Supervisor-In-Charge

Cc: T. Keeler, Director of Budget

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:13

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

Anthony J. Picente, Jr.
County Executive

Date 2/12/09

ONEIDA COUNTY DEPARTMENT OF HEALTH

Date: 02-04-09

ONEIDA COUNTY BOARD OF LEGISLATORS

APPROPRIATION / SUMMARY

Appropriation _____
Transfer **X**
Fiscal Year 2008

1.) Appropriation or Transfer Description –

Cost Center: Environmental Health / A4018

From: EI Services..... \$ 23,000

To: Other Expenses.....\$ 23,000

2.) Activity or Service –

- **The payment to providers for necessary treatment for individuals requiring human post exposure treatment.**

3.) Client population to be served –

Those residents of Oneida County who have been expose to the rabies virus and whose treatment has been authorize.

4.) Explanation of Appropriation /Transfer –

In December of 2008 a cow tested positive for rabies. The animal had intimate contact with eleven (11) individuals. Of the eleven exposed five (5) had no health insurance. The financial responsibility for the human post exposure treatment falls on the county.

58

4.) Funding Source –

Our county's allocation for rabies expenses between April 1, 2008 and March 31, 2009 is \$13,279 which includes human treatment, specimen preparation and shipment and pet vaccination clinics. This base amount has been met and any additional are reimbursed at 36%.

Oneida County Department Staff Comments:

ONEIDA COUNTY HEALTH DEPARTMENT

A Ironclade Bank Building, 5th Floor, 185 Genesee St., Utica, NY 13501

ANTHONY J. PICENTE, JR.
ONEIDA COUNTY EXECUTIVE

DANIEL W. GILMORE, PH.D.
DIRECTOR OF ENVIRONMENTAL HEALTH
SUPERVISOR-IN-CHARGE

ADMINISTRATION

Phone: (315) 798-6400 Fax: (315) 266-6138

7N2009-102

January 26, 2009

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

PUBLIC HEALTH

WAYS & MEANS

2009 FEB 13 AM 9:12

RECEIVED
ONEIDA COUNTY LEGISLATURE

Dear Mr. Picente:

Attached are three (3) copies of an agreement between Oneida County through its Health Department and the Rome Humane Society.

The purpose of this agreement is to provide a spaying/neutering program assisting with animal population. The term of this agreement shall become effective January 1, 2009 and remain in effect until December 31, 2010 with reimbursement in the amount of \$80 per dog, not to exceed \$6,000 per calendar year. **Funding of this program is through reimbursement by collection of license fees through towns, villages, cities.** If this agreement meets with your approval, please forward to the Board of Legislators. The reason this agreement is being forwarded to you after the commencement date is because a miscommunication between Oneida County and the Rome Humane Society occurred.

Feel free to contact me should you require further information.

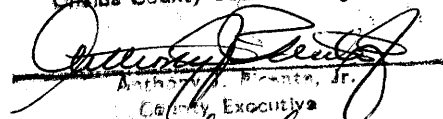
Sincerely,



Daniel W. Gilmore, Ph.D.
Director of Environmental Health/Supervisor-in-Charge

attachments
ry

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



Anthony J. Picente, Jr.
County Executive

Date 2/13/09

CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT

DIVISION: Environmental Health

NAME AND ADDRESS OF VENDOR: Rome Humane Society
Lamphere Road, P. O. Box 4572
Rome, New York 13440-4572

VENDOR CONTACT PERSON: Michael Massurin, Executive Director

DESCRIPTION OF CONTRACT: Provide for spaying or neutering dogs

CLIENT POPULATION SERVED: N/A

SUMMARY STATEMENTS: Dogs are spayed or neutered within Oneida County for the purpose of controlling dog population.

PREVIOUS CONTRACT YEAR: January 1, 2007 through December 31, 2008

TOTAL: \$80 per dog, not to exceed \$6,000 per calendar year.

THIS CONTRACT YEAR: January 1, 2009 through December 31, 2010

TOTAL: \$80 per dog, not to exceed \$6,000 per calendar year.

NEW

X

RENEWAL

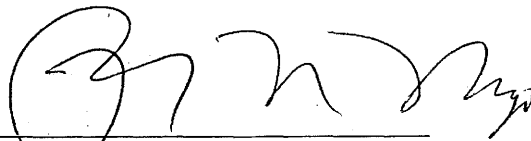
AMENDMENT

FUNDING SOURCE: Reimbursed by collection of license fees through towns, villages, cities.

SIGNATURE: Daniel W. Gilmore, Director of Environmental Health/
Supervisor-in-Charge

DATE: January 5, 2009

Contract Approved By:

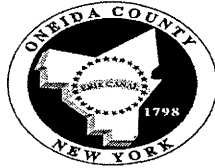

Brian M. Miga, Assistant County Attorney

Date:

1-6-09

6/1

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

February 10, 2009

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

7/12009-103
HUMAN RESOURCES

WAYS & MEANS

RECEIVED
ONEIDA COUNTY CLERK/CLERK
2009 FEB 13 AM 9:18

Dear Mr. Picente:

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 Oneida County Department of Social Services has a need to improve housing for Social Services clients in the City of Utica from that which presently exists in some areas. The enclosed Purchase of Services Agreement between Oneida County Department of Social Services and the City of Utica continues the Housing Improvement Program for Utica.

The goals of the program are as follows:

1. To improve the quality, affordability and adequacy of the housing for Social Services clients in the City of Utica.
2. To ensure codes compliance and improvement of deteriorating housing in the City of Utica so that Public Assistance recipients are assured of housing that is safe and will meet the needs of the family.
3. To provide a total analysis of all housing stock, which would be most likely available to Social Services clients.
4. To identify and provide assistance including the establishment of a training program for those tenants who are chronic abusers of real estate through the use of housing improvement and home management services.
5. To identify Landlords who are abusing the system and to develop policies and protocols with the Department including possible legal action to correct this problem.

The Agreement has a term of March 10, 2009 through March 9, 2010, at a total cost not to exceed \$ 376,000 and provides for 1 full-time Chief Housing Inspector, 1 full-time Senior Housing Inspector, 6 full-time Housing Code Inspectors, 1 Senior Account Clerk Typist and 2 Data Entry Machine Operator. The City of Utica contributes the total local cost of 25% or \$ 94,000.

I respectfully request that this matter be forwarded to the Board of Legislators.

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: 2/12/09

62.

2/4/09
48101

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 Housing Improvement Program

Title of Activity or Services: Housing Inspection for dwellings in the City of Utica.

Proposed Dates of Operations: March 10, 2009 through March 9, 2010

Client Population/Number to be Served: All applicants for and recipients of the Department of Social Services.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

To provide a coordinated approach in regards to housing within the City of Utica, to insure safe adequate housing and to prevent the deterioration of housing within the city.

2). Program/Service Objectives and Outcome-

- (1). Improve the quality, affordability and adequacy of the housing for Social Services clients in the City of Utica
- (2). To insure codes compliance and improvement of deteriorating housing in the City of Utica so that public assistance recipients are assured of housing that is safe and will meet the needs of the family.
- (3). To provide a total analysis of all housing stock which would be most likely available to Social Services clients.
- (4). To identify and provide assistance including the establishment of a training program to those tenants who are chronic abusers of Real Estate through the use of Housing Improvement and Home Management Services.
- (5). To identify landlords who are abusing the system and to develop policies and protocols with the Department including possible legal action to correct this problem.
- (6) To provide a more intensive and coordinated approach to ensure or develop adequate housing for Social Services clients.

63.

3). Program Design and Staffing Level -

- 1 Full-time Chief Housing Inspector
- 1 Full-time Senior Housing Inspector
- 6 Full-time Housing Inspectors
- 2 Data Entry Machine Operators
- 1 Senior Account Clerk Typist

Total Funding Requested: \$ 376,000

\$ 282,000 to be paid through Oneida County Department of Social Services.
\$ 94,000 to be paid by the City of Rome

Mandated or Non-Mandated – This contract is Non-Mandated however it does help to ensure that the families are living in a safe environment.

Oneida County Dept. Funding Recommendation: Account #: A6012.49541

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

Federal	50.0 % - \$ 188,000
State	25.0 % - \$ 94,000
County	0.0 % - \$ 0
City	25.0 % - \$ 94,000

Cost Per Client Served:

Past performance Served: Initial Contract 11/10/94, Inspections began 2/1/95. The project has been successful in improving the housing for Social Services recipients. The Contractor was paid \$366,522 through the Department to support last year's contract. The City of Utica is contributing 100% of the local cost of this contract for the sixth year. There is no County dollars used to support this effort.

O.C. Department Staff Comments:

In addition to the services listed in the contract the housing specialists have also supplied the Department Investigative Unit with information regarding inconsistencies in living arrangements and resources while at the same time providing information to services regarding possible neglect or abuse of children or adults.

Efforts have been stepped up since 2006 with the posting of Not To Be Occupied dwellings of Owner Occupied homes and apartment buildings. Warrants have had to be procured, alternative housing found and time consuming lengthy court cases. In these cases the Contractor has been working closely with Office of the Aging (O of A Coalition Task Force), Adult Protection, The Health Department (Safe Housing Coalition of Central New York) and DSS Emergency Housing.

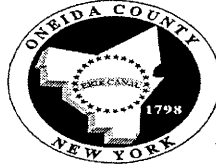
64.

The following is a list of some of the items inspected by the State Certified Codes Enforcement Officers during Inspections performed by this Contract:

- Smoke Detectors
- Heat/furnaces
- Water
- Electric (all)
- Infestation
- Means of Egress
- Unsafe structures & equipment
- Emergency measures
- Variance Procedures
- Exterior property Areas:
(Sanitation, grading and drainage, sidewalks and driveways, weeds, accessory structures, gates, swimming pools, motor vehicles). Protective treatments (paint, etc.) foundation walls, exterior walls, roofs and drainage, overhangs, stairways, decks, porches, balconies, chimneys and towers, handrails and guards, windows, skylight and door frames, glazing, basement and hatchways.
- Interior Areas:
Interior surfaces, stairs, walking surfaces, hand railings and guards, interior doors, rubbish and garbage.
- Habitable spaces
- Common halls and stairways
- Check for any visible chipping or peeling paint (possible lead)
- Ventilation
- Occupancy limitations
- Food preparations
- Combined spaces
- Toilet rooms
- Plumbing systems and fixtures
- Water system Sanitary Drainage
- Storm drainage
- Heating facilities, degrees, supply
- Mechanical equipment
- Electrical facilities
- Fire-resistance ratings
- Fire protection systems

65.

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

2009 FEB 13 AM 9:14
RECEIVED
ONEIDA COUNTY LEGISLATURE

February 5, 2009

FN 2009-104

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

HUMAN RESOURCES

FRANK J. MEEHAN

Dear Mr. Picente:

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.

This Purchase of Services Agreement for ambulatory and non-ambulatory transportation services provided by D & T Transport, 3695 Mohawk Street, New Hartford, New York. The Department has a need for specialized transportation for eligible ambulatory and non-ambulatory medical clients to transport them to and from medical appointments. Medicaid Transportation is provided by ambulance, invalid coach, taxicab, common carrier or other appropriate means, which the type of transport has to obtain a prior authorization prior to service.

The Contract is established for the year April 1, 2009 through March 31, 2010. The rates are approved by New York State. The contractor was paid \$ 283,487 from January 1, 2008 through December 31, 2008 which has a local share of 15% or \$ 42,523.

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 2/13/09

l/b.

2/3/09

33301

Oneida Co. Department Social Services

Competing Proposal _____

Only Respondent _____

Sole Source RFP _____

Oneida County Board of Legislators

Contract Summary

Name of Proposing Organization: D & T Transport
3695 Mohawk Street
New Hartford, New York 13413

Title of Activity or Services: Transportation for eligible Medicaid clients to medical services

Proposed Dates of Operations: April 1, 2009 - March 31, 2010

Client Population/Number to be Served: Medicaid eligible recipients.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services Transportation services approved by the Department for the purpose of obtaining medical services for the disabled. The Department has a need for specialized transportation for ambulatory and non-ambulatory medical clients. Medicaid Transportation is provide by a number of different services which include ambulance, invalid coach, taxicab, common carrier or other appropriate means,

2). Program/Service Objectives and Outcomes - Prior approved Medicaid transportation for eligible Medicaid recipients.

3). Program Design and Staffing Level - N/A

Total Funding Requested:

Mandated or Non-mandated: Mandated Service

Oneida County Dept. Funding Recommendation: Account #:A6101.495

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

Federal	50 %	\$ 141,744
State	35 %	\$ 99,220
County	15 %	\$ 42,523

67.

Cost Per Ride Served: Rates differ depending on type of service:

Stretcher \$ 55.00

Ambulette \$ 40.00

Taxi various depending on destination

Past performance Served: The Provider has provided service since 2006. The Department is has spent \$ 283,487 from January 1, 2008 through December 31, 2008.

O.C. Department Staff Comments: The Department utilizes a number of providers to provide transportation services to the ensure availability to serve the needs of the Medicaid population.

68.



Anthony J. Picente, Jr.
County Executive

Oneida County
Office for the Aging & Continuing Care
Website: www.ocgov.net



Michael J. Romano
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

7N2009-105

PUBLIC HEALTH

WAYS & MEANS

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:03

January 29, 2009

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

Dear Mr. Picente:

I am submitting the following Letter of Agreement between the Office for the Aging/Office of Continuing and the greater Mohawk Valley Community and Elderwellness Council, Inc.(CEWC) for your review and approval.

Oneida County Office for the Aging/Continuing Care had been awarded a grant of federal funds under the Administration on Aging's Nursing Home Diversion Modernization Project. This project will provide Oneida County with the ability to develop a flexible consumer directed model of service delivery targeting those most at risk for Medicaid spend downs and Nursing Home Placement. This program is funded with Federal dollars with no county dollars involved.

This contract will commence upon execution and terminate March 31, 2010.

I am available at your convenience to answer any questions you may have regarding this agreement.

Sincerely,

Michael J. Romano
Director

MJR/grb
Enc.

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

Anthony J. Picente, Jr.
County Executive

Date 2/12/09

69.

Oneida County Department: **Office for the Aging**

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

**Oneida County Board of Legislators
Contract Summary**

Name of Proposing Organization: The Mohawk Valley Community and Elderwellness Council, Inc.

Title of Activity or Service: Nursing Home Diversion Grant- To identify individuals who are at risk for Medicaid spend-down and or/ nursing home placement and to help them remain in their community by offering them more involvement and control over the types of services, supports, and benefits they receive.

Proposed Dates of Operation: Upon execution – March 31, 2010

Client Population/Number to be Served: Approximately forty elderly and disabled individuals most at risk for Medicaid spend down and Nursing Home Placement

Summary Statements:

- 1) **Narrative Description of Proposed Services.** To provide Oneida County with the ability to develop a flexible consumer directed model of service to allow clients to remain in their community.
- 2) **Program/Service Objectives and Outcomes.** To link individuals with home and community based services and supports, including those supports that help family members and caregivers continue to provide care.
- 3) **Program Design and Staffing Level.** N/A

Total Funding Requested: \$118,108.00

Oneida County Department Funding Recommendation:

Proposed funding Source (Federal/State/County): Account # A6772.495
Federal 100% (\$ 118,000.00)

Cost per Client Served: \$2,950.00

Past Performance Data:

Oneida County Department Staff Comments:

70.

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

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:09

February 5, 2009

JN 2009-106

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

HUMAN RESOURCES

WAYS & MEANS

Dear Mr. Picente:

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.

This Purchase of Services Agreement for Private Duty Nursing Services to be provided by Homemakers of the Mohawk Valley Inc., (dba CareGivers), P.O. Box 1264, Buffalo, New York 14240. Private Duty Nursing Services are a vital deterrent to the placement of eligible Medicaid Clients in Nursing Home Care. These services enable people to remain at home, maintaining a lower cost of care.

The Contract is established for the term of April 1, 2009 through March 31, 2010. The rates are approved by New York State. The cost in 2008 was \$ 215,236 with a local share of 15 % or \$32,285.

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: 2/10/09

71.

Mandated or Non-Mandated – Mandated Service

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

Federal	50 %	-	\$ 107,618
State	35 %	-	\$ 75,333
County	15 %	-	\$ 32,285

Cost Per Client Served: Rates approved by New York State & vary according to level of care.

Past Performance Served: The Department has contracted with this agency since 1991. The cost of this service from January 1, 2008 through December 31, 2008 was \$ 215,236.00.

O.C. Department Staff Comments: The Department Contracts with a number of Health Care Agency's to insure the availability of services when needed.

B.

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

February 5, 2009

JMG 2009-107

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

HUMAN RESOURCES

WAYS & MEANS

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:14

Dear Mr. Picente:

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.

Enclosed are copies of the Purchase of Services Agreement for Eastern Star Day Care Center Inc. 8280 State Route 69, Oriskany, New York. This center provides safe Day Care Services for children 6 weeks to 5 years. The Department pays for the care of children from eligible families. This resource helps to ensure safe care of children while their families participate in training and/or employment.

The term of the Agreement is May 1, 2009 through April 30, 2010. The rates for Day Care are the "Market Rates" determined by New York State Office of Children and Family Services. The total paid to the Eastern Star Day Care Center in 2008 was \$ 79,374 with a local share of 3.2 % or \$2,540.

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 2/10/09

74

2/4/09
16001

Oneida Co. Department Social Services

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators
Contract Summary

Name of Proposing Organization: Eastern Star Day Care Center Inc.
8280 St. Rt. 69
Oriskany, New York 13424

Title of Activity or Services: Day Care Services

Proposed Dates of Operations: May 1, 2009 through April 30, 2010

Client Population/Number to be Served: Licensed for a total of (48) children 6 weeks - to 5 years.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

Day Care Services located at Eastern Star Day Care Center, 8280 St. Rt. 69, PO Box 627, Oriskany, New York 13424

2). Program/Service Objectives and Outcomes

To provide safe quality day care services to eligible low income employed families or public assistance recipients involved in approved educational, vocational job search or work experience activities.

3). Program Design and Staffing Level -

Total Funding Requested: New York State Market Rates.

Oneida County Dept. Funding Recommendation: Account #: A6055.495

Mandated or Non-Mandated: Mandated Service

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

Federal	75.0 %	\$ 59,531
State	21.8 %	\$ 17,303
County	3.2 %	\$ 2,540

Cost Per Client Served:

Past performance Served: The Department has contracted with this provider since 1989. The provider was paid \$ 79,374 for the period of January 1, 2008 through December 31, 2008 with an average of eight (16) children per month.

O.C. Department Staff Comments: The Department contracts with a number of providers to insure the availability of services.

75.

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

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:10

February 5, 2009

JN 2009-108

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

HUMAN RESOURCES

Dear Mr. Picente:

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 Oneida County Department of Social Services has a need to improve Housing for Social Services clients in the City of Rome. The enclosed Purchase of Services Agreement between Oneida County Department of Social Services and the City of Rome continues the Housing Improvement Program for Rome.

The goals of the program are as follows:

1. To improve the quality, affordability and adequacy of the Housing for Social Services clients in the City of Rome.
2. To ensure codes compliance and improvement of deteriorating housing in the City of Rome.
3. To provide a total analysis of all housing stock, that would be most likely available to Social Services clients.
4. To identify and provide assistance including the establishment of a training program for those tenants who are chronic abusers of real estate.
5. To identify Landlords who are abusing the system and to develop policies and protocols with the Department including possible legal action to correct this problem.
6. Will check for lead warning Signs.

The Agreement has a term of January 1, 2009 through December 31, 2009 and provides for 3 full-time Codes Enforcement Officers and one full-time Administrative Assistant and 10% of a Codes Director. The total cost not to exceed \$ 163,100.00 with the city of Rome contributing the total local cost of 25% or \$ 40,775.

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

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

Anthony J. Picente, Jr.
County Executive

Date *2/5/09*

76

LAS/tms
attachment

2/1/09
48401

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 Rome Housing Improvement Program

Title of Activity or Services: Housing Inspection for all dwellings occupied by Department of Social Services recipients or applicants.

Proposed Dates of Operations: 1/1/2009 – 12/31/2009

Client Population/Number to be Served: All applicants for and recipients of the Department of Social Services.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

To provide a coordinated approach in regards to housing within the City of Rome, to insure safe adequate housing and to prevent the deterioration of housing within the city.

2). Program/Service Objectives and Outcome-

- (1) Improve the quality, affordability and adequacy of the housing for Social Services clients in the City of Rome,
- (2) To insure codes compliance and improvement of deteriorating housing in the City of Rome,
- (3) To provide a total analysis of all housing stock, which would be most likely available to Social Services clients.
- (4) To identify and provide assistance including the establishment of a training program to those tenants who are chronic abusers of Real Estate,
- (5) To identify landlords who are abusing the system and to develop policies and protocols with the Department including possible legal action to correct this problem.
- (6) To provide a more intensive and coordinated approach to ensure or develop adequate housing for Social Services clients.
- (7) Will check for lead warning signs by checking for chipping and peeling paint within residents occupancies. If chipped and peeled paint are discovered it will be appropriately cited.

77.

3). Program Design and Staffing Level -

3 Full-time Codes Enforcement Officers
1 Administrative Assistant
1 Codes Director 10%

Total Funding Requested: \$ 163,100

\$ 122,325 to be paid through Oneida County Department of Social Services.
\$ 40,775 to be paid by the City of Rome

Mandated or Non-Mandated – This contract is Non-Mandated however it does help to ensure that the families are living in a safe environment.

Oneida County Dept. Funding Recommendation: A6012.49541

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

Federal	50.0 % -	\$ 81,550
State	25.0 % -	\$ 40,775
County	0.0 % -	\$ 0
City	25.0 % -	\$ 40,775

Cost Per Client Served:

Past Performance Served: The Department has contracted with provider since 1995. The provider was paid \$ 159,100 through the Department to support this service in 2008. The City of Rome is contributing 100% of the local cost of this contract for the sixth year. Previously Oneida County paid half the local share.

O.C. Department Staff Comments: In addition to the services listed in the contract the housing specialists have also supplied the Department Investigative Unit with information regarding inconsistencies in living arrangements and resources while at the same time providing information to services regarding possible neglect or abuse of children or adults.



Anthony J. Picente, Jr.
County Executive

Oneida County
Office for the Aging & Continuing Care
Website: www.ocgov.net



Michael J. Romano
Director

235 Elizabeth Street, Utica, NY 13501

Phone 315-798-5456

Fax 315-798-6444

E-mail: ofa@ocgov.net

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 13 AM 9:08

7N 2009-109

January 28, 2009

PUBLIC HEALTH

WAYS & MEANS

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

Dear Mr. Picente:

Attached for your approval and signature is the 2009 – 2010 Annual Implementation Plan (AIP) for Oneida County Office for the Aging/ Office of Continuing Care.

This document contains both narrative and budget pages essential for the Oneida County Office for the Aging/Office of Continuing Care funding application to the New York Office for the Aging(NYSOFA).

I, therefore respectfully request your review and approval for this Annual Implementation Plan (AIP) for Oneida County Office for the Aging/ Office of Continuing Care.

Sincerely,

Michael J. Romano
Michael J. Romano
Director

MJR/ grb
Enc.

Reviewed and approved for submittal to the
Oneida County Board of Legislators by
Anthony J. Picente, Jr.
County Executive
Date *2/12/09*

79.

Oneida County Department: Office for the Aging

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators
Contract Summary

Name of Proposing Organization : (NYSOFA) New York State Office for the Aging

Title of Activity or Service: AIP (Annual Implementation Plan)

Proposed Dates of Operation: April 1, 2009 - March 31, 2010

Client Population/ Number to be Served : 12,000

SUMMARY STATEMENTS

1. Narrative Description of Proposed Services

Oneida County Office for the Aging/ Office of Continuing Care funding application to the New York State Office for the Aging (NYSOFA)

2. Program/Service Objectives and Outcomes

This document, including applications and attachments, fulfills the "Area Plan" requirements under the Older Americans Act, as amended, and the "County Plan" requirement under Section 214 of the New York State Elder Law.

3. Program Design and Staffing Level

N/A

Total Funding Requested: \$ 3,123,419.00

Oneida County Department Funding Recommendation:

Proposed Funding Source: Account:

(Federal \$ 954,150.00 / State \$ 1,587,593 / County \$ 581,676)

Cost per Client Served: N/A

Past Performance Data:

Oneida County Department Staff Comments:

80.

**ONEIDA COUNTY
OFFICE OF THE DISTRICT ATTORNEY**

**Scott D. McNamara
District Attorney**

**Michael A. Coluzza
First Assistant**

Kurt D. Hameline
Timothy P. Fitzgerald
Laurie Lisi
Paul J. Hernon
Matthew P. Worth
Joseph A. Saba
Grant J. Garramone
Steven G. Cox
Stacey L. Paolozzi
Bernard L. Hyman, Jr.

**Dawn Catera Lupi
First Assistant**

Todd C. Carville
Robert L. Bauer
Michael R. Nolan
Kurt D. Schultz
Kara E. Wilson
John J. Raspante
Joshua L. Bauer
Patrick F. Scully
Christopher D. Hameline

February 16, 2009

7N2009-111

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, NY13501

WAYS & MEANS

Dear Mr. Fiorini:

Please accept this letter as a formal request for the re-creation of the position of Confidential Investigator to the District Attorney's Office, Grade 32W, Step 3, with a salary of \$41,510 plus fringe benefits of \$17,082.

Recently, the employee who held this job informed me in January of his intention to leave his position. Upon learning this, I immediately began the search for his replacement and ultimately extended an offer of employment to an applicant from a local police agency. The outgoing employee subsequently served me with a written resignation at 8:30 AM on the morning of January 29th. Ironically, the Board of Legislators passed Resolution 27 on that very same date. Oneida County Resoluton 27 provides for the automatic abolishment of positions that become vacant through resignations and/or retirements. Although said employee gave me verbal notice and his replacement had already accepted my verbal offer of employment prior to January 29th, I am now informed that by virtue of Resolution 27, the position cannot presently be filled because it no longer exists. This is particularly difficult because the replacement employee has already left his current job in anticipation of county employment.

The District Attorney's Office employs a total complement of seven investigators to serve a staff of twenty-one full time attorneys who prosecute between 600 and 800 felony indictments per year as well as thousands of misdemeanor and petty offenses in various town and village courts throughout a county of 232,000 people. Each investigator position is crucial to the success of the overall mission of the District Attorney's Office, and the prospect of losing one such position is particularly troubling at the present time.

We are in the midst of re-investigating the death of Kimberly Simon after the dismissal of the indictment against Steven Barnes- a man who served more than 20 years for the slaying and was subsequently exonerated through advances in DNA testing. In order to seek justice for the Simon family, we have

81.

assembled a task force that is working full time re-investigating a case that is more than twenty years old. Because such a large undertaking requires experience, I have dedicated three of my most seasoned investigators to this multi-agency effort. They are committed to the project on a full-time basis until it is resolved. They work on this one case exclusively. It's that important.

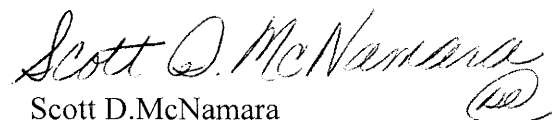
One of these three investigators is ordinarily dedicated to the Arson Task Force and will resume his duties there upon completion of his assignment to the Simon task force. Another of the seven investigators is the commander of the CAC and therefore is fully and permanently committed to the oversight of that vital agency. Another of our investigators is grant funded under Operation Impact and is our resource officer, responsible for the new camera surveillance system and is often at schools and other events outside of the District Attorney's Office working with youth trying to prevent gang and other criminal activity from drawing in such young persons who are at risk.

Additionally, the District Attorney's Office has recently entered into a contractual agreement with the Oneida County Department of Social Services and with the County of Oneida to provide the services of another investigator from our ranks to work 25 hours per week at the Oneida County Child Advocacy Center. That investigator would be part of a joint initiative involving the CAC and several major police departments to expand the investigation and prosecution of internet child pornography cases. Recent changes in technology have revealed that the scope of the problem is much greater than previously known and that the exploitation of children through the electronic dissemination of pornographic materials has been a vastly under-reported crime. Our intention was to commit the new person to this important position.

Because we are already down 3 senior investigators due to their assignment to the Simon task force, The District Attorney's Office can ill-afford to lose a position under Resolution 27 and still commit yet another investigator to this new initiative. The toll on the day-to-day work of the District Attorney's Office would be too great. Pursuant to the contract we have signed, \$20,000.00 of the salary for this position would be grant funded. It is important to point out that prior to his resignation, no portion of the outgoing Investigator's position was grant funded and therefore the full measure of his compensation came from the County budget.

I respectfully submit that, for the foregoing reasons, it is essential that the District Attorney's Office maintains its complement of seven full-time investigators. The loss of even one such position would significantly affect our day-to-day operations and cause our agency to become more dependent upon outside agencies to perform its many functions. I therefore respectfully request that the Board approve the re-creation of the position of Confidential Investigator that was recently vacated so that the position may be filled, thus keeping our complement of investigators at the level that is necessary. Thank you in advance for your consideration in regard to this matter. If you have any questions as to any part of the foregoing, please feel free to contact me.

Respectfully submitted,


Scott D. McNamara
Oneida County District Attorney

82.

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 17 PM 3:46



OFFICE OF THE SHERIFF

DANIEL G. MIDDAUGH
SHERIFF

COUNTY OF ONEIDA

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

7/12/09-112

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summaries and reinstate the following open positions that were deleted from our budget.

The following positions are critical to safe, secure operation of the **Oneida County Correctional Facility**. We are also under a mandate by the NYS. Commission of Correction to maintain minimum staffing levels required to supervise and cover security posts 24/7 and to carry out prisoner transports. We are below minimum staffing levels. The current shortage of filled positions creates risk factors and causes fatigue. Unfilled positions increase the County's liability and drives up overtime costs.

Vacant positions requested for reinstatement – **Correction Officer:**

Department 3150:

- #34, Grade 0J, Step 2, vacant on 2/15/09 - salary = \$27,503 or \$13.22/Hr**
- #36, Grade 0J, Step 2, vacant on 1/28/09 – salary = \$27,503 or \$13.22/Hr**
- #78, Grade 0J, Step 2, vacant on 10/31/08 – salary = \$27,503 or \$13.22/Hr**
- #116, Grade 0J, Step 2, vacant on 11/30/08 – salary = \$27,503 or \$13.22/Hr**
- #165, Grade 0J, Step 2, vacant on 2/6/09 – salary = \$27,503 or \$13.22/Hr**
- #180, Grade 0J, Step 2, vacant on 10/29/08 – salary = \$27,503 or \$13.22/Hr**
- #183, Grade 0J, Step 2, vacant on 10/17/08 – salary = \$27,503 or \$13.22/Hr**
- #231, Grade 0J, Step 2, vacant on 2/2/08 – salary = \$27,503 or \$13.22/Hr**
- #242, Grade 0J, Step 2, vacant on 2/20/09 – salary = \$27,503 or \$13.22/Hr**
- #244, Grade 0J, Step 2, vacant on 10/29/08 – salary = \$27,503 or \$13.22/Hr**

We are requesting Board Action on these proposals on 2/25/09.

Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:49

SB.



OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

DANIEL G. MIDDAUGH
SHERIFF

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

7NR2609-113

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

The Correctional Facility Medical Unit provides critical screening to over 4300 new admissions annually and medical treatment for a large and diverse population daily. Many inmates have a variety of illnesses, including contagious and communicable diseases. Proper detection and treatment reduces costly hospitalizations and liability. We require nurses to carry out this vital function. The Medical unit carries out approximately 25,000 medical contacts annually. We have experienced difficulty recruiting nurses due to competition from health care providers (salary/benefits).

Vacant positions requested for reinstatement – **Registered Professional Nurse:**

Department 3150:

#1, Grade R01, Step 2, Vacant 9/1/07 – salary = \$36,540 or \$17.57/Hr

We are requesting Board Action on this proposals on 2/25/09.

Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:49

84.

Administrative Office
6075 Judd Road Oriskany, NY 13424
Voice (315) 736-8364
Fax (315) 765-2205

Law Enforcement Division
6065 Judd Road Oriskany, NY 13424
Voice (315) 736-0141
Fax (315) 736-7946

Correction Division
6075 Judd Road Oriskany, NY 13424
Voice (315) 768-7804
Fax (315) 765-2327

Civil Division
200 Elizabeth Street Utica, NY 13501
Voice (315) 798-5862
Fax (315) 798-6495



OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

DANIEL G. MIDDAGH
SHERIFF

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

FN2009-114

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

The Correctional Facility Medical Unit provides critical screening to over 4300 new admissions annually and medical treatment for a large and diverse population daily. Many inmates have a variety of illnesses, including contagious and communicable diseases. Proper detection and treatment reduces costly hospitalizations and liability. We require nurses to carry out this vital function. The Medical unit carries out approximately 25,000 medical contacts annually. We have experienced difficulty recruiting nurses due to competition from health care providers (salary/benefits).

Vacant positions requested for reinstatement – **Registered Professional Nurse:**
Department 3150:
#224, Grade R01, Step 2, Vacant 9/1/07 – salary = \$36,540 or \$17.57 /Hr

We are requesting Board Action on this proposals on 2/25/09.
Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

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2009 FEB 18 PM 1:50

85.

Administrative Office
6075 Judd Road Oriskany, NY 13424
Voice (315) 736-8364
Fax (315) 765-2205

Law Enforcement Division
6065 Judd Road Oriskany, NY 13424
Voice (315) 736-0141
Fax (315) 736-7946

Correction Division
6075 Judd Road Oriskany, NY 13424
Voice (315) 768-7804
Fax (315) 765-2327

Civil Division
200 Elizabeth Street Utica, NY 13501
Voice (315) 798-5862
Fax (315) 798-6495



OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

DANIEL G. MIDDAUGH
SHERIFF

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

7-14-2009-115

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

The Sheriffs Civil Division staffing has been cut 5 positions over the past several budget years and the number of civil mandates and activities has increased. We are requesting the reinstatement of a Deputy Sheriff Civil Sergeant Position that is currently vacant and was deleted. This position is critical to the safe and efficient operation of the Civil Office and the Courts. We currently have 1 Lieutenant who oversees the entire Civil Division. The Civil Office is responsible for the following court directed activities: Service of family court papers, income executions, orders of seizure, sheriff sales, orders of attachment, county attorney subpoenas, district attorney subpoenas, orders of protection, evictions, security at trials, and juvenile transports throughout the state.

Vacant positions requested for reinstatement – **Deputy Sheriff Civil, Sergeant:**

Department 3115:

#16, Grade 2J, Step 2, Vacant 1/29/09 – salary = \$35,950 or \$17.28/Hr

We are requesting Board Action on this proposals on 2/25/09.
Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

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ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:50

86,



OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

**DANIEL G. MIDDAUGH
SHERIFF**

**M. PETER PARAVATI
UNDERSHERIFF**

February 18, 2009

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

JN2009-116

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

The Sheriffs Civil Division staffing has been cut 5 positions over the past several budget years and the number of civil mandates and activities has increased. We are requesting the reinstatement of a Deputy Sheriff Civil Position that is currently vacant and was deleted. This position is critical to the safe and efficient operation of the Civil Office and the Courts. We currently have 1 Lieutenant who oversees the entire Civil Division. The Civil Office is responsible for the following court directed activities: Service of family court papers, income executions, orders of seizure, sheriff sales, orders of attachment, county attorney subpoenas, district attorney subpoenas, orders of protection, evictions, security at trials, and juvenile transports throughout the state.

Vacant positions requested for reinstatement – **Deputy Sheriff Civil:**

Department 3115:

#15, Grade 0J, Step 2, Vacant 9/11/08 – salary = \$27,503 or \$13.22/Hr

We are requesting Board Action on this proposals on 2/25/09.
Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

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ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:50

87.



OFFICE OF THE SHERIFF

DANIEL G. MIDDAUGH
SHERIFF

COUNTY OF ONEIDA

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

7N2009-117
WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

Law Enforcement Division units are staffed by uniform and plain clothes deputies, the division serves the county's citizens through the investigation of accidents and criminal incidents, arrests of law violators and mediation in their traditional role of keepers of the peace in non-criminal matters. Deputy Sheriffs patrol the county's 2,332 miles of county, state, and town roadways, providing services in 3 cities, 19 villages and 26 townships, covering 1,250 square miles. There is a serious shortage in our Law Enforcement Division, due to military leaves, injuries and vacancies. State Police command reports no increases in patrols planned. This shortage is exacerbated by the deletion of positions as ordered by the board.

Vacant positions requested for reinstatement – **Deputy Sheriff Patrol:**

Department 3113:

#42, Grade 1S, Step 5, Vacant 1/5/09 – salary = \$33,118.58 or \$15.92/Hr

We are requesting Board Action on this proposal on 2/25/09.
Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:50

88.



OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

DANIEL G. MIDDAGH
SHERIFF

M. PETER PARAVATI
UNDERSHERIFF

February 18, 2009

Honorable Gerald Fiorini, Chairman
Oneida County Board of Legislators
800 Park Avenue
Utica, New York 13501

7N2009-11B

WAYS & MEANS

Re: Urgent – Reinstatement of Vacant (Public Safety) Positions

Dear Mr. Fiorini:

Please review position summary and reinstate the following open position that was deleted from our budget.

Law Enforcement Division units are staffed by uniform and plain clothes deputies, the division serves the county's citizens through the investigation of accidents and criminal incidents, arrests of law violators and mediation in their traditional role of keepers of the peace in non-criminal matters. Deputy Sheriffs patrol the county's 2,332 miles of county, state, and town roadways, providing services in 3 cities, 19 villages and 26 townships, covering 1,250 square miles. There is a serious shortage in our Law Enforcement Division, due to military leaves, injuries and vacancies. State Police command reports no increases in patrols planned. This shortage is exacerbated by the deletion of positions as ordered by the board.

Vacant positions requested for reinstatement – **Deputy Sheriff Patrol:**

Department 3120:

#22, Grade 1S, Step 5, Vacant 11/12/08 – salary = \$33,118.58 or \$15.92/Hr

We are requesting Board Action on this proposal on 2/25/09.
Your consideration and prompt action in this matter is appreciated.

Sincerely,
Daniel G. Middaugh, Sheriff

cc: Honorable Anthony Picente, County Executive
Honorable Les Porter
Honorable Richard Flisnik

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ONEIDA COUNTY LEGISLATURE
2009 FEB 18 PM 1:50

Sq.

Administrative Office
6075 Judd Road Oriskany, NY 13424
Voice (315) 736-8364
Fax (315) 765-2205

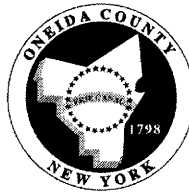
Law Enforcement Division
6065 Judd Road Oriskany, NY 13424
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Civil Division
200 Elizabeth Street Utica, NY 13501
Voice (315) 798-5862
Fax (315) 798-6495

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



*Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501*

February 6, 2009

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

2009-119

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Senior Caseworker position #72. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Senior Caseworker position is a grade 26 with a starting salary step 1 of \$30,696. This position has been vacant since January 29, 2009

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

2009 FEB 19 PM 12:23
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ONEIDA COUNTY LEGISLATURE

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

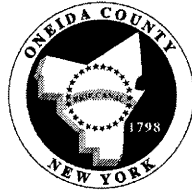
Anthony J. Picente, Jr.
County Executive

Date 2/19/09

90.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



*Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501*

7/11 2009 100

February 6, 2009

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Senior Caseworker position #114. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Senior Caseworker position is a grade 26 with a starting salary step 1 of \$30,696. This position has been vacant since January 29, 2009

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

Seab

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

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

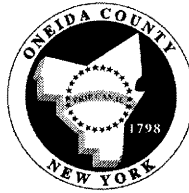
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ONEIDA COUNTY LEGISLATURE
2009 FEB 19 PM 12:23

Date 2/19/09

91.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

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

712009-101

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position # 77. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position has been vacant since October 23, 2008.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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ONEIDA COUNTY LEGISLATURE
FEB 19 2009

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

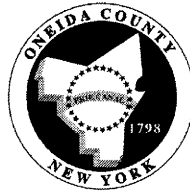
Anthony J. Picente Jr.
County Executive

Date 3/18/09

92.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

JN 2009-122

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #123. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position has been vacant since December 11, 2008.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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

2009 FEB 19 PM 12:23
ONEIDA COUNTY LEGISLATURE

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

Date: *2/19/09*

93.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



*Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501*

February 6, 2009

7N 2009-123

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #125. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position will be vacant February 20, 2009.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

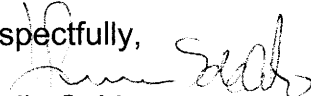
The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

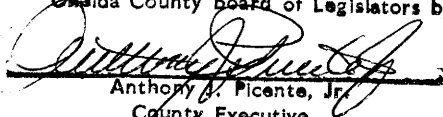
Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

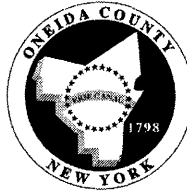
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ONEIDA COUNTY LEGISLATURE
2009 FEB 19 PM 12:24

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

Anthony J. Picente, Jr.
County Executive
Date 2/19/09

94.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

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

7N2009-124

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #127. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position will be vacant February 18, 2009.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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ONEIDA COUNTY LEGISLATURE

2009 FEB 19 PM 12:24

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

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

Date _____

95

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

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

7N2009-125

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #129. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position has been vacant since December 11, 2008.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

2009 FEB 19 PM 12:23
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ONEIDA COUNTY LEGISLATURE

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

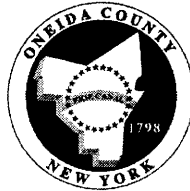
Anthony J. Picente, Jr.
County Executive

Date _____

96-

*Anthony J. Picente Jr.
County Executive*

*Lucille A. Soldato
Commissioner*



***Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato***
*County Office Building
800 Park Ave.
Utica, NY 13501*

February 6, 2009

7N2009-126

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #155 of Account #6014. This position is in the Employment Division.

The Employment Division presently has seven caseworker positions to work with 861 employable cases.

The Employment Caseworker works with the families to determine and eliminate the circumstances that are preventing them from being gainfully employed. They place individuals in work assignments, job searches, vocational training and additional assignments in order to assist them to obtain employment and eliminate their need for Temporary Assistance.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position has been vacant since January 29, 2009.

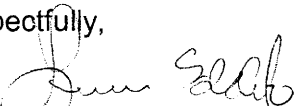
A full caseload is not assigned until 10-12 months after hire.

Our caseloads will be increasing as more individuals lose their employment and will be applying for services in Oneida County.

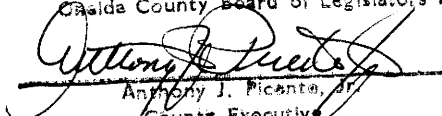
This division assisted approximately 1,000 individuals in 2008 to obtain employment.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,


Lucille Soldato, Commissioner

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


Anthony J. Picente, Jr.
County Executive

Date 2/19/09

2009 FEB 19 PM 2:48
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ONEIDA COUNTY LEGISLATURE

97.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

7N2009-127

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #156. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position has been vacant since December 11, 2008.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

Calls to the New York State hotline for Oneida County in 2008 were 3,667. This was an increase of 351 from our 2007 total of 3,316.

Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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

Anthony J. Picente, Jr.
County Executive

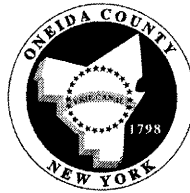
2009 FEB 19 PM 12:23
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ONEIDA COUNTY LEGISLATURE

Date 2/19/09

98

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

7112009-128

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate Caseworker position #903. This position is in Child Protective Services, which is presently understaffed due to significant staff turnover.

The Caseworker position is a grade 25 with a starting salary step 1 of \$29,532. This position will be vacant February 27, 2009.

State recommended caseload levels for a Child Protective Caseworker is 8-10, our caseload levels are approximately 13-14.

The State mandated training for this position is six (6) months with additional on the job training. A full caseload is not assigned until 10-12 months after hire.

While this position remains vacant, additional cases are given to existing staff which places additional stress and acerbates the turnover rate.

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Our workload is increasing and the positions are needed to handle this increasing need.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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ONEIDA COUNTY LEGISLATURE
FEB 19 2009

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

Anthony J. Picente, Jr.
County Executive

Date 3/19/09

99.

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

JN 2609-129

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

WORKING

Dear Mr. Picente:

I am requesting to recreate position #55, Accounting Supervisor in our Business Accounting Division.

The Accounting Supervisor is a grade 21, with a starting salary step 1 of \$25,371. This position has been vacant since January 9, 2009.

There are two (2) supervisory positions in Business Accounting, one is responsible for all payments to vendors, and the other is responsible for claiming, reviews, and reimbursements.

The supervisory position for payments is the position I am requesting to be recreated. All rent & daycare payments, as well as purchase orders, county vouchers and payments of any type are the responsibility of this supervisor, including payroll distribution.

The duties for this position need to be maintained and separate from claiming, revenue reimbursement for the financial integrity of our Business Accounting Division.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

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

Anthony J. Picente, Jr.
County Executive

2009 FEB 19 PM 12:23

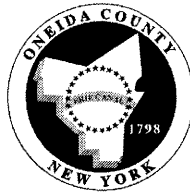
ONEIDA COUNTY LEGISLATURE

Date 2/19/09

100

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 6, 2009

7/1/2009 - 130

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

WAYS & MEANS

Dear Mr. Picente:

I am requesting to recreate position #558 Community Service Worker. The Community Service Workers perform a variety of functions from acting as a receptionist in our first floor Intake area which involves considerable training to performing transport and supervising visitation in our Services Division.

The Community Service Worker position is a grade 13 with a starting salary step 1 of \$19,295. This position has been vacant since January 15, 2009

This specific position is located in our Services and is responsible to transport foster children in the departments custody to court ordered visitations.

If these positions remain vacant, we will not be able to meet the court mandates and will be in violation of the court order. Caseworkers are not able to transport due to the high volume of cases in their caseloads.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

2009 FEB 19 PM 12:23
RECEIVED
ONEIDA COUNTY LEGISLATURE

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

Anthony J. Picente, Jr.
County Executive

Date: 2/19/09

101

Anthony J. Picente Jr.
County Executive

Lucille A. Soldato
Commissioner



Oneida County Department of Social Services
Office of Commissioner Lucille A. Soldato
County Office Building
800 Park Ave.
Utica, NY 13501

February 10, 2009

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

7N2009-131

RECEIVED

Dear Mr. Picente:

I am requesting to recreate the Data Processor One position, number 451. The Data Processor One is a grade 11 step 1 with a starting salary of \$18,226. This position has been vacant since January 15, 2009. The Data Processor One position is located in the departments Data Processing Division.

The Data Processor One position is responsible for entering information into the state computer systems for all program areas. A case is not considered open until it has been data entered in the state system and payments cannot be made (rent payments, daycare providers, food stamps, temporary assistance, child care institutions, etc.) until this work has been processed in the state computer system. All changes in open cases must also be recorded in these systems.

Total transactions for 2008 were 248,210 which was an increase from 2007 transactions of 235,769.

There are 15 Data Processor One positions within the Department of Social Services.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for their consideration.

Respectfully,

Lucille Soldato
Commissioner

2009 FEB 19 PM 12:23

RECEIVED
ONEIDA COUNTY LEGISLATURE

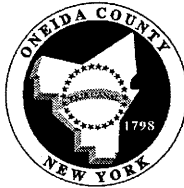
Reviewed and Approved for submittal to the
Oneida County Board of Legislators by

Anthony J. Picente, Jr.
County Executive

Date 2/19/09

102

Anthony J Picente
County Executive



John P Talerico
Acting Commissioner of Personnel

ONEIDA COUNTY DEPARTMENT OF PERSONNEL

County Office Building 800 Park Avenue Utica, New York 13501-2986
Phone: (315) 798-5725 Fax: (315) 798-6490

February 19, 2009

Anthony Picente
County Executive
800 Park Avenue
Utica, NY 13501

7N2009-132

WAYS & MEANS

Dear Mr. Picente:

I am forwarding Oneida County's fifth grant for Occupational Safety and Health Training and Education through the New York State Department of Labor's Hazard Abatement Board for your signature.

The 2009-2010 grant is \$54,327 for 357.5 hours of training on 12 safety topics. The training will be provided to all employees. Some of the topics included are: Summer Employee Training, Workplace Violence Prevention, Building Maintenance Safety, Scissors Lift Refresher Training, Highway Safety Refresher Training and Highway Safety Refresher for Cities, Town and Villages, Confined Space Entry Training, Flagger Training, 24 Hour Hazwoper, Office Right to Know Training, Supervisor Right to Know Training, and Chainsaw Safety Training. We will contract with Empire Safety & Consulting, Inc. to conduct these trainings except for the chainsaw safety which will be contracted with Route 96 Power & Paddle Company. The grant request also covers 10% of the salary and fringe of the Safety Officer. There is no County contribution.

The instructions state that the grant must be signed in **BLUE INK**. Please sign the **five signature** pages and return the signed grant to me as soon as possible. It is necessary to return the grant package by March 13th.

I respectfully request that the Board of Legislators act on this at the meeting on February 25, 2009.

If you have any questions or wish to discuss the proposal, I am available at your convenience and may be reached at extension 5732.

Thank you for your attention with this matter.

Sincerely,

John P. Talerico
Acting Commissioner of Personnel

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

Anthony J. Picente, Jr.
County Executive

2009 FEB 20 AM 9:21
RECEIVED
ONEIDA COUNTY LEGISLATURE

Date 2/19/09

103

Oneida Co. Department: Personnel

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

**ONEIDA COUNTY BOARD
OF LEGISLATORS**

Name of Proposing Organization: NYS Department of Labor Grant

Title of Activity or Service: Occupational Safety & Health Training Grant

Proposed Dates of Operation: August 1, 2009 through July 31, 2010

Client Population/Number to be Served: All County Employees

Summary Statement

This 2009 – 2010 State Grant application is the fifth submitted by Oneida County and is for the purpose of providing funds to support employees with training on 12 safety topics. Topics include Summer Employee Training, Workplace Violence Prevention, Building Maintenance Safety, Scissors Lift Refresher Training, Highway Safety Refresher Training and Highway Safety refresher for Cities, Towns and Villages, Confined Space Entry training, Flagger training, 24 Hour Hazwoper, Office Right-to-Know Training, Supervisor Right-to-Know Training, and Chainsaw Safety Training. All funds applied for in previous years have been awarded to Oneida County and the programs do not require any County funding to match the state funds.

Total Funding Requested: \$54,327.00 **Account #** A1410.1951

Oneida County Dept. Funding Recommendation: \$54,327.00

Proposed Funding Sources (Federal \$/ State \$/County \$): This grant is supported exclusively with funds from the New York State Department of Labor, Hazard Abatement Board.

Cost Per Client Served: N/A

Past Performance Data: N/A

O.C. Department Staff Comments:

This application must be submitted to the state no later than March 13, 2009. Due to the short deadline, it is respectfully requested that this application be reviewed and approved by the Oneida County Board of Legislators at their February 25, 2009 meeting.

104



ONEIDA COUNTY DEPARTMENT OF LAW

Oneida County Office Building
800 Park Avenue ♦ Utica, New York 13501-2975
(315) 798-5910 ♦ fax (315) 798-5603

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

LINDA M.H. DILLON
COUNTY ATTORNEY

February 11, 2009

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 20 AM 9:25

7172009-133

HON. ANTHONY J. PICENTE, JR.
ONEIDA COUNTY EXECUTIVE
800 PARK AVENUE 10TH FLOOR
UTICA NY 13501

INTERNAL AFFAIRS

WAYS & MEANS

RE: **ABSTRACT COMPANIES**

Dear County Executive Picente:

In 2007 the Board of Legislators approved a model license agreement pursuant to which abstract companies could continue to utilize space in the County Clerk's office. The County and the companies entered into such agreements, which were effective from November 1, 2007 through October 31, 2008.

Since November 1, 2008, most of the companies have held over and all who did so paid the agreed charges for their continued occupancy. However, the agreements contained no automatic renewal clause.

Attached is a revised model agreement for 2008-09 with an automatic renewal clause inserted into the third paragraph. Since the previous Board resolution applied only to the initial agreement, I request that you ask the Board to approve this revised model agreement at this time.

Thank you.

Very truly yours,

HARRIS J. SAMUELS
Assistant County Attorney

HJS/rlc
Enclosure

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

Anthony J. Picente, Jr.
County Executive

Date 2/19/09

105

**LICENSE AGREEMENT
BETWEEN THE
COUNTY OF ONEIDA AND**

Title Company

PARTIES:

Oneida County, a municipal corporation duly organized under the laws of the State of New York, having its principal place of business at 800 Park Avenue, Utica, New York, hereinafter referred to as "County", and , a corporation located and having its principal offices at , hereinafter referred to as "Title Company".

In consideration of the mutual promises made herein, the parties hereto agree as follows:

1. USE OF PREMISES:

The County shall permit the Title Company to occupy square feet of floor space located in the Office of the Oneida County Clerk for the conduct of Title Company business. The type and location of space allocated to the Title Company is within the County Clerk's discretion and may be changed in accordance with the County Clerk's direction.

2. CONSIDERATION:

The Title Company shall pay to the County the sum of Thirty Seven Dollars (\$37.00) per square foot totaling the sum of per year to be paid in two (2) installments of each, the first being payable on November 1, 2008 and the second payable on May 1, 2009.

3. TERM:

This Agreement shall take effect on November 1, 2008 and shall expire on October 31, 2009 unless sooner terminated by the parties hereto. If at the end of the term, neither party has exercised its option to terminate this agreement, it will automatically renew for another one-year term.

4. TERMINATION :

This Agreement may be terminated at any time by the County. The Title Company may terminate upon sixty (60) days written notice to the County. In the event of termination by the Title Company, there will be no refunding of rent monies to the Title Company by the County. In the event that the County terminates this agreement, the Title Company shall be entitled to the return of rent monies on a prorated basis.

5. LIGHT AND HEAT:

The County shall provide light and heat to the occupied space in the same manner and to the same degree in which it provides heat and light to the County Clerk's Office for the general public.

6. RULES AND REGULATIONS:

The Title Company shall keep the occupied space neat, clean and free of debris and shall comply with all reasonable rules and regulations as may be imposed by the County Clerk.

7. EQUIPMENT:

Facsimile machines and telephones may be installed in the occupied space by the Title Company at its own expense. The installation of any other equipment by the Title Company shall require the permission of the Oneida County Clerk.

8. PHOTOCOPIERS:

Title Companies which had a copier in their occupied space prior to January 1, 2001 may retain such copier for an additional \$10.00 per month, payable in two (2) installments of \$60.00 each to be included with the payment of the license fee. Such Title Companies shall not be allowed to replace their current copying machines with new or different machines and no Title Company which has not previously had its own copier in the occupied space shall be allowed to place one in such space during the term of this Agreement.

9. COMPUTER TERMINALS:

The Title Company shall have access to the public computer terminals in the County Clerk's Office. The Title Company may have their own terminals in the occupied space connected to the Oneida County Index System for an additional annual payment of \$960.00, payable in two (2) installments along with the license fee. If the Title Company wishes to keep its own terminal under the terms set forth herein, it shall initial this provision below.

10. OTHER AGREEMENTS:

The terms of this Agreement shall supersede any other existing agreements which may have required the Title Company to pay a different amount to the County for the privilege of having a computer terminal and/or photocopier in its leased space.

11. ASSIGNMENT:

The Title Company agrees that it shall not assign, transfer, convey, subcontract or otherwise dispose of its responsibilities under this License Agreement or its rights and interests in same.

12. INDEMNIFICATION:

The Title Company agrees to indemnify and hold harmless the County for all claims arising out of Title Company's occupancy and use of the occupied space under the terms of this License Agreement. The County shall have no liability for the safety of the personal property of the Title Company. The Title Company shall provide proof to the County that Oneida County has been named as an additional insured on the Title Company's general liability insurance policy.

COUNTY OF ONEIDA

TITLE COMPANY

by: _____
Anthony J. Picente, Jr.
Oneida County Executive

by: _____
Name:
Title:

by: _____
Sandra J. DePerno
Oneida County Clerk

Approved as to form only

Oneida County Attorney's Office

ONEIDA COUNTY

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE



DEPARTMENT OF FINANCE

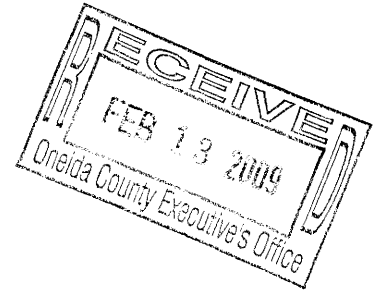
County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501
(315) 798-5750 ♦ Fax: (315) 735-8371 ♦ www.ocgov.net

IN 2009-134

February 11, 2009

INTERNAL AFFAIRS

WAYS & MEANS



Mr. Anthony J. Picente, Jr.
Oneida County Executive
800 Park Ave.
Utica, N.Y. 13501

Dear Mr. Picente, Jr.

Pursuant with Title 3 of Article 5 of the Real Property Tax Law, the enclosed petitions are submitted with the recommendations as cited.

Please forward said petitions to the Oneida County Board of Legislators for their consideration.

NUMBER

AMOUNT

3

REFUNDS

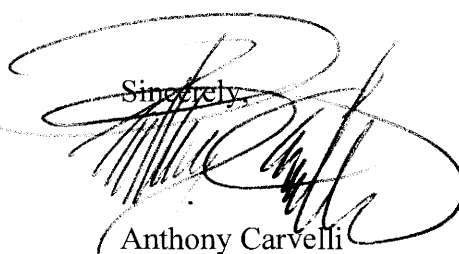
\$4,350.32

6

CORRECTIONS

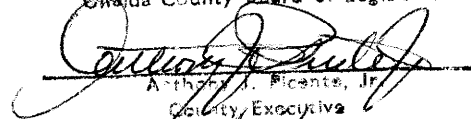
\$5,050.37

Sincerely,


Anthony Carvelli
Commissioner of Finance

AC:kp
Enclosure

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


Anthony J. Picente, Jr.
County Executive
Date 2/19/09

RECEIVED
ONEIDA COUNTY LEGISLATURE
FEB 24 AM 10:14

109

REAL PROPERTY TAX SERVICE		ERRONEOUS ASSESSMENTS		DATE		2/10/2009		
TOWN	YEAR	NAME	TAX MAP NUMBERS	TAX UNPAID	AMOUNT CANCEL	TAX PAID	AMOUNT REFUND	AMOUNT TO "0"
Deerfield	2009	DeLalla, Elizabeth	230.000-1-5	\$536.06	\$31.17	\$ 305.25	\$ 305.25	\$ 199.64
Remsen	2006-8	Roberts, George	104.000-1-32			\$6,472.97	\$ 93.79	\$ 6,379.18
New Hartford	2009	SAES Smart Materials	328.000-2-37			\$ 9,878.20	\$ 3,951.28	\$ 5,926.92
Deerfield	2009	Kolwaite, Scott R.	249.000-1-4.4	\$5,159.92	\$3,083.61			\$ 2,076.31
Florence	2009	Morris, Robert J.	41.000-1-14.5	\$329.12	\$197.47			\$ 131.65
Forestport	2009	National Grid	538.000-1-1	\$12,469.18	\$429.59			\$12,039.59
Lee	2009	Cacala, Robert	188.001-3-62.35	\$1,068.75	\$216.87			\$ 851.88
Remsen	2009	Shackett, Raymond	103.000-2-10.2	\$4,384.89	\$891.90			\$ 3,492.99
Whitestown	2009	Walsh, Mary	305.013-1-22	\$692.93	\$199.76			\$ 493.17
TOTAL					\$5,050.37		\$ 4,350.32	\$31,591.33

110

Anthony J. Picente Jr.
County Executive



Lucille A. Soldato
Commissioner

ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES

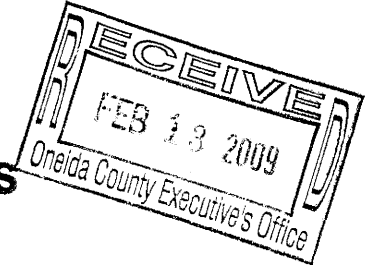
County Office Building, 800 Park Avenue, Utica, NY 13501
Phone (315) 798-5733 Fax (315) 798-5218

February 11, 2009

IN 2009-135

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

HUMAN RESOURCES



WAGES & BENEFITS

Dear Mr. Picente:

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 Oneida County District Attorney's Office provides assessments of possible fraud referrals for prosecution.

The Oneida County District Attorney's Office receives referrals from the Department of Social Services of alleged applicant or recipient frauds and where appropriate, will prosecute or assist in the proper disposition and resolution of the same.

This Agreement is scheduled to become effective April 1, 2009 through March 31, 2010. The District Attorney's Office was paid \$ 84,887 for services from July 2007 through June 2008 with a local cost of 10% or \$ 8,489.

I am respectfully requesting that this matter be forwarded to the Board of Legislators for action. 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: *2/19/09*

2009 FEB 26 AM 10:14

RECEIVED
ONEIDA COUNTY LEGISLATURE

///

2/11/09
24701

Oneida Co. Department Social Services

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators
Contract Summary

Name of Proposing Organization: Oneida County District Attorney
800 Park Avenue, 9th Floor
Utica, New York 13501

Title of Activity or Services: Assessment of possible fraud referrals for prosecution.

Proposed Dates of Operations: April 1, 2009 through March 31, 2010

Client Population/Number to be Served: Individuals or families in receipt of or applicants for Family Assistance, Safety Net, Food Stamps Program, Medicaid, Daycare, HEAP and any Social Services entitlement programs.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

The Department will refer all cases of possible fraud to the District Attorney's office for review, prosecution and disposition as they deem appropriate.

2). Program/Service Objectives and Outcomes -

1. The Department will refer to the District Attorney appropriate cases of alleged applicant or recipient fraud related to any Social Services Program.
2. The District Attorney shall accept such referrals from the Department and, where appropriate, prosecute or assist in the proper disposition and resolution of same.
3. The Department shall provide the District Attorney with all pertinent information needed to complete the fraud investigation, including, but not limited to, the computation of overpayments for cases of alleged fraud.

3). Program Design and Staffing Level -

Total Funding Requested:

Fee for case basis from \$ 253 for a case review and returned to the Department to \$ 2,583.00 for a complete investigation, preparation, filing of accusatory instrument, Grand Jury presentation, and dispositioned in County Court including trial. No increase over the current Contract.

Oneida County Dept. Funding Recommendation: Account #: A6010.49535

Mandated or Non-mandated: Mandated Service

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

Federal	53 % - \$ 44,990
State	37 % - \$ 31,408
County	10 % - \$ 8,489

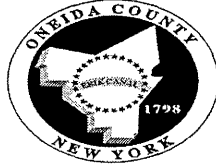
Cost Per Client Served: Fees listed are on a case by case basis from a simple review to a trial:

- \$ 253.00 - Cases reviewed by the District Attorney's Office and sent back to the Department of Social Services for appropriate action--DCA'S Administrative Hearings, etc.,
- \$ 430.00 - Complete investigation and preparation of the filing of an Accusatory Instrument through the disposition of cases in Lower Criminal Court without a trial.
- \$ 1,148.00 - Complete investigation and preparation of the filing of an Accusatory Instrument through the disposition of cases in Lower Criminal Court including trial.
- \$ 1,1089.00 - Complete investigation and preparation of the filing of an Accusatory Instrument through the disposition of cases in County Court without trial --included are Grand Jury presentations and dispositions through a Superior Court information.
- \$ 2,583.00 - Complete investigation and preparation of the filing of Accusatory Instrument and Grand Jury Presentations through the disposition of cases in County Court including trial.

Past performance Served: The District Attorney's Office handles an average of 18 cases per month for the Department. We paid this provider \$ 84,887 for the period July 2007 through June 2008.

O.C. Department Staff Comments: The Department has contracted for this service since 1992. We are not able to provide this service through our own Legal Department.

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

February 12, 2009

7N 2009-136

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

HUMAN RESOURCES
WAYS & MEANS

Dear Mr. Picente:

Oneida County is in receipt of a grant from Office of Children and Family Services in the amount of \$ 61,144.00 for the time period of February 1, 2009 through January 31, 2010. These funds are approved to be used for the Child Fatality Review Team (CFRT).

The purpose of the Child Fatality Review Team is to investigate the death of any child whose care and custody or custody and guardianship has been transferred to an authorized agency, any child for whom child protective services has an open case, any child for whom the local department of social services has an open preventive service case and in the case of a report made to the central register involving the death of a child; A fatality review team may also investigate any unexplained or unexpected death of any child under the age of eighteen.

There will be no county funds utilized to support this effort. I am available at any time to further discuss this grant should you have any questions.

I am respectfully requesting that this matter be **expedited to the Board of Legislators for acceptance of these grant funds due to the time sensitive start date.**

Sincerely,

Lucille A. Soldato
Commissioner

LAS/tms
attachment

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 24 AM 10:16

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

Anthony J. Picente, Jr.
County Executive

Date: 3/19/09

114

#35401

Oneida Co. Department Social Services

Competing Proposal _____

Only Respondent _____

Sole Source RFP _____

Oneida County Board of Legislators
Contract Summary

Name of Proposing Organization: Office of Children and Family Services
52 Washington Street
Rensselaer, New York 12144

Title of Activity or Services: Child Fatality Review Team Grant

Proposed Dates of Operations: February 1, 2009 through January 31, 2010

Client Population/Number to be Served:

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

The purpose of the Child Fatality Review Team is to investigate the death of any child whose care and custody or custody and guardianship has been transferred to an authorized agency, any child for whom child protective services has an open case, any child for whom the local department of social services has an open preventive service case and in the case of a report made to the central register involving the death of a child; A fatality review team may also investigate any unexplained or unexpected death of any child under the age of eighteen.

2). Program/Service Objectives and Outcomes

- Increase the percentage of reported childhood deaths that are properly investigated through a multi-disciplinary team approach
- Decrease the number of necessary interviews with siblings and witnesses
- Decrease the level of trauma to secondary victims
- Maintain accurate records of reports, arrests, prosecutions, and convictions, coordinate quarterly meeting in both Oneida and Madison County, facilitate trainings, collect data, and provide community outreach based on needs assessment.
- Increase the number of secondary victims and perpetrators receiving appropriate treatment and services.

3). Program Design and Staffing Level -

Total Grant Amount: \$ 61,144.00

Mandated or Non-Mandated – Non-Mandated the local district may establish a Child Fatality Review Team with the approval of New York State Office of Children and Family Services. Oneida County has been approved to be the lead agency for the two counties which include Oneida and Madison Counties

Oneida County Dept. Funding Recommendation: A2703 - 100% funds through New York State Office of Children and Family Services

115

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

Federal	0%
State	100%
County	0%

Cost Per Client Served:

Past performance Served: The Department began the Child Fatality Review Team since August 2007 and received grant funding 100% from New York State Office of Children and Family Services to support this program.

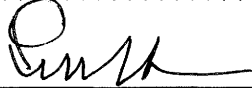
O.C. Department Staff Comments: Oneida County is the lead agency supporting two counties which include Oneida County and Madison County.

Date: _____

Oneida County Executive: _____

Anthony J. Picente Jr., Oneida County Executive

Approved as to Form _____



Oneida County Attorney

Date: 2/12/09

Oneida County Department of Social Services: _____



Lucille A. Soldato, Commissioner

Anthony J. Picente Jr.
County Executive



Lucille A. Soldato
Commissioner

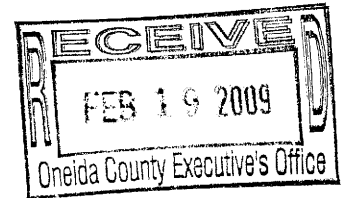
ONEIDA COUNTY DEPARTMENT OF SOCIAL SERVICES
County Office Building, 800 Park Avenue, Utica, NY 13501
Phone (315) 798-5733 Fax (315) 798-5218

February 17, 2009

7N2009-137

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

HUMAN RESOURCES
WAYS & MEANS



Dear Mr. Picente:

I am submitting the following sample contract for all thirty eight (38) Purchase of Service Agreements 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.

I am respectfully requesting that this sample contract be approved for all thirty eight (38) Agreements under one resolution, however if there are concerns with any individual Institutions, that institution or institutions maybe omitted and processed separately.

The following is a list of the thirty eight (38) Institutional Foster Care Agencies:

Baker Victory Services
780 Ridge Road
Lackawanna, New York 12029

Children's Home Of Jefferson
1704 State Street
Watertown, New York 13601

Berkshire Farm Center
Route 22
Canann, New York 12029

Children's Home of Kingston
26 Grove Street
Kingston, New York 12401

Cayuga Home For Children
P.O. Box 865, 101 Hamilton Ave.
Auburn, New York 13021

Children's Home of Wyoming Conference
1182 Chenango Street
Binghamton, New York 13901

Charlton School
P.O. Box 47
Burnt Hills, New York 12027

Community Maternity Services
27 North Main Street
Albany, New York 12203

RECEIVED
ONEIDA COUNTY LEGISLATURE
FEB 24 10:16 AM 2009

117

Crestwood Children's Center
2075 Scottsville Road
Rochester, New York 14623

Devereux Foundation
P.O. Box 490A
Villanova, PA 19085

Elmcrest Children's Center
960 Salt Springs Road
Syracuse, New York 13324

Equinox
95 Central Avenue
Albany, New York 12206

Gateway – Longview
605 Niagara Street
Buffalo, New York 14201

Glove House Inc.
220 Franklin Street
Elmira, New York 14904

Hillside Childrens Center
1183 Monroe Avenue
Rochester, New York 14620

Hopevale Inc.
3780 Howard Road
Hamburg, New York 14075

Kidspace National Centers Inc.
1650 Broadway
Bethlehem, PA 18015

Kidspace National Centers of
North America, Inc.
4900 McGrane Road
Romulus, New York 14541

Lake Grove School
P.O. Box 712, Meriches Road
Lake Grove, New York 11755

Lake Grove Maple Valley
P.O. Box 786
Medford, New York 11763

LaSalle School
391 Western Avenue
Albany, New York 12203

Lincoln Hall
P.O. Box 600 RT # 202
Lincolndale, New York 10540

Mountain Lake Children's Residence Inc.
50 Riverside Drive
Lake Placid, New York 12946

Northeast Parent & Child Society
1 Genium Plaza
Schenectady, New York 12304

Oswego County Opportunities, Inc.
239 Oneida Street
Fulton, New York 13069

Pahl Programs
106-108 Ninth Street
Troy, New York 12180

Parsons Child & Family Center
60 Academy Road
Albany, New York 12208

Snell Farms Children's Center, In.
7320 Snell Hill Road
Bath, New York 14810

St. Catherines Center for Children
40 North Main Avenue
Albany, New York 12203

St. Anne Institute
160 North Main Avenue
Albany, New York 12206

St. Cabrini Home, Inc.
Route 9 West
West Park, New York 12493

St. Colmans Home
11 Huswell Road
Watervliet, New York 12189

St. Joseph's Villa Of Rochester
3300 Dewey Avenue
Rochester, New York 14616

The House of the Good Shepherd
1550 Champlin Avenue
Utica, New York 13502

The Astor Home for Children
6339 Mill Street, P.O. Box 5005
Rhinebeck, New York 12572

Toomey Residential & Community Services
1654 West Onondaga Street
Syracuse, New York 13204

The William George Agency Children's Services
380 Freeville Road
Freeville, New York 13068

Vanderheyden Hall
P.O. Box 219
Wynantskill, New York 12198

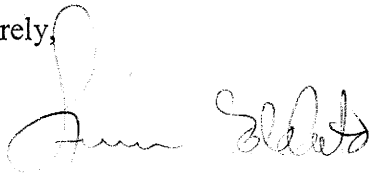
The thirty eight Institutions provide Institutional Foster Care with several levels of care. They provide essential care to children in Oneida County's custody who are in need of higher levels of care beyond foster care. The Institutions offer many different services with each Institution specializing in one or two specialized areas of expertise.

The Institutions provide specialized Institutional Foster Care for those children who are unable to remain at home with their biological parents, due to issues of abuse or neglect, voluntary transfer of custody to Oneida County Department of Social Services or children who have been determined by Family Court to be delinquent or persons in need of supervision.

New York State Office of Children and Family Services assign the rates for the facilities. The term of these Agreements is July 1, 2009 – June 30, 2010. Total cost in 2008 was \$17,131,182.55 with a local share of 30% or \$ 5,139,354.77.

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.

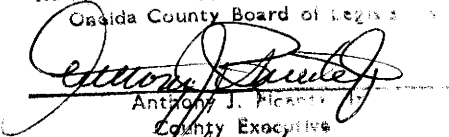
Sincerely,



Lucille A. Soldato
Commissioner

LAS/tms
Attachment

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



Anthony J. Picanti
County Executive

Date 3/19/09

2/13/09

Oneida Co. Department Social Services

Competing Proposal _____
Only Respondent _____
Sole Source RFP _____

Oneida County Board of Legislators
Contract Summary

Name of Proposing Organization:

Various Foster Care Institutions
(See Attached Summary for listing of all thirty eight (38)
Institutions.)

Title of Activity or Services: Institutional Foster Care for Children

Proposed Dates of Operations: July 1, 2009 through June 30, 2010

Client Population/Number to be Served: Children in need of Institutional Foster Care up to age 18 or in some cases 21.

SUMMARY STATEMENTS

1). Narrative Description of Proposed Services

To provide institutional foster care for those children under the age 18 or in some cases 21 who have been adjudicated as neglected or abused. Person in need of supervision or delinquents. Those whose parents or legal guardians have voluntarily transferred custody to Oneida County Department of Social Services. Those children whose custody has been involuntarily committed by the court to an authorized agency or a foster parent in accordance with section 384-b of the Social Services Law or article 6 of the Family Court Act.

2). Program/Service Objectives and Outcomes -

Institutional Foster Care for those children who are unable to remain at home with their biological parents due to issues of abuse and neglect, voluntary transfer of custody to Oneida County Department of Social Services or those children who have been determined by Family Court to be delinquent or persons in need of supervision (PINS).

3). Program Design and Staffing Level - N/A

Total Funding Requested:

Rates are determined by New York State Office of Children and Family Services.

The Daily rates approved for each Institution can be found in the attached summary.

Oneida County Dept. Funding Recommendation: Account #:A6119.495

Mandated or Non-Mandated: Mandated Service

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

Federal	36.5 % =	\$ 6,252,881.63
State	33.5 % =	\$ 5,738,946.15
County	30.0 % =	\$ 5,139,354.77

Cost Per Client Served: Attached Summary List has statistics for all thirty eight (38) Institutions being approved. The total paid on all (38) Institutions for 2008 was \$ 17,131,182.55 with an average of 211 children per month.

Past performance Served:

O.C. Department Staff Comments:

The Department Contracts with a number of Institutions to insure the availability of services when needed.

The Institutions offer many varied services, with each Institution specializing in different areas of specialization (see attached summary under specialized services).

INSTITUTIONS

CONTRACT NUMBER	NAME	ADDRESS	SPECIALIZED SERVICES	DAILY RATES	AVERAGE # OF CHILD(REN) PER MONTH IN 2008	AMOUNT PAID IN 2008
90101	Baker Victory Services	780 Ridge Road Lackawanna, New York 14218	DSS residential services OMH residential services OMRDD services Group Home	I \$ 207.87 GR \$ 221.75 FBH \$ 43.95 I-HTP \$ 385.49 GH \$ 236.83	1.5	80,223.31
90201	Berkshire Farm Center	Route 22 Canaan, New York 12029	drug/alcohol program sex offender program aggression replacement tx	FBH \$ 33.65 I \$ 202.55 FBH-T \$ 65.93 I-HTP \$ 323.98 GH \$ 228.02 ABH \$ 94.60	10.58	732,133.83
90401	Cayuga Home For Children	P.O. Box 865, 101 Hamilton Ave. Auburn, New York 13021	emotionally disturbed developmentally disabled independent living program deaf	GH \$ 265.18 I \$ 208.22 FBH-T \$ 83.20 I-HTP \$ 295.65	2.17	168,647.13
90501	Charlton School	P.O. Box 47 Burnt Hills, New York 12027	fire setters independent living	I \$ 204.17	0.08	7,187.16
90601	Childrens Home Of Jefferson	1704 State Street Watertown, New York 13601	diagnostic unit developmentally disabled multi-handicapped	I \$ 206.35 FBH \$ 37.16 FBH-T \$ 66.15	25.92	1,917,384.10
95501	Children's Home of Kingston	26 Grove Street Kingston, New York 12401	Mental Health Child Welfare Youth Development	I \$ 230.96 GH \$ 195.57	0.5	48,016.71
90701	Childrens Home of Wyoming Conference	1162 Chenango Street Binghamton, New York 13901	fire setters diagnostic services	FBH \$ 37.23 GH-E \$ 267.86 FBH-T \$ 42.63 I \$ 207.06 GH \$ 207.91 I-E \$ 239.45	2.83	146,673.71
90801	Community Maternity Services	27 North Main Street Albany, New York 12203	maternity shelter foster care independent living	FBH \$ 35.93 GR \$ 207.82 FBH-S \$ 40.63 ABH-E \$ 301.84 GH \$ 227.64 ABH-4 Bed \$ 86.53	2.17	155,851.87
90901	Crestwood Children's Center	2075 Scottsville Road Rochester, New York 14623	intensive/secure program fire setters	GH \$ 237.51 I \$ 208.75	0	-
91101	Devereux Foundation	P.O. Box 490A Villanova, PA 19085	emotionally disturbed-severe / multi-handicapped	CSE Main. \$ 206.45	0	-
91301	Elmcrest Childrens Center	960 Salt Springs Road Syracuse, New York 13324	such as: mild retardation, speech impaired, etc. diagnostic unit	ABH \$ 195.73 I-FS \$ 331.06 I-E \$ 235.31 I-HTP \$ 292.18 I \$ 191.37	15.67	1,509,813.29
91401	Equinox	95 Central Avenue Albany, New York 12206	sex offenders program drug / alcohol issues fire setters	GR \$ 212.44 ABH-2 Bed \$ 101.42 ABH-3 Bed \$ 94.60	0	-
91701	Gateway - Longview	6350 Main Street Williamsville, New York 14221	independent living program drug/alcohol program multi-handicapped respite foster care	ABH \$ 234.32 I \$ 195.75 FBH \$ 36.54 FBH-T \$ 49.45 GH \$ 198.93	0.92	131,262.44
91801	Glove House Inc.	220 Franklin Street Elmira, New York 14904	Alcohol /Drug Treatment sexual offender/victim emotionally disturbed residential facility Group Home	GH \$ 214.01 GH-Tioga \$ 212.08 ABH-2 Bed \$ 101.42 GH-Tompkins \$ 231.23 ABH-3 Bed \$ 94.60 FBH-T \$ 75.62 FBH \$ 35.59	1.92	93,950.87
91901	Hillside Childrens Center	1183 Monroe Avenue Rochester, New York 14620	diagnostic unit sex offender program residential tx facility non secure detention	FBH \$ 36.92 FBH-T \$ 80.17 GH \$ 284.96 I-HTP \$ 326.87 GH-E \$ 264.77 I-HTP-SO \$ 319.78 I \$ 186.16 I-HTP-D \$ 342.42	5.5	872,691.10
92001	Hopevale Inc.	3780 Howard Road Hamburg, New York 14075	drug/alcohol program critical care unit emotionally disturbed	I \$ 201.24 FBH \$ 29.62 FBH-T \$ 58.82	0.67	57,025.37

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INSTITUTIONS

CONTRACT NUMBER	NAME	ADDRESS	SPECIALIZED SERVICES	DAILY RATES	AVERAGE # OF CHILD(REN) PER MONTH IN 2008	AMOUNT PAID IN 2008
92201	Kidspace National Centers Inc.	1650 Broadway Bethlehem, PA 18015	fire setters sex offender program drug/alcohol program	FBH-T \$ 56.43 FBH \$ 32.60	0	-
92202	Kidspace National Centers of North America, Inc.	4900 McGrane Road Romulus, New York 14541	fire setters sex offender program drug/alcohol program	FBH-T \$ 56.43 FHB \$ 32.60	0	-
92401	Lake Grove Schools	P.O. Box 712, Meriches Road Lake Grove, New York 11755	independent living program multi-handicapped	ABH \$ 246.68 I-ED \$ 223.68	0	-
95201	Lake Grove Maple Valley	P.O. Box 786 Medford, New York 11763	independent living program multi-handicapped	ABH \$ 246.68 I-ED \$ 223.68	0	-
92501	LaSalle School	391 Western Avenue Albany, New York 12203	drug/alcohol program supervised Intl. living program	I \$ 196.03	1.67	184,958.56
92701	Lincoln Hall	P.O. Box 600 RT # 202 Lincolndale, New York 10540	emotionally disturbed emotionally disturbed emotionally disturbed	I \$ 215.69	7.08	784,383.21
94801	Mountain Lake Children's Residence, Inc.	50 Riverside Drive Lake Placid, New York 12946	drug/alcohol program fire setters	I \$ 197.91 I-HTP \$ 361.34	0	-
92801	Northeast Parent & Child Society	1 Genium Plaza Schenectady, New York 12304	fire setters diagnostic unit emotionally disturbed group home	FBH-T \$ 66.61 GH \$ 216.54 I \$ 202.30 ABH \$ 237.05	1.92	124,425.05
92901	Oswego County Opportunities, Inc.	239 Oneida Street Fulton, New York 13069	independent living program	ABH \$ 237.05	0	-
94901	Pahl Programs	106-108 Ninth Street Troy, New York 12180	long-term residential treatment program for chemically dependent adolescents	R \$ 91.80	0	-
93101	Parsons Child & Family Center	60 Academy Road Albany, New York 12208	fire setters emotionally disturbed crisis residence	FBH \$ 37.05 GH \$ 229.34 G:H-E \$ 365.25	0.25	10,285.66
94601	Snell Farm Inc.	7320 Snell Hill Road Bath, New York 14810	Anger Management Victim Therapy Sexual Education/Social Skills	I \$ 314.51	0	-
93501	St. Catharines Center for Children	40 North Main Avenue Albany, New York 12203	developmentally disabled residential treatment facility	FBH \$ 280.76 GH \$ 257.22 FBH-T \$ 70.70 I-S \$ 276.17	0	-
93401	St. Anne Institute	160 North Main Avenue Albany, New York 12206	developmentally disabled residential treatment facility	FBH \$ 39.54 GH \$ 239.28 GR \$ 281.62	3.25	425,349.25
93901	St. Cabrini Home, Inc.	Route 9 West West Park, New York 12493	specialized foster care group home	I \$ 149.58 I - HTP \$ 297.05	3.25	316,113.37
93801	St. Colmans Home	11 Huswell Road Watervliet, New York 12189	critical care unit NYS Regents Accredited emotionally disturbed	ABH \$ 216.52 GH \$ 192.79 I \$ 303.97	4	392,508.31
95401	St. Joseph's Villa of Rochester	3300 Dewey Avenue Rochester, New York 14616	developmentally disabled emotionally disturbed diagnostic	ABH \$ 145.49 I \$ 176.40	0.42	34,081.13
93801	The Astor Home for Children	6339 Mill Street, P.O. Box 5005 Rhinebeck, New York 12572	serious mental health adolescent dependency adolescent eating disorders emotionaly disturbed	I \$ 198.55 GH \$ 241.52 ABH-2 bed \$ 101.42 I \$ 205.81 FBH-T \$ 62.86 I-HTP \$ 292.59	0.58	80,146.51

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INSTITUTIONS

CONTRACT NUMBER	NAME	ADDRESS	SPECIALIZED SERVICES	DAILY RATES	AVERAGE # OF CHILD(REN) PER MONTH IN 2008	AMOUNT PAID IN 2008
94001	The William George Agency's Children Services, Inc.	380 Freeville Road Freeville, New York 13068	drug/alcohol program critical care unit	I I-HTP-SO \$ 200.15 I-HSP-S \$ 275.12 I-HSP-S \$ 260.92	7.33	865,781.59
92101	The House of the Good Shepherd	1550 Champlin Avenue Utica, New York 13502	drug/alcohol program diagnostic unit emotionally disturbed residential tx facility non-secure detention	ABH \$ 200.29 FBH \$ 33.71 FBH-T \$ 54.03 GH \$ 171.30 GHE \$ 251.62	109.17	7,847,896.88
94201	Toomey Residential & Community Services	1654 West Onondaga Street Syracuse, New York 13204	fire setters multi-handicapped ICF (OMH) Mother/baby	ABH \$ 208.92 FBH-T \$ 38.90 FBH \$ 28.05	0.08	3,481.09
94301	Vanderheyden Hall	P.O. Box 219 Wynantskill, New York 12198	developmentally disabled sexual offenders program OMRDD programs	GH \$ 230.04 GHS \$ 216.89 I \$ 207.61	1.67	140,917.05
Total Paid 2008						17,431,182.55

Key for Daily Rates:

- ABH = Agency Boarding Home
- ABH - E = Agency Boarding Home Emergency
- FBH = Foster Boarding Home
- FBH - E = Foster Boarding Home Emergency
- FBH - S = Foster Boarding Home Special
- FBH - T = Foster Boarding Home Therapeutic
- GH = Group Home
- GH-E = Group Home Emergency
- GH-S = Group Home Special
- GR = Group Residence
- I = Institutional Rate
- I-E = Institutional Emergency
- I-FS = Institutional Family Support
- I-S = Institutional Special
- I-SI = Institutional Sexual Issues
- M = Maternity
- R = Residential

124.

ANTHONY R. CARVELLI
COMMISSIONER

ONEIDA COUNTY

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE



DEPARTMENT OF FINANCE

County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501
(315) 798-5750 ♦ Fax: (315) 735-8371 ♦ www.ocgov.net

7N2009-138

February 23, 2009

INTERNAL AFFAIRS

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

WAYS & MEANS

ONEIDA COUNTY LEGISLATIVE
2009 FEB 24 PM 1:32

Re: Tax Map # 1600 318.081-2-76 UM

Dear Mr. Picente:

The above referenced property, located in the City of Utica, was acquired by Oneida County through the nonpayment of property taxes. Attached is a copy of the purchase offer for the property submitted to this office by Mr. Edgardo Santiago (full bid amount \$365.00, includes \$100 bid offer plus deed recording fees of \$265.00).

The property is located at 1521 Steuben Street and is approximately 40 feet by 144 feet. Mr. Santiago wishes to purchase the vacant lot. Said property was most recently offered for sale by this department at public auction on February 12, 2009 and received no bid. This given, it is our recommendation that Mr. Santiago's bid be accepted.

Included is a current delinquent tax statement on the parcel. Please forward Mr. Santiago's request to the Board of Legislators for their consideration.

Sincerely,

Anthony Carvelli
Commissioner of Finance

cc: Linda MH Dillon, County Attorney
File

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

Anthony J. Picente, Jr.
County Executive

Date 2/24/09

185

ONEIDA COUNTY DEPARTMENT OF FINANCE

PHONE: (315) 798-5754

DATE: 02/23/09

TO: NYMA PROPERTIES, LLC
 21 CLINTON PL
 UTICA NY

13501-0000

DELINQUENT NOTICE

DELINQUENT TAXES EXIST AGAINST THE PROPERTY LISTED BELOW. A 5% PENALTY WAS ADDED PURSUANT TO LAW AND INTEREST AT 10% PER YEAR IS ACCUMULATING AGAINST THE BALANCE DUE.

IN ORDER TO PROTECT YOUR INTEREST IN YOUR PROPERTY IT IS ESSENTIAL THAT YOU PAY THIS TOTAL. SHOULD TAX REMAIN UNPAID THIS PROPERTY WILL BE ADVERTISED AND THE COST ADDED TO THE AMOUNT DUE.

CITY OF UTICA

301600 318.081-2-76 UM * ASSESSMENT LAND: 400
 ACCOUNT #: 08>11386000 * ASSESSMENT TOTAL: 400
 SCHOOL CODE: 301600 * PROPERTY CLASS: 311

PROPERTY LOCATION: 1521 STEUBEN ST
 PROPERTY DESCRIPTION: 5-11-01-042 40X114
 318.081-0002-076.000/0000

TX YR	TAX TYPE	CERT. NO.	TAX PLUS PENALTY	INTEREST	ADV. FEE	TOTAL DUE
05	COUNTY	000957	68.40	6.84	0.00	75.24
06	COUNTY	000967	53.04	5.30	0.00	58.34
07	COUNTY	000988	52.78	5.28	0.00	58.06
08	COUNTY	001008	32.68	1.54	0.00	34.22
STUB SEARCH AND ADVERTISING FEE(S)						107.00

>>>>>>>> TOTAL AMOUNT DUE IF PAID BY 02/27/09 = \$ 332.86

IF NECESSARY TO RECORD DEED, MINIMUM \$125.00 MUST BE ADDED TO THE ABOVE TOTAL

MAKE CHECK PAYABLE TO:
 MAIL TO:

COMMISSIONER OF FINANCE
 800 PARK AVE.
 UTICA, NY 13501

FAILURE TO RECEIVE A TAX BILL DOES NOT WAIVE OBLIGATION TO PAY TAX OR PENALTY. PLEASE RETURN THIS NOTICE WITH CHECK OR MONEY ORDER. IF RETURN RECEIPT IS NEEDED, PLEASE INCLUDE SELF-ADDRESSED, STAMPED ENVELOPE.

> THE ORIGINAL TOWN AND COUNTY TAX FOR 2009 TOTALS ==> \$ 3.42 <



ONEIDA COUNTY

DEPARTMENT OF FINANCE

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

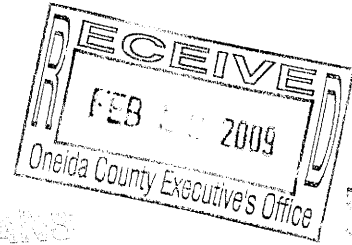
County Office Building ♦ 800 Park Avenue ♦ Utica, New York 13501
(315) 798-5750 ♦ Fax: (315) 735-8371 ♦ www.ocgov.net

JN 2009-139

February 20, 2009

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

INTERNAL AFFAIRS



RECEIVED
ONEIDA COUNTY LEGISLATIVE
2009 FEB 24 PM 1:02

WAYS & MEANS

Re: Dog License Report – 2008

Dear Mr. Picente:

Attached to this correspondence please find a Statement of Revenues and Disbursements regarding the aforementioned 2008 report.

The balance @ 12/31/08 is \$5,403.77. As such, it is necessary to distribute 75% of the ending balance – i.e., \$4,052.83 to the cities and towns. As required, we will forward a copy to the Department of Agriculture & Markets for their record.

Please forward this to the Board of Legislators for their approval.

Very truly yours

Anthony Carvelli
Commissioner of Finance

AC/bad

Enclosure

cc: Susan Crabtree, Clerk of the Board
NYS Department of Agriculture & Markets

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

Anthony J. Picente, Jr.
County Executive
Date 2/24/09

COUNTY FINANCIAL OFFICER - DOG LICENSE REPORT

COUNTY OF ONEIDA
800 PARK AVENUE
UTICA, NY 13501

STATEMENT OF REVENUES AND DISBURSEMENTS
JANUARY 1, 2008 TO DECEMBER 31, 2008

BALANCE FORWARD @ 12/31/07 \$3,276.23

RECEIPTS:

DOG LICENSE FEES	\$21,782.64	
TAG FEES	\$287.00	\$22,069.64

TOTAL \$25,345.87

DISBURSEMENTS:

DEPT OF AG & MKT LIC FEE	\$7,841.74	
DEPT OF AG & MKT TAG FEE	\$287.00	
PAID DAMAGE BY DOGS	\$0.00	
REIMBURSEMENT HUMANE OFFICER	\$0.00	
REMITTANCE REFUND - 2007	\$2,457.16	
ROME HUMANE SOCIETY	\$3,356.20	
STEVEN-SWAN HUMANE SOCIETY	\$6,000.00	\$19,942.10

ENDING BALANCE @ 12/31/08 \$5,403.77

TOTAL SURPLUS @ 12/31/08 \$5,403.77

75% OF THE ENDING BALANCE AMOUNTING TO \$4,052.83 TO BE APPORTIONED TO THE CITIES AND TOWNS RATABLY TO THE REMITTANCE EACH MADE. ATTACHED IS A LIST SHOWING THE REMITTANCE EACH MADE AND THE AMOUNT APPORTIONED.



COUNTY FINANCIAL OFFICER

STATEMENT OF AMOUNTS REMITTED AND APPORTIONED

REPORTING PERIOD: JANUARY 1, 2008 TO DECEMBER 31, 2008

REMITTING MUNICIPALITY	VENDOR #	AMOUNT REMITTED	75% OF SURPLUS APPORTIONED
ANNSVILLE	74640	\$574.54	\$106.90
AUGUSTA	70801	\$386.54	\$71.92
AVA	74605	\$51.69	\$9.62
BOONVILLE	70802	\$406.51	\$75.63
BRIDGEWATER	74613	\$232.63	\$43.28
CAMDEN	70803	\$193.89	\$36.07
DEERFIELD	74612	\$776.66	\$144.50
FLORENCE	70804	\$97.47	\$18.14
FLOYD	70805	\$548.69	\$102.09
FORESTPORT	70806	\$185.62	\$34.54
KIRKLAND	74611	\$1,028.08	\$191.28
LEE	74607	\$760.19	\$141.44
MARCY	74880	\$1,177.32	\$219.05
MARSHALL	74610	\$276.16	\$51.38
NEW HARTFORD	74672	\$2,401.67	\$446.85
PARIS	70812	\$324.26	\$60.33
REMSEN	74609	\$145.68	\$27.10
SANGERFIELD	74608	\$291.37	\$54.21
STEUBEN	70808	\$115.19	\$21.43
TRENTON	74602	\$514.64	\$95.75
VERNON	70809	\$1,206.69	\$224.51
VERONA	79652	\$1,229.02	\$228.67
VIENNA	74883	\$774.30	\$144.06
WESTERN	70810	\$144.50	\$26.89
WESTMORELAND	76541	\$1,233.71	\$229.54
WHITESTOWN	70811	\$777.81	\$144.72
ROME	70807	\$3,351.04	\$623.49
SHERRILL	70333	\$300.83	\$55.97
UTICA	76466	\$2,275.94	\$423.46
		\$21,782.64	\$4,052.83

Working
.....**Solutions**
Herkimer-Madison-Oneida
David L. Mathis
Director



Anthony J. Picente, Jr.
County Executive

FN 2009-140

February 18, 2009

EDUCATION, YOUTH & AGRICULTURE

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

WAYS & MEANS

RECEIVED
ONEIDA COUNTY LEGISLATURE
2009 FEB 24 PM 1:32

Dear County Executive Picente, *Anthony*

Oneida County Workforce Development has been notified by the New York State Division of Criminal Justice Services that it has been awarded an additional \$97,894.00 grant for the continuation of the Local Re-entry Task Force Initiative Grant. An amount of \$158,500 was listed in the 2009 Oneida County budget for this program. The additional funding brings the new total to \$256,394.00. The Re-entry program goal is to reduce recidivism in local jurisdictions and increase public safety. This funding will be used to cover allowable costs incurred through December 31, 2009.

In order for this funding to be utilized and to accept this unanticipated revenue, we respectfully request Board of Legislators approval of the following **2009 supplemental appropriation**:

TO:

AA #J6342.495 Contracted Services \$97,894.00

This supplemental appropriation will be fully supported by unanticipated revenue in:

RA#J3764 State Aid - Local Re-entry Task Force Initiative Grant \$97,894.00

Thank you for your support for this important endeavor.

Yours truly,

David Mathis

David Mathis, Director
Oneida County Workforce Development

cc: Budget Director
Comptroller
J. Gotte
M. Rieth

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

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

Date *2/24/09*

Working
.....Solutions
Herkimer • Madison • Oneida
David L. Mathis
Director



Anthony J. Picente, Jr.
County Executive

7N2009-141

February 18, 2009

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

EDUCATION, YOUTH & AGRICULTURE

WAYS & MEANS

Dear County Executive ~~Picente~~, **TONY**

Oneida County Workforce Development has been notified by the New York State Department of Labor that it has been awarded a \$346,292.00 supplemental allocation under the American Recovery & Reinvestment Bill of 2009, known as the 'Stimulus Bill' to provide services to eligible Dislocated Workers. This funding will be used to cover allowable cost incurred through June 30, 2010.

In order for this funding to be utilized and to accept this unanticipated revenue, we respectfully request Board of Legislators approval of the following **2009 supplemental appropriation:**

TO:

J6300.195	WIA Dislocated Workers – Other Fees and Services	\$ 14,000.00
J6300.425	WIA Dislocated Workers - Training & Special Schools	\$155,646.00
J6300.495	WIA Dislocated Workers - Other Expenses	<u>\$176,646.00</u>
		\$346,292.00

This supplemental appropriation will be fully supported by unanticipated revenue in:

RA#J4805	Federal Aid – WIA/Dislocated Worker Programs	\$311,663.00
RA#J4790	Federal Aid – WIA Administration	\$ 34,629.00

Thank you for your support for this important endeavor.

Yours truly,

David Mathis

David Mathis, Director
Oneida County Workforce Development

cc: Budget Director
Comptroller
J. Gotte
M. Rieth

2009 FEB 24 PM 1:03
ONEIDA COUNTY WORKFORCE DEVELOPMENT