

# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

## COMMUNICATIONS FOR DISTRIBUTION SEPTEMBER 16, 2009 (Correspondence relating to upcoming legislation, appointments, petitions, etc)

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# ONEIDA COUNTY BOARD OF LEGISLATORS

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David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

August 31, 2009

*7N2009-373*

## WAYS & MEANS

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

Honorable Members:

Minority Leader Michael Hennessy has submitted a proposal to lower the County's rate of sales tax by one-quarter of one percent which I hereby put forward for consideration.

Respectfully submitted,

GERALD J. FIORINI  
CHAIRMAN OF THE BOARD

GJF:pp

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 AUG 31 PM 2:03



# ONEIDA COUNTY BOARD OF LEGISLATORS

*Michael J. Hennessy, Minority Leader*

ONEIDA COUNTY OFFICE BLDG., 800 PARK AVENUE, UTICA, N.Y. 13501-2977 Phone: (315) 798-5049

*Home address: 439 Betsinger Rd., Sherrill, New York 13461 Phone: (315) 527-9663*

August 27, 2009

Hon. Gerald Fiorini, Chairman  
Oneida County Board of Legislators  
800 Park Ave  
Utica NY 13501

Dear Jerry:

Attached please find a resolution that if passed will lower Oneida County's sales tax by  $\frac{1}{4}$  of 1%.

This Legislation is proposed to demonstrate that the Oneida County Board of Legislators is sensitive to the economic needs of its residents for tax relief and that its members recognize the need to remove the stigma of being the "County with one of the highest sales tax rates in New York State."

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike", written over a faint circular stamp.

Michael J. Hennessy  
Minority Leader

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 AUG 27 PM 3:07

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Hennessy, Mr. Tanoury

2ND BY:

RE: REDUCTION OF ONEIDA COUNTY SALES TAX BY ¼ OF 1 PERCENT.

Purpose This Legislation is proposed to demonstrate that the Oneida County Board of Legislators is sensitive to the economic needs of its residents for tax relief and that its members recognize the need to remove the stigma of being the "County with one of the highest sales tax rates in New York State."

WHEREAS, Oneida County received notice of a stimulus grant of about \$20 million, money that was said to be intended to ease the burden of the unfunded Medicaid mandate, and

WHEREAS, As of this date, that money has not been allocated to alleviate the heavy tax burden borne by Oneida County taxpayers, especially when compared to the amounts paid by nearby counties, and

WHEREAS, There is a need to temper the sales tax burden because it is the most unfair of all taxes, and there is no better time than the current economic slump to provide relief for out constituents, and

WHEREAS, Lower sales taxes create greater economic activity, some, if not all loss of revenue may be made up in increased business activity, and

WHEREAS, This legislative body has the power to direct County Executive Anthony J. Picente Jr. to apply \$6 million of the stimulus funds, with the other approximate \$3 million to be made up by cuts in the 2010 and 2011 Budgets, and

WHEREAS, At the time the sales tax was renewed, the Majority Leader of this Honorable Body assured those of us opposed to its renewal, that a cut could be made after the New York State Senate approved the renewal, **therefore be it**

RESOLVED, That the county's portion of the sales tax be lowered by ¼ of one percent.

APPROVED:

DATED:

Adopted by the following v.v.vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_



STATE OF NEW YORK  
 DEPARTMENT OF TRANSPORTATION  
 ALBANY, N.Y. 12232  
 www.nysdot.gov

STANLEY GEE  
 ACTING COMMISSIONER

DAVID A. PATERSON  
 GOVERNOR

7N2009-374

August 19, 2009

**READ & FILED**

Susan Crabtree  
 Clerk of Oneida County Legislature  
 Oneida County Office Building, 800 Park Ave.  
 Utica, NY 13501

Dear Ms. Crabtree:

I, April Hotaling, Transportation Maintenance, Department of Transportation, State of New York, do HEREBY CERTIFY that the foregoing is a true copy of Official Order H2523 of the Department of Transportation and the same has been compared with the original thereof filed in my office on the 19<sup>th</sup> day of August, 2009 and the same is a correct transcript therefrom and of the whole thereof. In witness whereof, I have thereunto set my hand and affixed the seal of the Department of Transportation of the State of New York, this 19<sup>th</sup> day of August, 2009.



Clerk: MJB

F2009-000174

08/25/2009 10:49:30 AM  
 MISC FILED

Oneida County Clerk

=====  
 Create Time: 8/25/2009 10:49:31 AM  
 RECEIPT # 2009293261

Sandra J. DeFerno, Oneida County Clerk  
 800 Park Ave  
 Utica, NY 13501

Recording Clerk: MJB  
 Account: cash  
 Rec'd Frm: X  
 By Mail/In Person (M/P): P

Instr#: F2009-000174  
 DOC: MISC FILED  
 OR Party: OFFICIAL ORDER H2523 OF THE DE  
 PARTMENT OF TRANSPORTATION  
 EE Party: OFFICIAL ORDER H2523 OF THE DE  
 PARTMENT OF TRANSPORTATION

Receipt Summary	
TOTAL RECEIPT: ---->	\$0.00
TOTAL RECEIVED: ---->	\$0.00
Cash Back	----- \$0.00
PAYMENTS	
Cash ->	\$0.00

5.

THOMAS P. DINAPOLI  
STATE COMPTROLLER



LUKE BIERMAN  
GENERAL COUNSEL

HELEN M. FANSHAW  
DEPUTY COUNSEL

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER  
110 STATE STREET  
ALBANY, NEW YORK 12236

August 24, 2009

Susan Crabtree  
Clerk of the County Legislature  
County of Oneida  
800 Park Avenue  
Utica, New York 13501

7N2009-375

**READ & FILED**

Re: Town of Boonville;  
Establishment of Sewer  
District No. 1  
File No. 2009-50

Dear Ms. Crabtree:

The duplicate copy of the application of the Town Board referred to above is hereby filed in your office pursuant to Town Law §209-f(3)(b).

Kindly sign, date and return the copy of this letter as a receipt in the enclosed envelope.

Very truly yours,

A handwritten signature in black ink that reads "Mitchell S. Morris".

Mitchell S. Morris  
Associate Counsel

MSM:EMM:sgm

Enclosure

(518) 486-1127

cc: Steven A. Smith, Esq.

Filed: \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Clerk



**ONEIDA COUNTY DEPARTMENT OF PERSONNEL**

County Office Building 800 Park Avenue Utica, New York 13501-2986  
Phone: (315) 798-5725 Fax: (315) 798-6490 Email: personnel@ocgov.net  
Web site: www.ocgov.net

July 20, 2009

712009-376

**HUMAN RESOURCES**

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP -2 AM 11:04

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

Dear County Executive Picente:

Attached for your review and approval is correspondence from Lucille A. Soldato, Commissioner of Social Services, requesting the creation of three (3) new Caseworker positions (Grade W25, Step 3 \$32,050) in the division of Children and Adult Services, Cost Center 6011.

As stated in Commissioner Soldato's letter, the three new Caseworkers are necessary to reduce the size of caseloads and to reduce the overdue determinations. Presently our child protective caseworker's average 14-16 new reports per month and average 32 open cases at one time. New York State recommends a caseload size of 12 for child protective caseworkers. Presently, 27 out of 32 of our child protective staff have overdue reports, the majority of which are between 31-60 days overdue.

New York State is again offering 1.79 million to support Child Protective Service staff in 2009 and Oneida County has been awarded \$83,696 to support 3 caseworker positions. The funding is available immediately upon approval of our proposal by New York State and is available through March 2010.

The local share for these positions in the absence of the 100% funding would be \$28,287.

Therefore, I recommend the creation of three (3) positions of Caseworker, Grade W25, Step 3 \$32,050, to Children and Adult Services (Cost Center 6011).

If you concur, I respectfully request this recommendation be forward to the Board of Legislators for their consideration.

Sincerely,

John P. Talerico  
Commissioner of Personnel

Copy: Social Services  
County Attorney  
Budget

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

Anthony J. Picente, Jr.  
County Executive

Date 8/31/09

*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*

July 16, 2009

John Talerico  
Interim Commissioner of Personnel  
Oneida County  
800 Park Ave. Utica, N.Y. 13501

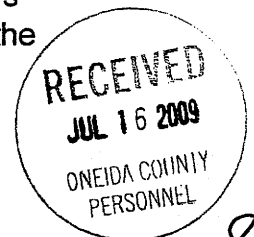
Dear Commissioner Talerico: *Solow*

I am requesting the creation of three caseworker positions for our Children and Adult Services Division.

These positions would be assigned to our Child Protective Services in an effort to reduce caseload size and to reduce our overdue determinations. Presently our child protective caseworkers average 14 -16 new reports per month and average 32 open cases at any one time. New York State recommends a caseload size of 12 for child protective caseworkers. Presently, 27 out of 32 of our child protective staff have overdue reports, the majority of which are between 31 – 60 days overdue.

During 2006 and 2007 a number of local initiatives were implemented to improve the caseworker's efficiencies which were:

- Timely filling of vacancies
- Caseworker civil service tests given twice a year instead of once a year
- Development of a training unit for all new caseworkers where supervision is more direct and intensive
- Templates for all standard forms on their computers
- Paralegals to prepare court petitions
- Digital pens for caseworker notes while out in the field
- Laptop computers for all child protective and foster care caseworkers
- The hiring of 5 part-time temporary staff who previously worked for the department, 2 are still employed with the department





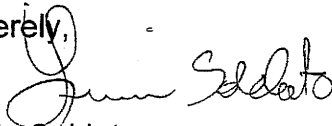
In addition application completion, as well as some clerical duties, was assigned to paraprofessional staff along with reorganization within the division. All of these initiatives have helped however, even with these improvements we are still unable to keep up with the volume of work we are experiencing in this area.

New York State is again offering 1.79 million to support Child Protective Service staff in 2008 and Oneida County has been awarded \$83,696 to support 3 caseworker positions. The funding is available immediately upon approval of our proposal by New York State, and is available through March 2010.

The local share for these positions in the absence of the 100% funding would be \$28,287.00.

If you concur with this request please forward to the County Executive and subsequently to the Board of Legislatures for approval.

Sincerely,



Lucille Soldato  
Commissioner  
Oneida County Department of Social Services



New York State  
Office of  
Children & Family  
Services

www.ocfs.state.ny.us

David A. Paterson  
Governor

Gladys Carrión, Esq.  
Commissioner

Capital View Office Park  
52 Washington Street  
Rensselaer, NY 12144

June 17, 2009

Ms. Lucille Soldato  
Commissioner  
Oneida County Department of Social Services  
800 Park Avenue  
Utica, NY 13501

Dear Commissioner Soldato:

I am pleased to inform you that your proposal for funding for enhanced CPS staffing has been approved for salary and fringes in the amount of \$83,696.

The expenditure of the funds must be made by March 31, 2010, and claimed no later than June 30, 2010. Please refer to 09-OCFS-LCM-04 for claiming instructions, and for a list of contacts should you have questions regarding claiming.

I trust these additional funds will help your district achieve or move closer to achieving the recommended CPS caseload size of 12 active investigations per month. We look forward to working with you on this endeavor.

Sincerely,

Gladys Carrión, Esq.  
Commissioner

cc: William Gettman  
Laura Velez  
Sheila Poole  
Linda C. Brown  
Regional Office Director

Colleen  
D. Dore  
& file

RECEIVED

JUN 23 2009

Commissioner's Office, Oneida Co.  
Dept. of Social Services





David L. Mathis  
Director



Anthony J. Picente, Jr.  
County Executive

August 26, 2009

7N 2009-377

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

**EDUCATION, YOUTH & AGRICULTURE**  
**WAYS & MEANS**

Dear County Executive *Picente*:

Oneida County Workforce Development has been notified by the New York State Department of Labor that it will receive a supplemental allocation in the amount of \$170,153.87 to provide services to eligible dislocated workers in our community. This funding will be used to cover allowable costs 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:

J6300.425	WIA Dislocated Worker: Training & Special Schools	\$153,138.48
J6300.495	WIA Dislocated Worker: Administration	\$ 17,015.39
		\$170,153.87

This supplemental appropriation will be fully supported by unanticipated revenue in:

RA#J4805	State Aid – Dislocated Worker Program	\$153,138.48
RA#J4790	State Aid – Dislocated Worker Program: Administration	\$ 17,015.39
		\$170,153.87

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP -2 AM 11:04

There will be no additional cost to Oneida County in required support of this request.

Thank you for your continued support of this important endeavor.

Very truly yours,

*David Mathis*  
David L. Mathis, Director  
Oneida County Workforce Development

cc: Comptroller  
Budget  
M. Rieth  
J. Gotte

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

*Anthony J. Picente, Jr.*  
Anthony J. Picente, Jr.  
County Executive  
Date 8/31/09

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

7N2009-378

September 2, 2009

INTERNAL AFFAIRS

WAYS & MEANS

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP -2 AM 11:05

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

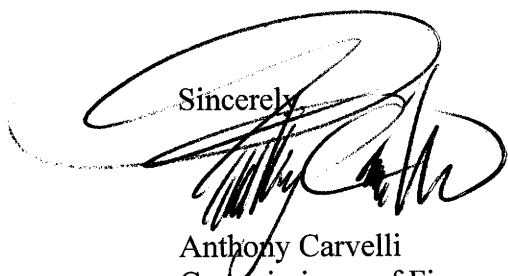
Dear Mr. Picente:

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.

<u>NUMBER</u>		<u>AMOUNT</u>
9	REFUNDS	\$ 12,830.19
4	CORRECTIONS	\$ 7,640.78

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 9/1/09

13.

REAL PROPERTY TAX SERVICE		ERRONEOUS ASSESSMENTS			DATE	8/31/2008					
TOWN	YEAR	NAME	TAX MAP NUMBERS	TAX UNPAID	AMOUNT CANCEL	TAX PAID	REFUND AMOUNT	CORRECT TAX	CROSS CHECK TO "0"		
Boonville	2009	DOMINICK D. & EDNA L. CARBONE	35,000-1-9			\$ 21,931.12	\$ 4,602.86	\$ 17,328.26	\$ -		
Boonville	2009	DOMINICK D. & EDNA L. CARBONE	35,000-1-10			\$ 1,057.20	\$ 496.88	\$ 560.32	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	25,000-1-2			\$ 2,743.10	\$ 1,289.26	\$ 1,453.84	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-1			\$ 6,550.54	\$ 3,092.76	\$ 3,457.78	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-2			\$ 1,141.14	\$ 536.33	\$ 604.81	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-3			\$ 1,656.84	\$ 778.72	\$ 878.12	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-47			\$ 836.10	\$ 392.96	\$ 443.14	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-50			\$ 921.68	\$ 433.19	\$ 488.49	\$ -		
Forestport	2009	DOMINICK D. & EDNA L. CARBONE	36,000-1-51.1			\$ 2,464.41	\$ 1,207.23	\$ 1,257.18	\$ -		
Rome	2009	U.S. DEPARTMENT OF JUSTICE	242,006-3-26	\$542.10	\$542.10				\$ -		
Camden	2008-9	JASON KAHLER	89,000-2-18.1	\$5,763.08	\$5,763.08				\$ -		
Remsen	2007	MATTHEW SMITH	123,000-1-20.60	\$373.45	\$373.45				\$ -		
Sangerfield	2009	TAMMY FALLIN	399,000-1-5-61	\$962.15	\$962.15				\$ -		
TOTAL					\$7,640.78		\$12,830.19		\$ -		

ONEIDA COUNTY  
OFFICE OF THE DISTRICT ATTORNEY

Scott D. McNamara  
District Attorney

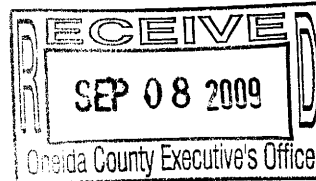
Michael A. Coluzza  
First Assistant

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

September 8, 2009



7/12009-379  
PUBLIC SAFETY

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

Dear Mr. Picente:

**WAYS & MEANS**

By this letter, I am requesting your approval as well as that of the Board of Legislators for the following supplemental appropriation from the federal forfeiture cost center to purchase a Total Work Station for the New Hartford Police Department, as well as the training costs associated with this equipment:

TO:

A1162.2954	Other Equipment	\$12,000
A1162.495121	Other Expenses	\$1,600

This 2009 supplemental appropriation will be fully supported by federal forfeiture funds that are already on deposit.

A2678.1	Federal Seizure	\$13,600
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At your earliest convenience, please submit this request to the Board of Legislators for their approval.

If you have any questions or concerns, please contact me.

2009 SEP 10 AM 10:05  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

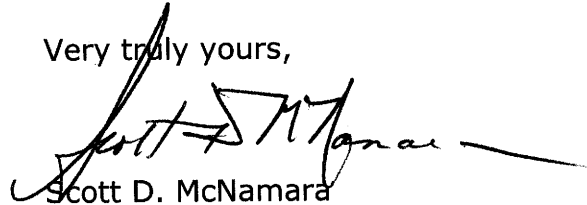
Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

Anthony J. Picente, Jr.  
County Executive  
Date: 9/9/09

The Honorable Anthony J. Picente, Jr.  
September 8, 2009  
Page Two

Thank you for your time and assistance in this matter.

Very truly yours,



Scott D. McNamara  
Oneida County District Attorney

se

cc: Hon. Gerald Fiorini, Chairman  
Hon. David Wood, Majority Leader  
Hon. Michael Hennessy, Minority Leader  
Hon. Les Porter, Chairman, Ways & Means Comm.  
Hon. Richard Flisnik, Chairman, Public Safety  
Thomas Keeler, Budget Director

15.

# Griffiss International Airport



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

ANTHONY J. PICENTE, JR.  
 County Executive

W. VERNON GRAY, III  
 Commissioner of Aviation

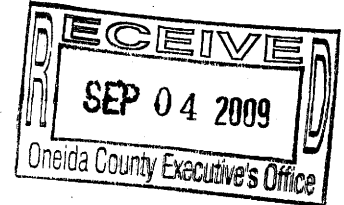
*FN 2009-380*

September 2, 2009

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

**AIRPORT**

**WAYS & MEANS**



Dear Mr. Picente,

On July 29, 2009, the Board of Legislators failed to approve Docket Number 2009-325, which would have amended Bond Resolution 79 and authorized the funding for various infrastructure projects at the Griffiss International Airport. It is imperative that the projects be completed as soon as possible to secure and protect the integrity of the buildings. Therefore, I request that Capital Project H- 395, Griffiss Comprehensive Airfield Infrastructure, be amended to include Pay-As-You-Go Capital Funds.

Therefore, I request that you submit to the Board for approval an amendment to **Capital Project H-395 – Griffiss Comprehensive Airfield Infrastructure**, as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>PROPOSED</u>
Bonding.....	\$ 510,000.	\$+ 00.	\$ 510,000.
Pay as You Go 866/866/19	<u>00.</u>	+ <u>155,000.</u>	<u>155,000.</u>
<b>TOTAL .....</b>	<b>\$ 510,000.</b>	<b>\$+ 155,000.</b>	<b>\$ 665,000.</b>

Respectfully,

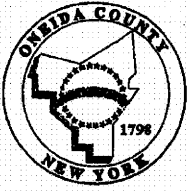
*W. Vernon Gray III*  
 W. Vernon Gray III.  
 Commissioner

WVG:dhm  
 Attach.  
 CC: County Legislators  
 Comptroller  
 Budget Director

RECEIVED  
 ONEIDA COUNTY LEGISLATURE  
 2009 SEP 10 AM 10:07

Reviewed and Approved for submittal to the  
 Oneida County Board of Legislators by  
*Anthony J. Picente, Jr.*  
 Anthony J. Picente, Jr.  
 County Executive  
 Date 9/4/09





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

August 3, 2009

*JN 2009-332*

**READ & FILED**

Mr. Gerald Fiorini, Chairman  
Oneida County Board of Legislators  
800 Park Ave.  
Utica, NY 13501

Dear Chairman Fiorini,

On July 29, 2009 the Board of Legislators failed to pass Docket number 2009-325 which would have amended a previously adopted bond resolution dated February 25, 2009. The original resolution (Resolution No. 79) authorized the issuance of \$350,000 in bonds to finance the cost of the renovation of a building at Griffiss International Airport that will be conveyed from the Air Force to the County in the near future. It has been determined that a portion of that money would be best used to address capital work on three other buildings in addition to the subject building. The County's bond Counsel had advised that this deviation required an amendment by the Board of Legislators prior to the sale of those bonds.

With the failure to adopt the amended resolution the bond amendment was unable to be included in the County's bond sale that took place yesterday, July 30, 2009. Consequently, we face some problems.

Even if the Board were to reconsider the vote at the next meeting, the Comptroller's office informs me that the money will not be available until late this year because this funding was not included in Thursday's bond sale.

The most immediate need is for the \$75,000 for the Building 41 rehabilitation. Without it, we cannot install a new hangar door, install a fire sprinkler and complete other work necessary to enter into the proposed Lease of the building with Mike Ritter. Irrespective of the proposed Lease, which we now stand to lose, if we cannot install the hangar door before the onset of winter weather, we may entirely lose this building due to further deterioration.

The second priority is the \$30,000 for the Pump House and Tank rehabilitation. This rehabilitation is needed as the structures serve as part of the fire suppression system and are badly in need of rust and corrosion control.

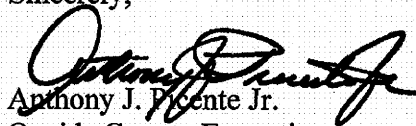
The third priority is the \$40,000 for the Hush House to restore electricity to the building, repair the door operation mechanisms, and do some interior repairs. This building, too, is exposed to the weather and will continue to deteriorate unless the doors are repaired.

The funding for Building 131 is not an issue until such time as it is conveyed to the County.

In light of this situation, I am asking the Board of Legislators to identify where the County will get at least \$155,000 immediately to address the first three priorities as outlined herein.

I await your reply.

Sincerely,

  
Anthony J. Picente Jr.  
Oneida County Executive

Cc: Comptroller Joe Timpano  
Finance Commissioner Anthony Carvelli  
Budget Director Thomas Keeler  
Commissioner of Aviation Vernon. Gray

2009 AUG - 3 AM 10:44  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

# 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

September 2, 2009

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

7/12009-381

**PUBLIC WORKS**

**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 10 AM 10:08

Dear County Executive Picente,

Oneida County currently leases approximately 15,000 square feet of office space in downtown Rome at 228 Liberty Plaza for various DSS, OFA, and Health Department offices. The lease agreement for this space will expire on November 30, 2009. Oneida County has made a commitment to purchase property located at 300 W. Dominick St., Rome, but this space will not be ready for occupancy before May 2010.

Therefore, I recommend execution of the enclosed amendment to the current lease that would provide an extension to May 31, 2010. The monthly lease rate would be increased to \$18,061.00 with most terms and conditions set forth in the original lease agreement and subsequent amendments unchanged. The total cost for the lease term would be \$108,366.00 funded with approximately 50% Federal Aid, 25% State Aid, and a 25% County share.


If you agree, please forward the enclosed Extension and Amendment of Lease Agreement to the Oneida County Board of Legislators for consideration with presentation to the Board on or before November 26, 2008.

Thank you for your support.

Sincerely,

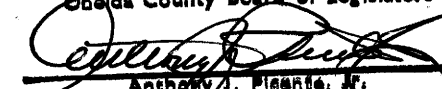
John J. Williams  
Commissioner

By,

  
Mark E. Laramie, P.E.  
Deputy Commissioner  
Division of Engineering

cc: File/RF

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

  
Anthony J. Picente, Jr.  
County Executive

Date 9/10/09

## Oneida County Board of Legislators Contract Summary

Name of Proposing Organization: Downtown Rome Properties, Inc.  
245 Oxford Road, New Hartford, NY 13413

Title of Activity or Service: **Extension and Amendment of Lease Agreement**

Client Population/Number to be Served: N/A

Summary Statements:

1) Narrative Description of Proposed Services:

**Six (6) month extension of Lease Agreement for office space in downtown Rome at 228 Liberty Plaza.**

2) Program/Service Objectives and Outcomes:

N/A

3) Program Design and Staffing Level:

N/A

Total Funding Requested: **\$108,366.00**

Oneida County Department Funding Recommendation: **\$108,366.00** Account # **A1620.417**

Proposed Funding Source: Federal +/-50% State +/-25% County +/-25%

Cost Per Client Served: N/A

Past Performance Data: N/A

Oneida County Department Staff Comments

## EXTENSION AND AMENDMENT OF LEASE AGREEMENT

**THIS EXTENSION and AMENDMENT OF LEASE AGREEMENT** entered into this \_\_\_day of \_\_\_\_\_, 2009, by and between the **COUNTY OF ONEIDA**, with offices located at 800 Park Avenue, Utica, New York, 13501, hereinafter referred to as "**Tenant**" and **DOWNTOWN ROME PROPERTIES, INC.**, with offices located at 242 West Dominick Street, Rome, New York, hereinafter referred to as "**Landlord**".

### WITNESSETH

WHEREAS, the Landlord and the Tenant entered into a lease agreement dated January 15, 1987, ("Original Lease") which lease was subsequently amended in 1991, 1994, 1998, 2004, and 2008 and

WHEREAS, the parties now wish to make a limited extension of the term of the lease agreement

NOW THEREFORE, in consideration of the premises, the Landlord and Tenant agree as follows:

1. The term of this agreement as set forth in the Original Lease and all amendments thereto shall be and is extended for a period commencing on December 1, 2009 and ending on May 31, 2010 unless further extended or terminated by the parties in accordance with the Original Lease and all amendments thereto.
2. All terms and conditions of the original lease and amendments that are not specifically amended herein shall remain in effect.
3. The County shall waive the "right of first refusal with regard to the purchase of the demised premises" in Section 8 of the lease dated November 22, 1991. In addition, the County shall waive the "intention to renew" clause of Section 9 of the aforementioned lease.
4. The lease rate shall be increased to \$18,061 monthly, beginning December 1, 2009.
5. All County furnishings, fixtures & equipment shall be removed and the building brought to a broom-clean condition prior to turnover to Landlord.
6. Should the County remain in the premises after May 31, 2010, the rental rate for the said Hold- Over period shall be \$27,092 monthly, until such time as the County vacates the premises and turns it over to the Landlord.

7. Any Hold-Over rental period shall be calculated on a monthly basis, not on a per diem or per weekly basis.

IN WITNESS WHEREOF, THE Landlord and Tenant have executed this Extension and Amendment of Lease Agreement on the day and year first above written.

Landlord-Downtown Rome Properties, Inc.

Tenant-County of Oneida

by: Bruce Forer  
Name: Bruce Forer  
Title: Vice President

by: \_\_\_\_\_  
Name: Anthony J. Picente, Jr.  
Title: Oneida County Executive

Approved as to form only

\_\_\_\_\_  
Oneida County Attorney

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

September 1, 2009

7N2009-382

INTERNAL AFFAIRS

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

WAYS & MEANS

Dear Tony,

On January 29, 2009 the Oneida County Board of Legislators enacted legislation abolishing vacant positions and positions that become vacant by resignation or retirement. Recently, a provisional delinquent tax clerk position in the Finance Department became vacant before final testing and may be subject to the aforementioned legislation.

This position has direct and frequent in person and telephone contact with not only the general public but also local assessors, attorneys, realtors, abstractors, etc. Without this position the tax mapping department will see a negative impact as the employee is physically located in the tax mapping area assisting the public with real property and tax mapping questions. Before staffing pattern synergies were implemented within the department the time needed by the tax mapping staff for the maintenance and updating of tax maps was seriously reduced as they addressed the public's needs. This position enables the tax map technicians to specialize in the more complex deed transactions and presently provide greater tax mapping efficiencies for the assessors countywide.

By cross training where possible within the department we have been able to deliver services with fewer positions than seventeen years ago. However the increase in the number of parcels (over 104,000), as well as the complexities and growth of NYS compulsory real property related requirements result in a constant demand on resources. As you will find from the attached outline of the duties associated with the position, the achievements accomplished by the allocation of staff across the department produces positions that perform a variety of complex duties.

It is for these reasons that we respectfully request that appropriate action be taken to restore the position of delinquent tax clerk, grade 14, step 1 at a salary of \$19,881. We are available to answer any questions you may have regarding this matter.

Sincerely,

Anthony Carvelli  
Commissioner of Finance

AC/bad

Enclosure

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

Anthony J. Picente, Jr.  
County Executive

Date 9/19/09

2009 SEP 10 AM 10:07

RECEIVED  
ONEIDA COUNTY LEGISLATURE

## **Delinquent Tax Clerk:**

Provides assistance and backup to RPS coordinator

Running assessment total reports upon submission of cds from local assessors for loading onto county database.

Processing tentative/final assessment rolls for use by the Town and Village Assessors

Calculating changes required by NYS for special franchise properties

Running Assessor's Annual reports

Preparing taxable valuation letters to Town Supervisors for them to use in determining town tax rates.

Monitoring changes for court order/grievance/small claims assessment reductions as well as name and address changes are made to assessment file

Compiles information from school and town tax collectors of collection information to appear on tax bills

Prepares and submits to Board of Legislators relevy totals, special district totals and warrant amounts

Enters tax rates/collector's information prior & current levy amount/unpaid water, sewer, etc. into V4 for processing bills

Reviews and calculates refunds/corrections compiles summary spreadsheet and cover letters to Board of Legislators for their approval, upon approval prepares vouchers for refunds

Assists assessors with real property questions

Updates tax rolls with information pertaining to court orders, corrections and cancellations that are kept as permanent record.

Reviews and enters RP-5217 information into image mate for straight transfers

Prepares specialized reports/labels for various municipalities, agencies, county departments and the public

Investigates and if necessary mails letters to property owners notifying them of tax delinquency on split parcels.

Reviews split/merge requests from assessors to determine if delinquent taxes are due

Runs tax statements and mails to insurance companies for properties associated with fire loss

Forwards escrow creation/termination notices to local assessors



Collects taxes and other payments

May assist with tax searches

Maintains list of B.A.R. members, mails notices to towns regarding necessary appointments, assembles training material, contacts adjoining counties to coordinate training date

Compiles excel spreadsheet of small claims hearings, court orders and other reports for the annual report.

Prepares town and county billing to NYS Comptrollers Office for properties owned by NYS. Also compiles data regarding assessment data and tax rates as required by NYS

If needed contacts various school districts with regard to the school board's decision regarding corrections prior to correction being made by treasury and subsequently relieved

Prepares tentative PILOT bills after review of taxable status, assessed value, and terms of agreement

Answers telephone and assists public with property tax, real property, and tax mapping questions

# ONEIDA COUNTY HEALTH DEPARTMENT

A *Adirondack Bank Building*, 5<sup>th</sup> 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

August 27, 2009

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

7N2009-383

**PUBLIC HEALTH  
WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 10 AM 10:03

Dear Mr. Picente:

Attached are three (3) copies of a contract between Oneida County through its Health Department and the City of Utica.

The Oneida County Health Department is the recipient of a New York State Department of Health Lead Primary Prevention Grant. Within these grant's deliverables are the requirement that the lead program develop a relationship with the municipality that houses its high risk for lead poisoning housing stock to leverage resources and collaborate to decrease the amount of substandard housing that is lead poisoning our community's children. Public Health Law permits the Commissioner of Health to request assistance from local municipalities to assist with the elimination of 'conditions conducive to lead poisoning'. This contract will formalize that relationship and assist the Health Department and City of Utica to obtain desired outcomes including the registration of all rental units into the City's Rental Occupancy Permit program, the reduction in the number of substandard housing units with 'conditions conducive to lead poisoning', increasing the number of lead-safe housing units available for rental, decreasing the number of children lead poisoned in the high risk area and creating a sustainable methodology to fund codes enforcement activities in the City of Utica. This grant provides funding to the City to be used for the purpose of supporting enhanced codes enforcement activities in the high risk area. By working in partnership in the high risk designated areas, each municipality will avoid duplication of effort and maximize the use of existing laws and regulations to promote responsible property ownership.

Due to the complexity of the municipality interface, the contract has gone between the municipal parties and the New York State Department of Health multiple times before its final acceptance of language. The term of this agreement shall become effective April 1, 2009 and remain in effect indefinitely unless earlier terminated. Reimbursement to the City of Utica will be in the amount of \$30,000 and is 100% New York State funded.

30

**I respectfully request that this contract be placed on the September 16, 2009 agenda for approval by the Board of Legislators.**

Please contact me should you require additional information.

Sincerely,

Daniel W. Gilmore, Ph.D.  
Acting Public Health Director

attachments

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

Anthony J. Picente, Jr.  
County Executive

Date: 9/09/09

**CONTRACT SUMMARY SHEET - ONEIDA COUNTY HEALTH DEPARTMENT**

**DIVISION:** Environmental Health – Lead Program

**NAME AND ADDRESS OF VENDOR:** Oneida County Health Department  
185 Genesee Street  
Utica, New York 13501

**VENDOR CONTACT PERSON:** Catherine Bullwinkle  
Quality Improvement Program Coordinator

**SUMMARY OF STATEMENTS:** Within the grant awarded to the Health Department it is required that the lead program develop a relationship with the municipality that houses its high risk for lead poisoning. The contractor will maintain qualified staff (Codes Enforcement Officers and Codes Compliance Technicians) to conduct home inspections in high risk areas. Codes Enforcement Officers and Codes Compliance Technicians will be trained to prepare them to act as agents and designated representatives of the Oneida County Health Department.

**PREVIOUS CONTRACT YEAR:** New Contract

**TOTAL:**

**THIS CONTRACT YEAR:** April 1, 2009 to remain in effect indefinitely.

**TOTAL:** \$30,000

**NEW**       **RENEWAL**       **AMENDMENT**

**FUNDING SOURCE:** A4062

Less Revenues: \_\_\_\_\_

State Funds: \$30,000\*

County Dollars – Previous Contract - -0-

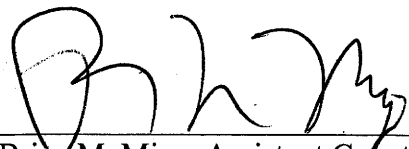
County Dollars – This Contract -0-

\*Funded through the New York State Department of Health Lead Primary Prevention Grant

**SIGNATURE:** Daniel W. Gilmore, Acting Public Health Director

**DATE:** August 25, 2009

Contract Reviewed By: \_\_\_\_\_

  
Brian M. Miga, Assistant County Attorney

Date: 8-25-09



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

7N2009-384

## WAYS & MEANS

September 10, 2009

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

Honorable Members:

I am in receipt of a letter from Cassandra Harris Lockwood, President and CEO of For the Good, Inc. I have attached a copy of the letter in which Ms. Lockwood describes some of the many worthy programs the agency has been a part of even though it has only been in existence since 2002.

For the Good, Inc., like so many other non-for-profits, has fallen on hard financial times and is requesting some assistance while the agency works on trying to get its agency designated as Utica's new Community Action Agency. Once the designation is achieved the agency will have other streams of revenue available, which are not currently available without the designation. Having a permanent stream of revenue will ensure the agency will be able to carry out its mission.

I therefore refer this request both to the Ways & Means Committee and to the full Board for approval at the meeting of **September 16th 2009**.

TO:

AA# A6414.495 - - Oneida County Regional Assistance..... \$ 30,000.

From:

AA# A1999.9---- Contingent Deleted Positions Per Res# 27-2009..... \$ 30,000.

Respectfully submitted,

Gerald Fiorini  
Chairman

2009 SEP 10 PM 12:19

RECEIVED  
ONEIDA COUNTY LEGISLATURE

CC: County Executive  
County Attorney  
Comptroller  
Budget

28.

Mr. Gerald Fiorini, Chairman  
Oneida County Board of Legislators  
800 Park Avenue  
Utica, New York 13501  
August 11, 2009

Dear Chairman Fiorini:

For The Good, Inc. was founded in 2002 as direct result of the collapse of Utica Community Action. Over the years our programs have been designed to address the unique challenges Utica has in assisting those in poverty. We were recently made aware that our \$150,000 base administrative funds, provided by the State of New York Department of Labor, has been ended due to the economic downturn and the power struggle in Albany. For The Good is facing sure closure if we do not acquire bridge funding before we can secure ongoing support. We are currently pursuing Community Action designation for our administrative needs and to further our mission. In this effort we have the support of the Mayor of Utica, the Commissioner of Urban and Economic Development, Assemblywoman RoAnn Destito, Senator Joseph Griffo and Police Chief Dan LaBella.

Intervention of violent girl gangs was the first activity performed by For The Good. **The Study Buddy Club** was developed in direct response to the needs of these inner city at risk youth whose academic deficiency was a leading factor in their violent gang activity. The Study Buddy Club is an eight-year success story that began twice monthly at Hamilton College and now includes Utica College students and operates every weekend during the college school year.

In 2004 WalMart donated \$10,000 to FTG to launch the **Mohawk Valley Contractor's Guild**. The Guild began as a construction company incubator and was then funded by Senator Ray Meier and Assemblywoman RoAnn Destito for the past 5 years. The Guild has been responsible for bringing millions of dollars into the local economy and making it possible for hundreds of men to pay their bills, pay child support and have a chance at building their businesses. The Kwikiee Carwash project on Oriskany Bouleyard was salvaged through the expertise of the construction and business management of the Guild.

Today one of our clients is preparing to open her own costume company on Genesee Street, **Razzle Dazzle**. Another one of our clients, Cynthia Mentus of **D-C Cleaning**, is awaiting her third cleaning contract with Hamilton College and is bidding on a cleaning contract at the County Airport. D-C Cleaning, now a year old, is beginning the process to be certified as a Minority Woman Owned Business.

Another minority woman carpenter, Helen Isom of **Envision Construction**, in business for a year, is about to achieve acquiring her own Worker's Compensation Insurance, enabling her to take on bigger jobs with bigger profit margins and hire laborers, again taking people off of the unemployment rolls. Over the summer Ms. Isom has supervised three young male trainees of the Youth Construction Initiative Program giving them construction experience.

Perhaps you have seen issues of the **Utica Phoenix** in the past eight years. The Phoenix has been the voice and the positive image of the multi-cultural community since 2002. For several years the Phoenix featured articles in Spanish and still does today on a more limited basis. The success of the Phoenix has been considerable since so many print media have gone under in recent years.

Last year For The Good developed a **Summer Youth Performing Arts program** with the production of the original musical **The Wonderful Wizard of Was**, a Broadway level production, at the Stanley Center for the Arts. Not only did this production provide positive youth development and summer activities for over fifty otherwise idle young people, it presented a story line that brought dramatic and musical demonstration of community and personal development to the stage. It also brought remarkable national attention to the community. **Academy Award** winning actor, **Adrien Brody** gave \$50,000 to For The Good in support of its youth programming.

Last year also saw the beginning of **Utica's Urban Garden Initiative**. Attorney Richard Pertz donated the funds to build the first Community Garden on Linwood Place. This first garden was so successful that the City of Utica chose to partner with FTG to begin to develop a gardening system throughout the different sections of the city. Managers from the WalMart Distribution Center donated the skill and man hours to build the raised beds at the Jay Street site which was selected by the city to serve the East Utica community. There is another site on Noyes Street still under construction to serve the Westside. The City has applied thousands of dollars in CDBG funds

and thousands of dollars in inkind materials, supplies and construction to make these unique gardens possible.

Most recently I have been personally engaged in indepth discussions with Police Chief Dan LaBella, Deputy Chief Mark Williams and Chaplin Courtney Muhammad to intervene in the current gang violence and street brawling which has risen up in Utica. I have been successful in the past in neutralizing gang activity and have offered plans and options in this latest series of events.

Chairman Fiorini, as you can see the work I do and am responsible for is varied and substantial. I trust you value the contributions I have made to our community and will assist in securing the \$30,000 needed to bridge the funding gap until For The Good, Inc. achieves designation as Utica's new Community Action Agency. Once this funding is in place For The Good will continue to be at the forefront on innovative and progressive community development. As a result of the uncertainty of funding I am losing valuable staff members and will have to shut the doors without County assistance. I hope you can help us.

Please let me know at your earliest convenience of any further information you may need to further this request.

Sincerely,



Cassandra Harris-Lockwood,  
President & CEO

Cc: Legislator Larry Tanoury  
Senator Joseph Griffo  
Senator Dave Valesky  
District Attorney Scott McNamara

# 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) 793-6213  
Fax: (315) 768-6299

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

September 10, 2009

7N2009-385

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

## PUBLIC WORKS WAYS & MEANS

Dear County Executive Picente,

Attached is a sample copy of a Three-Year Agreement between the City of Rome and Towns in Oneida County and the County of Oneida for the Control of Snow and Ice on County Roads for the 2009/2010, 2010/2011 and 2011/2012 snow seasons. Also included is a chart with the breakdown of mileage and payments to the contracted towns and miles maintained by the County of Oneida.

Under the proposed Three Year Agreement, the municipalities will receive \$5,000 per mile in the 2009-2010 snow season (2010 FY total of \$3,016,478.00), \$5,250 per mile in 2010-2011 (2011 FY total of \$3,165,073.50) and \$5,500 per mile in 2011-2012 Snow season.

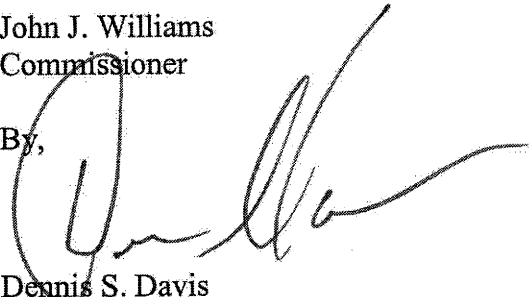
If you concur with this request, please forward to the Public Works and Ways and Means Committee for approval with presentation to the full Board at their **September 30<sup>th</sup>** meeting.

Thank you in advance for your consideration.

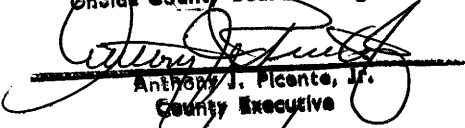
Sincerely,

John J. Williams  
Commissioner

By,

  
Dennis S. Davis  
Deputy Commissioner  
Highways, Bridges and Structures

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

  
Anthony J. Picente, Jr.  
County Executive

Date 9/10/09

2009 SEP 10 PM 3:08

RECEIVED  
ONEIDA COUNTY LEGISLATURE

DSD/mk  
Enclosure(s)





AGREEMENT BETWEEN THE COUNTY OF ONEIDA AND THE TOWN OF \_\_\_\_\_  
FOR THE CONTROL OF SNOW AND ICE ON COUNTY ROADS Nov. 1, 2009 to Apr. 30, 2012  
(Pursuant to Resolution of the Board of Legislators)

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the County of Oneida, hereinafter called "County" acting through Dennis S. Davis, Deputy Commissioner, County Department of Public Works, and the Town of \_\_\_\_\_, County of Oneida, State of New York.

WITNESSETH: that for the consideration and upon the terms and conditions hereinafter provided the Town agrees to furnish all machinery, labor and materials therefor and to keep the paved portion of the highways herein described as free from snow and ice as the prevailing weather conditions will allow for the snow seasons dating from November 1, 2009 through April 30, 2012.

IT IS FURTHER AGREED that the town shall insure against liability incurred in these operations by carrying Liability Insurance on all automotive equipment; a certificate of such insurance must be placed on file in the County office by November 15 of each year, in the following amounts:

- Bodily injury: (including death) Each Occurrence \$1,000,000, \$2,000,000 aggregate
- Property damage: \$100,000 each accident, and \$500,000 aggregate

The Town further shall save the County from all claims for labor or materials used in the Town's performance under this contract. The Town shall further defend and indemnify the County against claims for property damage and bodily injury, including death, arising from the Town's performance under this agreement but the Town shall not be required to defend and indemnify the County against claims arising from allegations of negligent design or signing of the highways covered by this agreement or any other allegations of negligent acts of commission or omission attributable to the County.

IT IS FURTHER AGREED that the Town Board of said town by resolution accepts the proposal of the County of Oneida for snow and ice control on the improved County Road System of said town with the additions or exceptions as noted hereunder; a total of \_\_\_\_\_ miles for the sum of \$5,000.00 per mile for the 2009-2010 snow season, totaling \_\_\_\_\_ DOLLARS AND 00/100, one half of which shall be paid said town on or about the 15<sup>th</sup> day of February 2010 (1<sup>st</sup> payment covers the months of November & December at 60% of 1<sup>st</sup> half payment and the month of January at 40% of 1<sup>st</sup> half payment), and the balance on the final disappearance of snow and ice, not later than May 1, 2010 (2<sup>nd</sup> payment covers the months of February, March and April for the 2<sup>nd</sup> half payment). The per mile rate will increase to \$5,250.00 (\$ \_\_\_\_\_) for the 2010-2011 snow season and to \$5,500.00 (\$ \_\_\_\_\_) for the 2011-2012 snow season.

ADDITIONS

none

EXCEPTIONS

none

AGREEMENT BETWEEN THE COUNTY OF ONEIDA AND THE TOWN OF ANNSVILLE  
FOR THE CONTROL OF SNOW AND ICE ON COUNTY ROADS Nov. 1, 2009 to Apr. 30, 2012  
(Pursuant to Resolution of the Board of Legislators)

IT IS FURTHER AGREED that the Town will keep the entire width of the pavement as reasonably free from snow and ice as weather conditions will allow and shall provide sufficient and suitable equipment and personnel to maintain this condition at all times starting operations with the beginning of storms and continuing them until the storms cease and the pavements are again as free from snow and ice as weather conditions will allow. Keeping the pavements clear of snow and ice will necessarily require keeping the shoulders clear also, to retard the formation of drifts and afford space for the safe plowing from the pavement in a succeeding storm.

IT IS FURTHER AGREED that the Town will make every effort to eliminate slippery conditions on the pavements, and that steep hills, sharp curves, intersections, and straight sections will be sanded or otherwise treated to restore said traction for reasonable and careful use.

IT IS FURTHER AGREED that to receive payment for any road, the Town must keep the same open for traffic for its entire length and will not receive any payment if only portions are kept open, except by previous agreement with the County.

IT IS FURTHER AGREED THAT THE TOWN SUPERINTENDENT SHALL MAKE AVAILABLE UPON REQUEST A DAILY REPORT OF OPERATIONS TO THE DEPUTY COMMISSIONER OF PUBLIC WORKS ON FORMS FURNISHED TO THE SUPERINTENDENT BY THE COUNTY.

IT IS FURTHER AGREED that the County Department of Public Works shall be the sole judge as to the method used in the performance of this contract and the County reserves the right to withhold payment under this contract and to correct any conditions in any way which do not meet requirements and deduct the cost of this work from the amount of this contract.

COUNTY OF ONEIDA

TOWN OF \_\_\_\_\_

BY \_\_\_\_\_  
COUNTY EXECUTIVE

BY \_\_\_\_\_  
SUPERVISOR

BY \_\_\_\_\_  
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

BY \_\_\_\_\_  
DEPUTY COMMISSIONER

Approved as to Form:

\_\_\_\_\_  
Oneida County Attorney

357

1st payment covers the months of November December at 60% of 1st half payment and the month of January at 40% of 1st half payment

	ONEIDA COUNTY	2009-10	2010-11	Nov & Dec	FY 2010
	CENTER LANE	COST at	COST at	Increase	
TOWNS	MILES CONTRACTED	\$5,000/mile	\$5,250/mile	FY 2010	
	BY THE TOWNS			To Towns	
	per mile	5,000.00	5,250.00	75.00	
ANNSVILLE	17.30	86,500.00	90,825.00	1,297.50	87,797.50
AVA	15.67	78,350.00	82,267.50	1,175.25	79,525.25
BOONVILLE	17.86	89,300.00	93,765.00	1,339.50	90,639.50
BRIDGEWATER	13.39	66,950.00	70,297.50	1,004.25	67,954.25
CAMDEN	25.93	129,650.00	136,132.50	1,944.75	131,594.75
DEERFIELD	17.83	89,150.00	93,607.50	1,337.25	90,487.25
FLORENCE	9.26	46,300.00	48,615.00	694.50	46,994.50
FLOYD	31.21	156,050.00	163,852.50	2,340.75	158,390.75
FORESTPORT	15.37	76,850.00	80,692.50	1,152.75	78,002.75
KIRKLAND	26.15	130,750.00	137,287.50	1,961.25	132,711.25
LEE	22.71	113,550.00	119,227.50	1,703.25	115,253.25
MARCY	26.83	134,150.00	140,857.50	2,012.25	136,162.25
MARSHALL	15.02	75,100.00	78,855.00	1,126.50	76,226.50
NEW HARTFORD	20.51	102,550.00	107,677.50	1,538.25	104,088.25
PARIS	27.82	139,100.00	146,055.00	2,086.50	141,186.50
REMSEN	21.38	106,900.00	112,245.00	1,603.50	108,503.50
ROME	14.75	73,750.00	77,437.50	1,106.25	74,856.25
SANGERFIELD	15.37	76,850.00	80,692.50	1,152.75	78,002.75
STEUBEN	22.29	111,450.00	117,022.50	1,671.75	113,121.75
TRENTON	29.15	145,750.00	153,037.50	2,186.25	147,936.25
VERNON	25.03	125,150.00	131,407.50	1,877.25	127,027.25
VERONA	32.26	161,300.00	169,365.00	2,419.50	163,719.50
VIENNA	20.28	101,400.00	106,470.00	1,521.00	102,921.00
WESTERN	16.86	84,300.00	88,515.00	1,264.50	85,564.50
WESTMORELAND	33.73	168,650.00	177,082.50	2,529.75	171,179.75
TOTAL	533.96	2,669,800.00	2,803,290.00	40,047.00	2,709,847.00
O.C., WHITESTOWN	28.68	143,400.00	150,570.00	2,151.00	145,551.00
O.C., FLORENCE	12.98	64,900.00	68,145.00	973.50	65,873.50
O.C., AUGUSTA	18.76	93,800.00	98,490.00	1,407.00	95,207.00
Total Oneida County	60.42	302,100.00	317,205.00	4,531.50	306,631.50
<b>Grand Total</b>	<b>594.38</b>	<b>2,971,900.00</b>	<b>3,120,495.00</b>	<b>44,578.50</b>	<b>3,016,478.50</b>



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

September 10, 2009

*JN 2009-386*

## WAYS & MEANS

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

Honorable Members:

I am in receipt of a request from Minority Leader Hennessy for reimbursement of \$100,000 in legal costs for the Towns of Vernon and Verona in relation to their challenge to the Oneida's Land Into Trust decision. Mr. Hennessy believes that this money should come from the stimulus money the County is currently receiving from the Federal Government.

I forward this request to both to the Ways & Means Committee and to the full Board for consideration at the meeting of **September 30th 2009**.

Respectfully submitted,

Gerald Fiorini  
Chairman

CC: County Executive  
County Attorney  
Comptroller  
Budget

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 10 PM 2:33

# ONEIDA COUNTY BOARD OF LEGISLATORS



*Michael J. Hennessy, Minority Leader*

ONEIDA COUNTY OFFICE BLDG., 800 PARK AVENUE, UTICA, N.Y. 13501-2977 Phone: (315) 798-5049

*Home address: 439 Betsinger Rd., Sherrill, New York 13461 Phone: (315) 527-9663*

September 9, 2009

Hon. Gerald J. Fiorini, Chairman  
Oneida County Board of Legislators  
800 Park Ave  
Utica NY 13501


RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP -9 AM 11:47

Dear Jerry,

Thank you for your response dated September 9, 2009. I appreciate the fact that you will present my resolution asking for legal fees reimbursement to the towns of Verona and Vernon.

There is one thing I would like to add to the recommendation: I would like the funding to come from the stimulus money the county is currently receiving from the federal government. The total of \$100,000 would amount to 14% of one month's stimulus receipts.

Sincerely,

  
Michael J. Hennessy  
Minority Leader  
Mjh/jt

# ONEIDA COUNTY BOARD OF LEGISLATORS



*Michael J. Hennessy, Minority Leader*

ONEIDA COUNTY OFFICE BLDG., 800 PARK AVENUE, UTICA, N.Y. 13501-2977 Phone: (315) 798-5049

*Home address: 439 Betsinger Rd., Sherrill, New York 13461 Phone: (315) 527-9663*

August 19, 2009

Hon Gerald Fiorini, Chairman  
Board of Legislators  
Oneida County Office Bldg  
800 Park Ave  
Utica NY 13501

Dear Jerry:

This is an addendum to the cover letter that accompanied my resolution regarding payment by Oneida County to the Town of Verona for legal expenses incurred in court proceedings with the Oneida Nation.

The Town of Vernon has also engaged legal assistance regarding the land-into-trust issues and that municipality is in the process of providing a detailed list of expenses. Reimbursement for those expenses will be the subject of a subsequent Resolution that I plan to introduce.

Sincerely,

Michael J. Hennessy  
Sponsor/Minority Leader  
Mjh/jt

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 AUG 26 PM 3:14

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Hennessy, Mr. Stephenson, Mr. Clancy

2ND BY:

RE: PAYMENT TO THE ONEIDA COUNTY TOWNS OF VERNON AND VERONA FOR LEGITIMATE EXPENSES INCURRED WHILE SEEKING A FAIR SETTLEMENT OF THE DISPUTED ONEIDA INDIAN LAND INTO TRUST ISSUE WHICH, IF SUCCESSFUL, WOULD BENEFIT ALL TAXPAYERS OF ONEIDA COUNTY.

PURPOSE THIS LEGISLATION IS PROPOSED TO PROVIDE A FAIR SETTLEMENT OF EXPENSES INCURRED BY TWO POLITICAL ENTITIES, THE TOWNS OF VERNON AND VERONA, IN PURSUIT OF A GOAL THAT IS VITAL TO ALL TAXPAYERS OF ONEIDA COUNTY, AND THEREFORE THE EXPENSE SHOULD BE SHARED BY ALL COUNTY CITIZENS.

WHEREAS, Those Legislators proposing this Resolution have provided copies of claims for payment for fees billed to the Towns of Vernon and Verona during those municipalities' legal pursuits to negate Land-into-Trust claims by the Oneida Nation, and

WHEREAS, Said Towns of Vernon and Verona have submitted a voucher for payment to Oneida County and has received no response to date, and

WHEREAS, It is only fair and just that the citizens of the Towns of Vernon and Verona should not be alone in bearing the financial burden of legal action to designed to collect taxes on properties that are within the boundaries Oneida County as well as of those towns, and their school district , and

WHEREAS, The Towns of Vernon and Verona have expended more than \$100,000 in legal fees, and

WHEREAS, This legislative body has the power to direct County Executive Anthony J. Picente Jr. to direct the County Comptroller to pay legitimately incurred expenses, therefore be it

RESOLVED, That this Honorable Board of Legislators directs the County Executive to authorize payment of \$50,000 each to the Towns of Vernon Verona (total of \$100,000) for legal expenses incurred in their litigation with the Oneida Nation regarding the issue of Land-into-Trust.

APPROVED:

DATED:

Adopted by the following v.v.vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_





# ONEIDA COUNTY BOARD OF LEGISLATORS

*Michael J. Hennessy, Minority Leader*

ONEIDA COUNTY OFFICE BLDG., 800 PARK AVENUE, UTICA, N.Y. 13501-2977 Phone: (315) 798-5049

Home address: 439 Betsinger Rd., Sherrill, New York 13461 Phone: (315) 527-9663

Hon. Gerald Fiorini, Chairman  
Oneida County Board of Legislators  
800 Park Ave  
Utica NY 13501

Dear Jerry:


Attached please find a resolution that if passed, directs the County Executive Anthony J. Picente Jr. to pay from county funds the legal expenses accrued by the Town of Vernon. The town incurred and paid these expenses in an effort prevent Oneida Nation land from going into trust.

Obviously, the county had a stake in the Town's efforts and I feel that it is only just that the Oneida County pay these legal bills.

Attached also is detailed listing of the bills and a voucher for payment.

Your attention to this matter is appreciated.

Sincerely,

  
Michael J. Hennessy  
Minority Leader

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 AUG 17 PM 3:57

41.

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.**

**INTRODUCED BY: Mr. Hennessy**

**2ND BY:**

**RE: PAYMENT TO THE ONEIDA COUNTY TOWN OF VERONA FOR LEGITIMATE EXPENSES INCURRED WHILE SEEKING A FAIR SETTLEMENT OF THE DISPUTED ONEIDA INDIAN LAND INTO TRUST ISSUE WHICH, IF SUCCESSFUL, WOULD BENEFIT ALL TAXPAYERS OF ONEIDA COUNTY.**

**PURPOSE THIS LEGISLATION IS PROPOSED TO PROVIDE A FAIR SETTLEMENT OF EXPENSES INCURRED BY A POLITICAL ENTITY, THE TOWN OF VERONA, IN PURSUIT OF A GOAL THAT IS VITAL TO ALL TAXPAYERS OF ONEIDA COUNTY AND THEREFORE SHOULD BE SHARED BY ALL COUNTY CITIZENS.**

**WHEREAS,** Those Legislators proposing this Resolution have provided copies of claims for payment for fees billed to the Town of Verona during that municipalities legal pursuit to negate Land into Trust claims by the Oneida Nation, **and**

**WHEREAS,** Said Town of Verona has submitted a voucher for payment to Oneida County and has received no response to date, **and**

**WHEREAS,** It is only fair and just that the citizens of the Town of Verona should not be alone in bearing the financial burden of legal action to designed to collect taxes on properties that are within the boundaries of that town, the school district and the County of Oneida , **and**

**WHEREAS,** The Town of Verona has expended \$45,487.62 in legal fees alone, **and**

**WHEREAS,** This legislative body has the power to direct County Executive Anthony J. Picente Jr. to direct the County Comptroller to pay legitimately incurred expenses, **therefore be it**

**RESOLVED,** That this Honorable Board of Legislators directs the County Executive to authorize payment of 45,487.62 to the Town of Verona for legitimately incurred expenses in its litigation with the Oneida Nation regarding the issue of Land into Trust.

APPROVED:

DATED:

Adopted by the following v.v.vote:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

Copy

Information Below To Be Complete Prior To Submission For Payment

VOUCHER  
COUNTY OF ONEIDA  
800 PARK AVENUE  
UTICA NY 13501

Code #	Account	P.O. #	Amount

Date of Payment

Department: Finance

Claimant's Name: Town of Verona Dept. # \_\_\_\_\_ Partial \_\_\_\_\_

Address: 6600 Germany Rd Vendor # \_\_\_\_\_ Complete \_\_\_\_\_

1099 \_\_\_\_\_ Index # \_\_\_\_\_

Durhamville NY 13054

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated.

Check No.

PURCHASE ORDER # \_\_\_\_\_

PURCHASE ORDER NUMBER-If a purchase order has been issued for the items charged, place the purchase order number in the space provided

Comptroller  
Deputy Comptroller

Date	Vendor's Invoice #	Quantity	Description of Materials or Services Detailed Invoices must be attached and Total entered on this Voucher	Unit Price	Amount
07/10/09			Legal Service fees incurred by the Town of Verona for OIN Land Into Trust		
			Rossi & Murnane 6 hours @ \$150.00/hour 5/8/2008	\$150.00	\$900.00
			Rossi & Murnane 7/9/08-3/10/09 6.2 hours @ \$165.00/hour	\$165.00	\$1023.00
			Rossi & Murnane 03/09/09-6/4/09 12.5 hours @ \$225.00/hour	\$225.00	\$2711.25
			O'Connell & Aronowitz Retainer fee \$5000.00 (\$3000 reimbursement rec)		\$2000.00
			O'Connell & Aronowitz 08/18/08-04/30/09 176.7 hours @ \$200/hour (1/2)		\$17670.00
			O'Connell & Aronowitz 08/18/08-04/30/09 13.6 hours @ \$225/hour (1/2)		\$1530.00
			O'Connell & Aronowitz 08/18/08-04/30/09 85.3 hours @ \$250/hour (1/2)		\$10662.50
			O'Connell & Aronowitz 08/18/08-04/30/09 57.9 hours @ \$300/hour (1/2)		\$8685.00
			O'Connell & Aronowitz 08/18/08-04/30/09 .6 hours @ \$375/hour (1/2)		\$112.50
			Other Costs		\$214.37
			Contract No.		

Claimant's Certification

\_\_\_\_\_, certify that the above account in the amount of \$\_\_\_\_\_  
is true and correct; that the items, services and disbursements charged, were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt are not included; and that the amount claimed is actually due.

Do Not Sign

Date \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_

Federal ID # \_\_\_\_\_ Social Security # \_\_\_\_\_

(Space below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the date stated and the charges are correct.

Date \_\_\_\_\_ Signature of Department Head \_\_\_\_\_

Resolution adopted by the Oneida County Board of Supervisors November 11, 1925.

That all persons or corporations having claims against the County of Oneida shall present the same to the County Comptroller for audit not later than the 15th day of succeeding month in which said claim accrued.

N.B.A. copy of the contract upon which the foregoing account is based should be attached.

IMPORTANT NOTICE: "CURRENT MSDS FOR CHEMICAL PRODUCTS MUST BE SUBMITTED WITH THIS ORDER. NON-PAYMENT OF CLAIM WILL RESULT UNTIL THE DOCUMENT IS RECEIVED."



DATE	NAME	Voucher or Invoice #	Am <sup>2</sup> t	Coded to Appropriation	Payment to
3 3	O'Connell & Aronowitz	172998	2545.80	1420.4	ck# 46486 pd 4/7/09
	31 Jan 09 front sheet	22.78 @ 200			
	1/5 - 1/30	4.82 @ 250			
		5.38 @ 300			
4 7	O'Connell & Aronowitz	174088	2553.00	1420.4	ck# 46619 pd 5/5/09
	Feb 2 - Feb 28	23.80 @ 200			
		5.40 @ 300			
4 30	O'Connell & Aronowitz	174530	2600.00	1420.4	ck# 46619 pd 5/5/09
	Mar 2 - Mar 31	21.40 @ 200			
	Today Pd out \$44,774.36	3.26 @ 250			
	Reimbursed from County 3000	1.40 @ 300			
	Total Cost to Town = \$41,774.36				
	Vince Rossi Cost 7/08 - 9/09				
	- \$ 1023				
	Total \$ reimb				
	= 42,797.37				

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

Contract No. 100-100-100  
Date of Invoice: 10/1/00  
Invoice No. 100-100-100

**Towns of Verona and Vernon**

Total of invoice: **5,200.00**

Verona's portion	\$2,600.00
Vernon's portion	<u>\$2,600.00</u>
	<b>\$5,200.00</b>

		Hours	
03/09/2009	BTO	Compiled documents per JBB's request; conferred with JBB re same.	0.90
	BTO CDM	Discuss with JBB whether we need to amend complaint re: 18 acres.	0.10
03/10/2009	BTO	Review of material relating to excess land acquisition; conferred w/ JBB re same; assisted JBB w/ amended complaint; conferred w/ JBB re arguments to be made and researched for response to motion for summary judgment.	1.10
	JBB	Emails with V. Rossi, T/C O. Waller, prepare draft of complaint	1.60
03/11/2009	BTO	Drafted outline for reply in support of motion for summary judgment; conferred with JBB regarding implications of Carcieri on Indian Land Consolidation Act claim; reviewed amended complaint and searched for authority to support allegations made.	2.60
03/13/2009	BTO	Continued work on verifying claims alleged in amended complaint.	0.70
03/16/2009	BTO	Reviewed Cohen's and secondary sources for discussion tribal existence of the OIN	1.10
03/18/2009	BTO	Reviewed Cheyenne case from DC Cir; conferred with JBB regarding implications of same on 18 acres at issue.	0.50
3/19/2009	BTO	Discussed additions to be made to amended complaint with CDM; conferred with CDM regarding material discussing implications of the IGRA on the IRA;	0.90
3/25/2009	BTO	Review of quiet title provisions and exceptions thereto	0.40
3/31/2009	CDM	Conference with JBB re motion to dismiss and amending Complaint.	0.30
		FOR SERVICES RENDERED	25.00
			5,200.00

TIMEKEEPER RECAP

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Brian T. Onofry	21.40	\$200.00	\$4,280.00
Burke, Jane Bello	3.20	250.00	800.00
Murray, Cornelius D.	0.40	300.00	120.00

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

Towns of Verona and Vernon

Total of invoice: **5,107.00**

Verona's portion            **\$2,553.50**

Vernon's portion            **\$2,553.50**  
   **\$5,107.00**



	Hours
02/17/2009 BTO Review of material for summary for clients; conferred with JBB regarding same; began drafting summary per JBB's instruction.	1.30
02/18/2009 BTO Updated file for Verona v. Salazar and New York v. Salazar per JBB's request; reviewed material filed this month in both actions; summarized all per clients' and JBB's request.	4.40
02/19/2009 BTO Conferred with CDM regarding conference on 2/25	0.20
02/20/2009 JBB T/C D. Shraver re status, adjournment; prepare and file adjournment request	1.20
BTO Call to David Schraever regarding court conference on Wednesday before LEK; drafted request for extension of time to reply to government's opposition papers; researched material for conference on Wednesday; conferred with JBB regarding same; made revisions to motion for extension of time; filed same.	4.50
02/23/2009 JBB Coordinate with court re extension	0.20
02/24/2009 BTO Contacted D. Tennant regarding conference scheduled for tomorrow; reviewed stipulation agreed to between state and DOI; relayed same to CDM and JBB	0.40
02/25/2009 BTO Research re: when OIN became Federally recognized; calls to BIA and Federal Acknowledgement Office re: same; Emails to and from regarding Carcieri and impact on our case; retrieved and reviewed FOIA material received; conferred with CDM re: same; drafted summary of Carcieri v. Salazar opinion per clients' request	4.60
02/26/2009 BTO Call from JBB re: impact of Carcieri and research to be conducted re: what it means to be under "Federal Jurisdiction"; call from DOI re: OIN; began research on "Federal Jurisdiction" question; researched questions re: OIN per JBB's request.	3.80
02/27/2009 BTO Researched when OIN became federally recognized; looked for "list" cited in Carcieri per JBB's request; conferred with JBB regarding same; researched Oneid/Munsee dispute re: rights to land per JBB's request.	3.60
02/28/2009 JBB Review Carcieri opinion, recent events and revise memorandum	

54

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

31-Jan-09

Towns of Verona and Vernon

Total of invoice: **5,091.60**

Verona's portion            **\$2,545.80**

Vernon's portion            **\$2,545.80**  
   **\$5,091.60**

		Hours	
01/27/2009			
BTO	Drafted summary of events occurring recently in pending litigation for clients; retrieved necessary information from PACER for same; performed revisions per JBB's instruction.	1.80	
JBB	Revise memorandum summarizing recent developments	1.20	
01/28/2009			
BTO	Email to JBB regarding conference set by Judge Kahn.	0.10	
01/29/2009			
JBB	Finalize and send memorandum re recent developments	0.80	
01/30/2009			
JBB	Review pleadings in Verona case and memo to O. Waller, M. Thurston re same	0.60	
	FOR SERVICES RENDERED	32.80	7,330.00

TIMEKEEPER RECAP

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Brian T. Onofry	22.70	\$200.00	\$4,540.00
Burke, Jane Bello	4.80	250.00	1,200.00
Murray, Cornelius D.	5.30	300.00	1,590.00

01/31/2009	Credit towards Fees	-2,270.00
	Total Credit/Adjustment	-2,270.00

ADVANCES

01/20/2009	Pacer retrieval and filing fee (electronic)	18.56
01/20/2009	Pacer retrieval and filing fee (electronic)	13.04
	Total Advances	31.60
	Amount Due - current statement	5,091.60

PAYMENTS

02/12/2009	Payment - Thank You. Supervisor, Town of Vernon	-298.38
	Balance Due	<u>\$17,898.62</u>

PREVIOUSLY BILLED AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
11/30/2008	171039	28,270.67	10,537.02
			<u>10,537.02</u>

Total Expenses	<u>231.75</u>
Amount Due - current statement	596.75

PAYMENTS

01/05/2009	Payment - Thank You. Town of Verona	-8,200.42
01/05/2009	Payment - Thank You. Supervisor, Town of Vernon	-4,779.17
01/12/2009	Payment - Thank You. Town of Verona	-14,135.34
01/12/2009	Payment - Thank You. Supervisor, Town of Vernon	-5,934.92
	Total Payments	<u>-33,049.85</u>
	Balance Due	<u>\$13,105.40</u>

PREVIOUSLY BILLED AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
11/30/2008	171039	28,270.67	12,508.65
			<u>12,508.65</u>

**O'CONNELL AND ARONOWITZ**  
ATTORNEYS AT LAW

54 STATE STREET, ALBANY, NEW YORK 12207-2501

(518) 462-5601 FAX: (518) 462-2670

www.oalaw.com info@oalaw.com

206 WEST BAY PLAZA, PLATTSBURGH, NEW YORK 12901

(518) 562-0600 FAX: (518) 562-0657



Towns of Verona and Vernon

Statement Date: January 30, 2009  
Statement No. 172166  
Account No. 10200.000A  
Page: 1

Federal Court Complaint-land to trust issue

Previous Balance \$45,558.50

FEES

		Hours	
12/08/2008			
JBB	Review letter from S. Miskinis	0.20	
12/09/2008			
JBB	Review correspondence in and email to client re same	0.30	
12/18/2008			
BTO	Reviewed material forwarded by CDM regarding IRA similar to Carcieri; began drafting summary for CDM on same.	1.20	
	<b>FOR CURRENT SERVICES RENDERED</b>	<u>1.70</u>	<u>365.00</u>

TIMEKEEPER RECAP

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Brian T. Onofry	1.20	\$200.00	\$240.00
Burke, Jane Bello	0.50	250.00	125.00

EXPENSES

1/19/2008	Photocopies	157.50
1/20/2008	Photocopies	55.50
1/20/2008	Photocopies	18.75

Invoices are due upon receipt.

**Please Detach and Return This Portion With Your Remittance**

Amount Remitted: \_\_\_\_\_

Check No.: \_\_\_\_\_

Statement Date: 01/30/2009

Statement No. 172166

File No. 10200.000

61.

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

31-Dec-08

Towns of Verona and Vernon

Total of invoice: 28,270.68

Verona's portion \$14,135.34

Vernon's portion \$14,135.34  
\$28,270.68

		Hours
JBB	Preparation of brief in opposition to Plaintiffs' Motion for partial summary judgment	7.80
CDM	Review draft of Schraver letter to Miskinis on Indian Record (.3); conference with Jane on 10th Amendment argument and casino legality - Indian lands (.5).	0.80
BTO	Researched topic for JBB regarding issue for motion for partial dismissal; researched enabling acts for inclusion in response; researched collateral estoppel issues for JBB; drafted part of memorandum dealing with dismissal of the IGRA claim.	2.70
1/14/2008		
JBB	Continued preparation of brief in opposition to Plaintiffs' Motion for partial summary judgment; telephone conference with O. Waller re same; Telephone conference with M. Thurston re same (left msg.)	4.20
BTO	Researched case law regarding ability of district court to not follow circuit precedent that has been called into serious doubt; worked on distinguishing Carcieri per JBB; reviewed scheduling order.	3.10
1/15/2008		
KEB	Email correspondence with Ms. Burke regarding opposition to motion to dismiss and legal research relating to same; conduct legal research regarding Tenth Amendment claim and related issues; review draft opposition to motion to dismiss in connection with same	2.50
JBB	Continued preparation of brief in opposition to Plaintiffs' Motion for partial summary judgment	7.80
CDM	Conference with Jane Burke and Brian re complaint.	0.50
1/16/2008		
JBB	Continued preparation of Memorandum of Law in opposition to motion for partial dismissal and legal research in connection therewith	6.50
CDM	Work on motion for summary judgment.	8.10
BTO	Reviewed brief of respondents in Carcieri appeal to Supreme Court; researched Carcieri related material for CDM; began drafting statement of undisputed facts for CDM.	3.10
1/17/2008		
KEB	Office conferences with Ms. Burke regarding opposition to motion to dismiss and legal research relating to same; conduct legal research regarding the standing and Tenth Amendment claim; prepare notes relating to same; review opposition to motion to dismiss in connection with same	4.50
CDM	Work on draft of Memorandum of Law in opposition to motion to dismiss and memorandum in support of motion for summary judgment.	4.00
BTO	Revised section of memorandum dealing with 10th amendment argument; researched case law regarding acquisition of land by federal government under commerce clause; finished first draft of statement of undisputed facts for CDM; read memoranda sent by	

65.

TOWNS of Verona and Vernon  
Account No. 10200.000A  
RE: Federal Court Complaint-land to trust issue

Statement Date: 11/30/2008  
Statement No. 171039  
Page No. 4

Total Advances 15.67  
Amount Due - current statement 28,270.67

PAYMENTS

12/08/2008 Payment Received Town of Verona -3,421.25  
12/15/2008 Payment Received Town of Vernon -3,421.25  
Total Payments -6,842.50  
Balance Due \$45,558.50

PREVIOUSLY BILLED AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
07/31/2008	165320	1,776.00	758.74
08/31/2008	167175	256.50	128.25
11/30/2008	170508	16,400.84	<u>16,400.84</u>
			17,287.83



# ROSSI AND MURNANE

Attorneys at Law  
587 Main Street • Suite 302  
New York Mills, New York 13417

TELEPHONE  
(315)733-4671

TELEFAX  
(315)733-4609

DON P. MURNANE  
[dmurnane@rmhlaw.org](mailto:dmurnane@rmhlaw.org)

VINCENT J. ROSSI, JR  
[vrossi@rmhlaw.org](mailto:vrossi@rmhlaw.org)

December 16, 2008

Owen Waller, Town Supervisor  
Town of Verona  
6600 Germany Road  
Durhamville, New York 13054

Myron Thurston, Town Supervisor  
Town of Vernon  
P.O. Box 643  
Vernon, New York 13476

Re: **OIN Land to Trust Issue**

Gentlemen:

I enclose copies of updated bills just received from O'Connell and Aronowitz. The bills do not show they were mailed directly to you, so I am sending a copy with a request that you process them for payment.

Very truly yours,



VINCENT J. ROSSI, JR.

VJR:cas  
enclosures

O'CONNELL AND ARONOWITZ

ATTORNEYS AT LAW

54 STATE STREET  
ALBANY, NEW YORK 12207-2501

(518) 462-5601  
FAX: (518) 462-2670

FEDERAL ID NO. 14-1544660

Towns of Verona and Vernon

Statement Date: November 30, 2008  
Statement No. 170508  
Account No. 10200.000A  
Page: 1

Federal Court Complaint-land to trust issue

Previous Balance

\$7,857.74

FEES

		Hours
10/01/2008		
CDM	Conference with Jane; call to D. Schraver; conference with Jane re scheduling.	1.00
BTO	Made revisions to Case Management Plan pursuant to JBB's suggestions; drafted preliminary statement for same (1.3); Worked on memorandum addressing tenth amendment standing argument for municipal plaintiffs raised by the United States in their partial motion to dismiss.(1.6); Researched what constitutes timely production of the administrative record under the Administrative Procedure Act in preparation for Rule 16 conference. (.4).	3.30
JBB	Coordinate with B. Onofry, CD Murray re case management plan; follow up with D. Schraver re same.	0.60
0/02/2008		
BTO	Drafted reply to partial motion to dismiss regarding the issue of standing of a municipality to raise a Tenth Amendment claim and Article III requirements in general regarding the tenth amendment; conferred with JBB regarding same (5.7); Began work on reply to argument that private parties have no standing to raise tenth amendment claim. (1.4); Began addressing defendant's claim that our Tenth Amendment argument fails to state a claim for which relief can be granted; conferred with JBB regarding same. (.5).	7.60

Please Detach and Return This Portion With Your Remittance

Amount Remitted: \_\_\_\_\_

Check No.: \_\_\_\_\_

Statement Date: 11/30/2008

Statement No. 170508

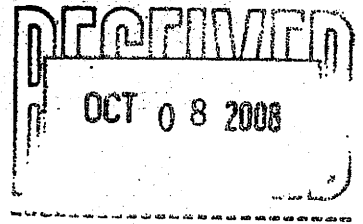
File No. 10200.000

20

		Hours
	JBB Preparation of case management order and follow up re same; coordinate with counsel for New York State; T/C O. Waller re same.	2.00
	CDM Review of case management statement.	0.30
10/13/2008		
	BTO Call to Schrever regarding case management and stipulation; call to Myron Thurston to discuss status of case; prepared stipulation and order setting forth schedule for motions; conferred with JBB regarding stipulations and time to be requested for response; email to David Schrever; drafted letter to Judge Kahn to accompany stipulation to be filed.	5.30
	JBB Prepare and coordinate Case Management Plan and T/Cs D. Schraver, M. Thurston re same.	2.20
	CDM Check with Jane re scheduling order.	0.10
10/14/2008		
	BTO Conferred with JBB regarding case management plan proposed by defendants; researched case law in opposition to law cited by defendants in case management plan; finalized same.	1.70
	JBB Coordinate with S. Miskinis and D. Shraver re case management plan and revise same; file with court	3.60
10/15/2008		
	JBB Revise and finalize stipulation re briefing schedule and coordinate with S. Miskinis (DOJ) re same	0.30
10/16/2008		
	JBB Court filing; stipulation re briefing schedule	0.30
0/22/2008		
	BTO Review of scheduling order in preparation for rule 16 conference tomorrow; conferred with JBB regarding outline for MOL in opposition to motion for partial dismissal.	1.10
	JBB Coordinate with S. Miskinis, D. Shraver re case management orders	0.30
0/23/2008		
	BTO Preparation for rule 16 conference with JBB; confirmed that each point of the case management plan was in accordance with the one sent by plaintiffs in state v. Kempthorne, as this was already agreed to by Miskinis; review of case law where a secretarial determination had been made pursuant to IGRA; began work on statement of facts for MOL in motion for partial dismissal.	3.10
	JBB Prepare for and participate in conference with Magistrate DiBianco and follow up re same	1.50
0/24/2008		
	BTO Continued work on statement of facts for response MOL to motion for partial dismissal; added additional support to standing	

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

21-Aug-08



Towns of Verona and Vernon

Total of invoice: **256.50**

Verona's portion            \$128.25

Vernon's portion            \$128.25  
                                      **\$256.50**

Towns of Verona and Vernon  
Account No: 10200.000 A  
RE: Federal Court Complaint-land to trust issue

Statement Date: 08/31/2008  
Statement No. 167175  
Page No. 2

EXPENSES

08/12/2008	Postage	1.26
08/12/2008	Postage	0.32
08/18/2008	Postage	0.42
	Total Expenses	<u>2.00</u>
	Amount Due - current statement	256.50
	Balance Due	<u>\$12,037.35</u>

PREVIOUSLY BILLED AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
06/30/2008	164990	20,004.85	10,004.85
07/31/2008	165320	1,776.00	1,776.00
			<u>11,780.85</u>

# ROSSI AND MURNANE

Attorneys at Law  
587 Main Street • Suite 302  
New York Mills, New York 13417

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(315)733-4671

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(315)733-4609

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[dmurnane@rmhlaw.org](mailto:dmurnane@rmhlaw.org)

VINCENT J. ROSSI, JR.  
[vrossi@rmhlaw.org](mailto:vrossi@rmhlaw.org)

November 14, 2008

Owen Waller, Town Supervisor  
Town of Verona  
6600 Germany Road  
Durhamville, New York 13054

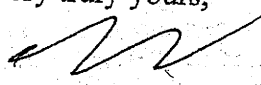
Myron Thurston, Town Supervisor  
Town of Vernon  
P.O. Box 643  
Vernon, New York 13476

Re: OIN Land to Trust Issue

Gentlemen:

I enclose for each of you a copy of O'Connell and Aronowitz's most recent bill, which seems in order and should be processed for payment.

Very truly yours,

  
VINCENT J. ROSSI, JR.

VJR:cas  
enclosures

		Hours	
	amendment claim.	1.30	
CDM	Discuss and review motion to dismiss - standing.	0.50	
09/24/2008			
BTO	Read Supreme Court decisions in which they did not question the standing of private parties to bring a tenth amendment claim.	0.70	
BTO	Conferred with JBB regarding research conducted on standing of private parties and standing of individuals to bring tenth amendment claim; discuss thoughts on argument based on lack of action by Supreme Court.	0.40	
JBB	Confer with B. Onofry re standing argument and develop response/strategy re same.	0.60	
09/25/2008			
BTO	Worked on standing argument for City of Vernon.	3.30	
09/26/2008			
JBB	Review background documentation, confer with D. Schraver re case strategy and follow up re same; T/C. O. Waller re same.	2.20	
BTO	Worked on standing argument for municipality (1.1); Conferred with JBB regarding findings for individual and town standing(.2); Prepared for call to Nixon attorney representing the state to discuss rule 16 conference and other scheduling issues; called same (.7); called Town of Vernon supervisor to discuss status of case and partial MTD filed by US (.2); Researched cases to determine if stay of discovery is automatic when MTD is filed and if not automatic, what the standard for granting such is(8); conducted research on what constitutes timely production of an administrative proceeding (1.5).	4.50	
09/28/2008			
BTO	Researched additional material for private party standing argument (based on original intent).	1.40	
09/29/2008			
BTO	Discussed our responses for partial MTD and rule 16 issues to discuss with opposing counsel.	0.30	
JBB	Coordinate with CDM on the upcoming status conference and reviewing background documentation.	1.20	
CDM	Review motion to dismiss.	0.60	
9/30/2008			
BTO	Worked on filing order to set schedule pursuant to FRCP 16; conferred with JBB regarding same (1.1); Call to AUSA regarding scheduling under Rule 16 pursuant to filing order from Magistrate (.8); Researched relevant information from previous filings and drafted filing order pursuant to FRCP 16. (2.8).	4.70	
JBB	Prepare for and participate in Meet and Confer with S. Miskinis and follow up re same.	1.60	
	FOR CURRENT SERVICES RENDERED	31.30	6,830.00

O'Connell and Aronowitz  
52 State Street  
Albany, New York 12207

30-Sep-08

Towns of Verona and Vernon

Total of invoice: 6,842.50

Verona's portion \$3,421.25

Vernon's portion \$3,421.25  
\$6,842.50



# ROSSI AND MURNANE

Attorneys at Law  
587 Main Street • Suite 302  
New York Mills, New York 13417

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(315)733-4671

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(315)733-4609

DON P. MURNANE  
[dmurnane@rmhlaw.org](mailto:dmurnane@rmhlaw.org)

VINCENT J. ROSSI, JR  
[vrossi@rmhlaw.org](mailto:vrossi@rmhlaw.org)

September 19, 2008

Myron Thurston, Town Supervisor  
Town of Vernon  
P.O. Box 643  
Vernon, New York 13456

Owen Waller, Town Supervisor  
Town of Verona  
6600 Germany Road  
Durhamville, New York 13054

Re: OIN Land to Trust

Dear Myron and Owen:

I enclose a further bill from Mr. Murray's office showing a total now due of \$11,780.85 (this includes their previous bill of \$10,004.85). Each of the Towns should pay their one-half share directly to O'Connell and Aronowitz.

Very truly yours,

VINCENT J. ROSSI, JR.

VJR:cas  
enclosure

pd.  
888.43  
10/7/08  
CR#45452

TIMEKEEPER RECAP

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Burke, Jane Bello	3.90	\$250.00	\$975.00
Murray, Cornelius D.	1.50	300.00	450.00

EXPENSES

06/18/2008	Long Distance Telephone calls 315-264-8443	1.0
	Total Expenses	1.0

ADVANCES

07/07/2008	Filing Fees - CHECK TO AMERICAN EXPRESS	350.0
	Total Advances	350.0
	Amount Due - current statement	1,776.0
	Balance Due	<u>\$11,780.8</u>

PREVIOUSLY BILLED AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
06/30/2008	164990	20,004.85	10,004.85
			<u>10,004.85</u>

**O'CONNELL AND ARONOWITZ**  
ATTORNEYS AT LAW

54 STATE STREET  
ALBANY, NEW YORK 12207-2501  
(518) 462-5601  
FAX: (518) 462-2670

FEDERAL ID NO. 14-1544660

Towns of Verona and Vernon  
Rossi and Murnane  
587 Main Street, Suite 302  
New York Mills, NY 13417

Statement Date: June 30, 2008  
Statement No. 164990  
Account No. 10200.000 A  
Page: 1

Vincent J Rossi, Jr, Esq  
Federal Court Complaint-land to trust issue

FEES

		Hours
06/05/2008		
CDM	Speak with Vince Rossi; set meeting date; conference with Jane Burke.	0.40
JBB	Confer with CD Murray re potential challenge to federal government decision to take land into trust; preliminary review Record of Decision.	1.00
06/06/2008		
CDM	Check on "stay" letter; David Vickers.	0.20
06/08/2008		
JBB	Read Record of Decision in preparation for meeting with representatives of Towns of Verona and Vernon.	3.00
06/09/2008		
CDM	Meeting in New York Mills with town board members.	5.00
JBB	Attend meeting with Town representatives re: potential legal challenge and transportation in connection with same; outline and preliminary preparation of Complaint	7.50
06/10/2008		
JBB	T/C M. Thurston re board meeting, strategy.	0.20
06/11/2008		
CDM	Conference with Jane Burke; calls to Schraver and Siegfried.	0.50
JBB	Research re finality of decision; confer with David Schraver re status of prospective litigation.	3.20

Please Detach and Return This Portion With Your Remittance

Amount Remitted: \_\_\_\_\_

Check No.: \_\_\_\_\_

Statement Date: 06/30/2008

Statement No. 164990

File No. 10200.000

86

# VOUCHER

DEPARTMENT TOWNS OF VERNON/VERONA

CLAIMANT'S NAME AND ADDRESS  
 Vincent J. Rossi, Jr., Esq.  
 ROSSI AND MURNANE  
 587 Main Street, Suite 302  
 New York Mills, NY 13417

TERMS \_\_\_\_\_

DO NOT WRITE IN THIS BOX

Date Voucher Received	
FUND—APPROPRIATION	AMOUNT
<b>TOTAL</b>	
Abstract No.	

VOUCHER NO. \_\_\_\_\_

Vendor's Ref. No. \_\_\_\_\_

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
14/08		FOR LEGAL SERVICES RENDERED THE TOWNS OF VERNON AND VERONA IN CONNECTION WITH: COIN LAND INTO TRUST CLAIM (Total Fee: 3,502.50) <div style="text-align: right; margin-left: 200px;">                         Vernon Share (1/2)                          Verona Share (1/2)                     </div>		<div style="text-align: right; margin-left: 200px;">                         1,751.2                          1,751.2                     </div>
<b>TOTAL</b>				<b>3,502.50</b>

**CLAIMANT'S CERTIFICATION**

Vincent J. Rossi, Jr.

I hereby certify that the above account in the amount of \$ 3,502.50 is correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

14/08

DATE

  
 \_\_\_\_\_  
 SIGNATURE  
**VINCENT J. ROSSI, JR.**  
 (Space Below for Municipal Use)

\_\_\_\_\_  
 Attorney at Law  
 TITLE

**DEPARTMENT APPROVAL**

above services or materials were rendered or furnished to municipality on the dates stated and the charges are correct.

AUTHORIZED OFFICIAL \_\_\_\_\_

**APPROVAL FOR PAYMENT**

This claim is approved and ordered paid from the appropriations indicated above.

88



# ROSSI AND MURNANE

Attorneys at Law  
587 Main Street • Suite 302  
New York Mills, New York 13417

TELEPHONE  
(315)733-4671

TELEFAX  
(315)733-4609

DON P. MURNANE  
[dmurnane@rmhlaw.org](mailto:dmurnane@rmhlaw.org)

VINCENT J. ROSSI, JR.  
[vrossi@rmhlaw.org](mailto:vrossi@rmhlaw.org)

July 14, 2008

Owen Waller, Town Supervisor  
Town of Verona  
6600 Germany Road  
Durhamville, New York 13054

Myron Thurston, Town Supervisor  
Town of Vernon  
P.O. Box 643  
Vernon, New York 13476

Re: **OIN Land Into Trust Claim**

Dear Owen and Myron:

I enclose a bill for the work I did on the OIN case which I thought was for both Vernon and Verona and therefore properly should be split 50/50. I hope this is okay. If it is, I would ask you each to pay your respective one-half share, or \$1,751.25.

Very truly yours,



VINCENT J. ROSSI, JR.

VJR:cas  
enclosure

July 14, 2008

Account No: 8-0049Q

Statement No: 816

## OIN Land Into Trust Claim

	Hours	
06/04/2008	0.50	Received \$5,000 check from Owen and forwarded to Neal Murray with letter and copy of retainer.
06/05/2008	0.40	Tel. discussions with Myron and C. Murray re: meeting next week.
	0.70	Tel. discussion with Owen Waller and C. Murray; e-mail to everyone confirming meeting on Monday.
06/09/2008	0.60	Tel. discussion with Peter Hedglon, re: Indian Nation case.
	1.00	Conf. with Neal Murray.
06/11/2008	0.80	Tel. discussion with Harris Samuels; fax to him list of parcels; tel. discussion with Owen.
06/13/2008	0.60	Exchanged e-mails with H. Samuels and C. Murray re: lawsuit; telephone discussion with employer in Rome.
	0.40	Tel. discussion with Myron and all attorneys re: individual plaintiff.
	0.60	Tel. discussion with Owen Waller and all attorneys re: individual plaintiff.
06/16/2008	0.40	Letter and notes from Chad Davis concerning law suit.
06/19/2008	1.50	Reviewed draft complaint; e-mail to Town Board re: same.
06/22/2008	1.00	Reviewed online Complaint filed by State against BIA
	18.30	For Current Services Rendered
		Total Current Work
		Balance Due
		<u>\$3,502.50</u>

AND ARONOWITZ  
ATTORNEYS AT LAW

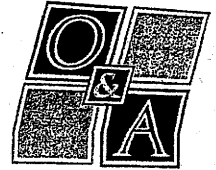
54 STATE STREET, ALBANY, NEW YORK 12207-2501

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www.oalaw.com info@oalaw.com

206 WEST BAY PLAZA, PLATTSBURGH, NEW YORK 12901

(518) 562-0600 FAX: (518) 562-0657



EDWARD J. O'CONNELL 1925-39  
SAMUEL E. ARONOWITZ 1925-73  
LEWIS A. ARONOWITZ 1951-79

August 11, 2008

Michael R. Smith, Esq.  
Zuckerman, Spaeder LLP  
18 M Street NW, Suite 1008  
Washington DC 20036-5807

Re: Town of Vernon / Verona v. Kempthorne, et al.

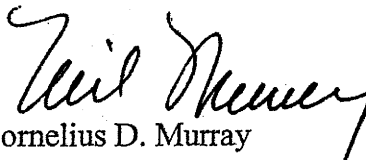
Dear Mr. Smith:

Pursuant to your recent telephone inquiry, this is to advise that our clients will neither consent to nor oppose whatever motion you choose to make to intervene in the above-captioned matter on behalf of the Oneida Indian Nation.

Very truly yours,

O'CONNELL AND ARONOWITZ

By:

  
Cornelius D. Murray

CDM:cm

G:\DATA\ATTORNEY\CDM\Citizens Against Casino Gambling\LTsmith-CM.doc

CORNELIUS D. MURRAY  
NEIL H. RIVCHIN  
PETER DANZIGER  
FRED B. WANDER  
STEPHEN R. COFFEY  
JEFFREY J. SHERRIN  
WILLIAM A. FAVREAU  
THOMAS J. D'NOVO  
NANCY SCIOCCHETTI  
PAMELA A. NICHOLS  
MARK G. RICHTER  
DONALD W. BIGGS  
JAMI DURANTE ROGOWSKI  
TINA CHERICONI VERSACI  
HEIDI DENNIS  
ANDREW R. SAFRANKO  
JANE BELLO BURKE  
TIMOTHY S. HART

OF COUNSEL

RICHARD H. WEISKOPF  
PETER HENNER  
MICHAEL P. McDERMOTT  
DAVID R. ROSS  
JAMES A. SHANNON

KEVIN P. HICKEY  
KURT E. BRATTEN  
WILLIAM F. BERGLUND  
ROBYN B. NICOLL  
KELLY J. MIKULLITZ  
KATHRYN E. JERIAN  
SARA B. FEDELE  
ERIN R. MINDORO

FRANCESCA SOMMER\*  
(HEALTH CARE AND  
REGULATORY ADVISOR)  
\*NOT A MEMBER OF THE LEGAL  
PRACTICE





# O'CONNELL AND ARONOWITZ

ATTORNEYS AT LAW

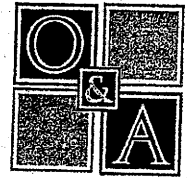
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LEWIS A. ARONOWITZ 1951-79

August 11, 2008

Michael R. Smith, Esq.  
Zuckerman, Spaeder LLP  
18 M Street NW, Suite 1008  
Washington DC 20036-5807

Re: Town of Vernon / Verona v. Kempthorne, et al.

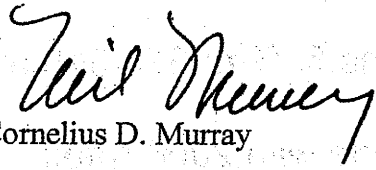
Dear Mr. Smith:

Pursuant to your recent telephone inquiry, this is to advise that our clients will neither consent to nor oppose whatever motion you choose to make to intervene in the above-captioned matter on behalf of the Oneida Indian Nation.

Very truly yours,

O'CONNELL AND ARONOWITZ

By:

  
Cornelius D. Murray

CDM:cm

G:\DATA\ATTORNEY\CDM\Citizens Against Casino Gambling\LTsmith-CM.doc

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FRANCESCA SOMMER\*  
(HEALTH CARE AND  
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\*NOT A MEMBER OF THE LEGAL  
PRACTICE

# O'CONNELL AND ARONOWITZ

ATTORNEYS AT LAW

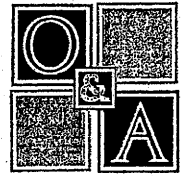
54 STATE STREET, ALBANY, NEW YORK 12207-2501

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(518) 562-0600 FAX: (518) 562-0657



EDWARD J. O'CONNELL 1925-39  
SAMUEL E. ARONOWITZ 1925-73  
LEWIS A. ARONOWITZ 1951-79

January 7, 2009

## Via Certified Mail/Return Receipt Requested

Alexandra Mallus  
Departmental FOIA OFFICER (MS-7438 MIB)  
Office of the Chief Information Officer  
United States Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

## Re: Freedom of Information Act Request

Dear Ms. Mallus:

Pursuant to the Freedom of Information Act, we hereby request, on behalf of Towns of Vernon and Verona, Abraham Acee, and Arthur Strife, copies, in unredacted form, of

- all documents relating, referring, regarding or constituting any communication, whether written or oral, between the Department of the Interior, or any official or employee thereof, and any person, including members of the Oneida Indian Nation ("OIN"), regarding the eighteen (18) acres of land taken into trust for the Oneida Indian Nation in the Town of Verona, located on Germany Road and formerly used by Griffiss Air Force Base;
- all documents relating, referring, regarding or constituting any communication, whether written or oral, between the Department of the Interior, or any official or employee thereof, and the Administrator of General Services, or any official or employee of the General Services Administration, regarding the transfer of the above mentioned land to the Secretary of the Interior pursuant to 40 U.S.C. § 523;

CORNELIUS D. MURRAY  
NEIL H. RIVCHIN  
PETER DANZIGER  
FRED B. WANDER  
STEPHEN R. COFFEY  
JEFFREY J. SHERRIN  
WILLIAM A. FAVREAU  
THOMAS J. DI NOVO  
NANCY SCIOCCHETTI  
PAMELA A. NICHOLS  
MARK G. RICHTER  
DONALD W. BIGGS  
JAMI DURANTE ROGOWSKI  
TINA CHERICONI VERSACI  
HEIDI DENNIS  
ANDREW R. SAFRANKO  
JANE BELLO BURKE  
TIMOTHY S. HART

### OF COUNSEL

RICHARD H. WEISKOPF  
PETER HENNER  
MICHAEL P. McDERMOTT  
DAVID R. ROSS  
JAMES A. SHANNON

KEVIN P. HICKEY  
KURT E. BRATTEN  
WILLIAM F. BERGLUND  
ROBYN B. NICOLL  
KELLY J. MIKULLITZ  
KATHRYN E. JERIAN  
SARA B. FEDELE  
ERIN R. MINDORO

FRANCESCA SOMMER\*  
(HEALTH CARE AND  
REGULATORY ADVISOR)  
\*NOT A MEMBER OF THE LEGAL  
PRACTICE

Town of Verona		2004		2008		Increase/Decrease		School	
swis	2008		2004		2008		2008		School
306200	252.015-2-34	252.015-2-34		\$ 10,600	\$ 40,000	\$		29,400	Oneida City
306200	252.015-2-35	252.015-2-35		\$ 70,000	\$ 1,200,000	\$		1,130,000	Oneida City
306200	284.000-1-17	Formerly Isabeil Kilpatrick			\$ 11,900	\$		11,900	V.V.S.
306200	286.003-3-44	Formerly Terry & Barbara Hartman			\$ 100,000	\$		100,000	V.V.S.
306200	286.003-3-47	Formerly Terry & Barbara Hartman			\$ 125,000	\$		125,000	V.V.S.
306200	298.000-1-30.03	298.000-1-30.3		\$ 9,100	\$ 2,410,000	\$		2,410,000	V.V.S.
306200	298.000-1-35	Formerly Everett Bridger			\$ 75,000	\$		75,000	V.V.S.
306200	298.000-1-38	298.000-1-38			\$ 1,750,000	\$		1,750,000	V.V.S.
306200	298.000-1-39	298.000-1-39		\$ 10,800	\$ 1,750,000	\$		1,750,000	V.V.S.
306200	310.000-1-15.02	310.000-1-15.2		\$ 158,702,620	\$ 362,550,000	\$		362,550,000	V.V.S.
306200	310.000-1-27	310.000-1-27		\$ 4,000,000	\$ 4,000,000	\$		4,000,000	V.V.S.
306200	310.000-2-04	310.000-2-04		\$ 28,100	\$ 160,000	\$		160,000	V.V.S.
				\$ 98,200	\$ 12,050,000	\$		11,951,800	V.V.S.
				Verona total increase:		\$		384,293,100	
Properties in blue were wholly exempt on the 2004 roll.									

**SUMMARY OF CUTS  
BUDGET 2009**

#	Description	Amount of Cut
<b><u>APPROPRIATIONS:</u></b>		
	CONTINGENT ACCOUNT	\$ 75,000
	MOHAWK VALLEY EDGE	\$ 50,000
	NOCCG	\$ 500
	UTICA ZOO	\$ 45,000
	LIBRARIES	\$ 100,000
	MID-YORK LIBRARY	\$ 10,000
	HISTORICAL SOCIETY	\$ 25,992
	OC SOIL & WATER	\$ 20,000
	BOONVILLE FAIR	\$ 2,000
	CNY COMMUNITY ARTS COUNCIL	\$ 10,000
	UTICA MONDAY NIGHT	\$ 10,000
	COOPERATIVE EXTENSION	\$ 50,000
	REIMBURSEMENT FOR PLOWING ROADS	\$ 240,282
	SALARY UPGRADES & NEW POSITION	\$ 470,822
	EHC - TUITION	\$ 77,283
	EQUIPMENT	\$ 42,509
	HERKIMER COLLEGE	\$ 35,000
	MEDICAL EXP. HOSP	\$ 50,000
	DPW MAINT REPAIRS	\$ 30,000
	JAIL UTILITIES	\$ 75,000
	JAIL TEMP HELP	\$ 100,000
<b><u>REVENUES: (INCREASES)</u></b>		
	FUEL FLOWAGE FEES	\$ 150,000
	OTB PROCEEDS **REPEAL Law	\$ 200,000
		\$ 1,869,388

*What is this?*

*rate increase = around 5%*

Oneida County

Vacant Positions Analysis

A1410	11	Senior Clerk	W12	\$18,736	\$18,736
A1185	901	Asst D/A III	P36	\$44,334	\$44,334
A1420	5	Asst County Atty	P22	\$27,260	\$27,260
A4310	4	Dir of Substance Abuse Svcs			DOES NOT EXIST
A6774	113	OCC Social Wkr	W19	\$23,571	\$23,571
K8220	24	Research Analyst	W23	\$27,354	\$0
A3144	28	Probation Officer	W27	\$31,912	\$0
A1173	12	Asst Pub Def PT	P22	\$27,260	DOES NOT EXIST
A4010	3	Office Specialist II	W11	\$18,226	\$18,226
A4018	10	Sr P/H Sanitarian	W30	\$36,001	\$36,001
D5020	10	Asst Civil Engineer	B32	\$39,699	DELETED
A5620	97	Airport Maint Worker	B15	\$21,654	DELETED
A3113	61	Deputy Sheriff Patrol	S01	\$29,983	\$29,983
A6010	363	Prncpal Acct Clerk	W20	\$24,466	\$24,466
A6010	384	Paralegal Asst	W29	\$34,594	\$34,594
A6015	820	Clerk	W40	\$17,718	\$17,718
A6510	7	Vet Service Coord			POSITION DELETED 2006
G8120	6	Sew Maint Equilo OP	B14	\$20,990	\$0
G8130	42	JR WW TP Oper Train	B15	\$21,654	\$0
				\$466,412	\$274,889

*\*Reimb*

**For Comparison**

Code	Name	Ext	CC/OM	# Parcels	Taxable Value
BC001	Svr bld 37	UN		131	<del>459.50</del> 151.50 ✓
BC003	Svr bld 38	UN		259	<del>289.50</del>
FD042	Verona rd1	TO		1,218	<del>470,294,246.00</del> 93,112,440 ✓ <i>VERONA</i>
FD043	Durhamville rd	TO		654	<del>41,198,447.00</del> 41,156,517 ✓ <i>FIELD</i>
FD044	V bch vian	TO		444	<del>30,060,558.00</del> 29,710,158 ✓
FD045	New London fd	TO		723	44,135,777.00
FD046	Verona rd2	TO		242	17,263,910.00 <i>VERONA FIELD</i>
LT047	Verona light	TO	C	437	<del>40,840,648.00</del> 40,594,019 ✓
LT048	Verona light	TO	M	437	33,805,610.00
LT049	Durhamville lt	TO	C	174	10,223,353.00
LT049	Verona bch lt	TO	M	174	10,223,353.00
LT050	Verona bch lt	TO	C	262	<del>17,596,434.00</del> 11,439,034 ✓
LT050	Oreida crk lt	TO	M	262	17,456,634.00
-T051	Fish crk lt	TO	M	98	9,399,841.00
-T051	Fish crk lt	TO	C	98	8,399,841.00
2L001	On pulv lib	TO	M	50	2,543,900.00
3W044	V bch sw37	TO		50	2,543,900.00
3W069	V bch sw38	UN		1,082	<del>79,745,440.00</del> 72,585,710 ✓
3W075	Scndoa sw	UN		116	<del>40.50</del> 139.50 ✓
3W076	Scndoa sw	UN		195	204.50
3W004	Del Wfr-Scnondoa	UN		92	92.00
3W005	Del Wfr-Snyder Rd.	MT		128	157.50
W006	Saranski Tilden Hill	MT		1	186.69
3D043	Verona wd	MT		5	712.70
3D044	Durhamville wd	UN		1	594.98
3D087	V bch wdt1	UN		432	<del>475.00</del> 465.00 ✓
3D087	V bch wdt1	TO	C	225	237.00
3D089	V bch wdt1	TO	C	397	<del>30,479,325.00</del> 29,319,925 ✓
3D092	In wd verona	TO		397	28,752,825.00
3D093	Scndoa wd un	UN		317	<del>353.50</del> 353.52 ✓
3D094	Scndoa wd bs	UN		112	113.50
3D107	Snydr rd wd b	UN		128	158.50
3D107	S&T Wfr. District	UN		44	<del>81.00</del> 64.00 ✓

601

# ROSSI AND MURNANE

Attorneys at Law  
587 Main Street • Suite 302  
New York Mills, New York 13417

TELEPHONE  
(315)733-4671

TELEFAX  
(315)733-4609

DON P. MURNANE  
[dmurnane@rmhlaw.org](mailto:dmurnane@rmhlaw.org)

VINCENT J. ROSSI, JR  
[vrossi@rmhlaw.org](mailto:vrossi@rmhlaw.org)

June 18, 2009

Myron Thurston, Town Supervisor  
Town of Vernon  
P.O. Box 643  
Vernon, New York 13456

Owen Waller, Town Supervisor  
Town of Verona  
6600 Germany Road  
Durhamville, New York 13054

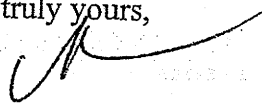
Re: OIN Land into Trust Matter

Gentlemen:

I herewith enclose my bill for legal services rendered in connection with the OIN lawsuit and the proposed Agreement with the County. I would ask that you each pay your respective one-half share of same, namely, \$2,756.25. You will note that at the end of the bill there shows the monies advanced to the Observer Dispatch for the ad in the amount of \$1,290.00 and there later was a refund of the advertising fee from the OD in the amount of \$1,200.00, which is also reflected on this bill.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,



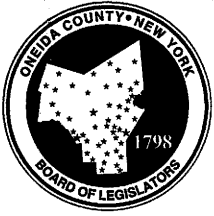
VINCENT J. ROSSI, JR.

VJR:cas  
enclosure

///







# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Susan L. Crabtree  
Clerk  
(315) 798-5901

David J. Wood  
Majority Leader

Michael J. Hennessy  
Minority Leader

7N2009-387

September 14, 2009

## WAYS & MEANS

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

RE: Final Approval of Consolidated Agricultural District # 1 -to Include the Towns of Annsville, Camden, Florence, Vienna (Formerly District 21, Towns of Camden, Annsville and Vienna)

Honorable Members:

Attached is a packet of information for the final approval of the 8-year review of Oneida County Consolidated Agricultural District #1, now including the towns of Annsville, Camden, Florence and Vienna.

It is recommended by the Oneida County Farmland Protection Board to modify the district to include 138 landowners and 18,273.4 acres of farmland. As part of the County's plan to consolidate districts within the County, the boundaries of District #1 were modified to follow municipal boundaries of these towns and the attached documentation will show that this district has been restructured to better reflect geographic boundaries of common agricultural communities.

I respectfully request that this issue be considered by the Board at the meeting of **September 30, 2009.**

Respectfully submitted,

GERALD J. FIORINI  
CHAIRMAN OF THE BOARD

GJF/pp  
attachments

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 14 PM 2:12

114.

<b>ONEIDA COUNTY AGRICULTURAL DISTRICT #1</b>				
<b>EXISTING PARCELS 2009 RENEWAL</b>				
<b>MAP ID#</b>	<b>PIN</b>	<b>OWNER</b>	<b>MUNICIPALITY</b>	<b>CALC. ACRES</b>
1	218.000-1-86.4	Amodio, Leonard, Sr.	Vienna	60.3
2	181.000-1-6.2	Amway, Phillip	Vienna	19.2
3	112.000-1-18	Barbato, Christoper A.	Annsville	69.3
4	200.000-1-83.4	Barnes, Robert Jr	Vienna	22.0
5	76.000-1-13.1	Bartlett, Leon	Annsville	74.9
6	200.000-2-51.1	Berninger, Robert K.	Vienna	44.2
7	198.000-1-26	Biedinger, Henry J.	Vienna	53.5
7	198.000-1-25	Biedinger, Henry J.	Vienna	4.7
7	197.000-1-22.3	Biedinger, Henry J.	Vienna	2.3
8	167.000-1-36.1	Bielby, David W.	Annsville	72.3
8	167.000-1-36.1	Bielby, David W.	Annsville	3.6
8	167.000-1-53.2	Bielby, David W.	Annsville	17.9
8	184.000-2-12.1	Bielby, David	Annsville	34.9
8	184.000-2-12.1	Bielby, David	Annsville	57.3
8	184.000-2-12.1	Bielby, David	Annsville	24.1
9	167.000-1-54	Bielby, Farms	Annsville	53.3
9	184.000-2-6	Bielby, Erwin S., Sr.	Annsville	24.1
9	184.000-2-15.1	Bielby, Erwin S., Sr.	Annsville	7.0
9	184.000-2-15.1	Bielby, Erwin S., Sr.	Annsville	33.8
9	184.000-2-16	Bielby, Erwin S., Sr.	Annsville	33.2
9	184.000-2-6	Bielby, Erwin S., Sr.	Annsville	27.6
9	184.000-2-73	Bielby, Erwin S.	Annsville	69.9
9	184.000-2-73	Bielby, Erwin S.	Annsville	19.8
9	184.000-2-75	Bielby, Farms	Annsville	15.4
9	184.000-2-76	Bielby, Erwin S.	Annsville	29.1
9	184.000-2-43	Bielby, Erwin S.	Annsville	40.7
9	184.000-2-47	Bielby, Erwin S.	Annsville	1.8
9	184.000-2-43	Bielby, Erwin S.	Annsville	4.0
9	184.000-2-43	Bielby, Erwin S.	Annsville	4.1
9	184.000-2-42	Bielby, Erwin S., Sr.	Annsville	38.4
10	184.000-2-5	Bird, Ran De L.	Annsville	53.1
11	93.000-2-11	Blake, Andrew & Cecil, F C.	Annsville	116.4
11	93.000-2-11	Blake, Andrew & Cecil, F C.	Annsville	62.9
11	111.000-1-10	Blake, Andrew & Cecil, F C.	Annsville	127.9
11	111.000-1-12	Blake, Andrew	Annsville	18.5
11	111.000-1-12	Blake, Andrew	Annsville	77.5
12	58.000-1-5	Blake, James P.	Annsville	38.3
12	111.000-1-9.1	Blake, James P.	Annsville	135.1
13	168.000-2-24	Boardman, Alfred G.	Annsville	114.8
14	168.000-2-23.1	Boardman, Alfred G., Jr.	Annsville	181.8
14	168.000-2-23.1	Boardman, Alfred G., Jr.	Annsville	0.1
14	168.000-2-23.1	Boardman, Alfred G., Jr.	Annsville	0.8
15	167.000-2-1.1	Boardman, I.	Annsville	131.8
15	185.000-2-40	Boardman, I.	Annsville	12.1
16	168.000-2-33.1	Boardman, I.	Annsville	10.4
17	185.000-2-8.1	Boardman, John	Annsville	50.3
18	112.000-1-7	Boncella, Frances M.	Annsville	49.9
18	112.000-1-20.1	Boncella, Frances M.	Annsville	119.0

<u>MAP ID#</u>	<u>PIN</u>	<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>CALC. ACRES</u>
18	112.000-1-20.1	Boncella, Frances M.	Annsville	62.3
19	112.000-1-8	Boncella, John	Annsville	70.4
19	112.000-1-21.1	Boncella, John	Annsville	57.0
19	112.000-1-8	Boncella, John	Annsville	41.2
19	112.000-1-24	Boncella, John	Annsville	70.3
19	131.000-1-7.1	Boncella, John	Annsville	47.0
19	131.000-1-7.1	Boncella, John	Annsville	48.5
20	185.000-2-41.2	Brodock, Neil	Annsville	116.5
20	201.000-2-30	Brodock, Neil	Vienna	29.7
20	219.000-2-15.3	Brodock, Neil	Vienna	15.8
20	184.000-2-27.3	Brodock, Neil	Annsville	10.9
20	184.000-2-27.4	Brodock, Neil	Annsville	23.2
20	184.000-2-27.4	Brodock, Neil	Annsville	0.8
21	76.000-1-9	Burke, Daniel B.	Annsville	26.9
21	94.000-1-7	Burke, Daniel B.	Annsville	18.8
21	94.000-1-7	Burke, Daniel B.	Annsville	253.6
21	95.000-3-26	Burke, Daniel B.	Annsville	177.7
21	94.000-1-8	Burke, Daniel B.	Annsville	51.0
21	112.000-1-6	Burke, Daniel B.	Annsville	25.6
22	94.000-1-24.1	Burke, Timothy J.	Annsville	70.8
22	94.000-1-24.1	Burke, Timothy J.	Annsville	18.3
23	168.000-2-17.1	Cable, Alma M.	Annsville	37.7
23	168.000-2-17.1	Cable, Alma M.	Annsville	1.6
24	94.000-1-35	Calabrese, Louis F. Jr.	Annsville	51.1
24	94.000-1-34	Calabrese, Louis F. Jr.	Annsville	135.8
24	94.000-1-34	Calabrese, Louis F. Jr.	Annsville	75.8
25	112.000-1-12	Charosia, Theadore	Annsville	34.2
25	112.000-1-12	Charosia, Theadore	Annsville	25.1
25	112.000-1-12	Charosia, Theadore	Annsville	51.7
25	112.000-1-12	Charosia, Theadore	Annsville	14.3
25	112.000-1-10	Charosia, Theodore	Annsville	18.6
25	112.000-1-10	Charosia, Theodore	Annsville	26.2
26	199.000-1-25.2	Chauncey, Ronald R.	Vienna	33.2
26	217.000-1-14.2	Chauncey, Ronald R.	Vienna	6.5
26	217.000-1-10	Chauncey, Ronald R.	Vienna	5.0
26	217.000-1-9	Chauncey, Ronald R.	Vienna	2.2
27	164.000-1-18	Clark, Frederick W.	Vienna	27.5
28	164.000-2-9.2	Clark, Gary L.	Camden	59.4
28	164.000-2-18.1	Clark, Gary L.	Camden	154.7
28	164.000-2-18.1	Clark, Gary L.	Camden	12.5
29	164.000-2-8.1	Clark, Ronald C.	Camden	24.1
29	164.000-2-8.1	Clark, Ronald C.	Camden	72.2
30	218.000-1-37	Clifford, Catherine	Vienna	30.5
31	237.000-1-38	Collins, Calvin	Vienna	19.2
31	237.000-1-38	Collins, Calvin	Vienna	39.7
31	237.000-1-38	Collins, Calvin	Vienna	97.4
31	237.000-1-33.1	Collins, Calvin	Vienna	43.1
31	237.000-1-33.1	Collins, Calvin	Vienna	31.8
32	218.000-1-98.3	Collins, James	Vienna	65.1
33	216.000-2-3	Congden, Elinor J.	Vienna	66.3
33	216.000-2-3	Congden, Elinor J.	Vienna	118.3

<u>MAP ID#</u>	<u>PIN</u>	<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>CALC. ACRES</u>
34	93.000-2-10	Couture, Roy J.	Annsville	96.6
34	93.000-2-10	Couture, Roy J.	Annsville	118.8
34	93.000-2-10	Couture, Roy J.	Annsville	76.5
35	184.000-2-27.1	Curley Family Enterprises	Annsville	13.5
35	184.000-2-27.1	Curley Family Enterprises	Annsville	1.7
35	184.000-2-27.1	Curley Family Enterprises	Annsville	0.5
35	184.000-2-27.1	Curley Family Enterprises	Annsville	0.7
36	108.000-2-21	Dale, Daniel L.	Camden	57.5
36	108.000-2-21	Dale, Daniel L.	Camden	38.9
37	237.000-1-47	Dence, James B.	Vienna	16.2
37	237.000-1-48.1	Dence, James B.	Vienna	228.2
37	237.000-1-47	Dence, James B.	Vienna	85.0
37	237.000-1-42	Dence, James B.	Vienna	38.1
37	237.000-1-48.1	Dence, James B.	Vienna	35.6
38	199.000-1-31.2	Dimick, Scott M.	Vienna	10.1
39	199.000-1-23.11	Dixon, Michael	Vienna	45.1
40	199.000-1-36	Dixon, Nicholas Jr.	Vienna	39.4
40	199.000-1-36	Dixon, Nicholas Jr.	Vienna	34.0
41	76.000-1-10	Dixon, Thomas J.	Annsville	99.1
42	185.000-2-42	Duell, Kathryn E.	Annsville	16.9
43	218.001-1-36.1	Eckel, Aaron T.	Vienna	1.6
43	218.000-1-72	Eckel, Aaron T.	Vienna	61.8
43	218.000-1-71	Eckel, Aaron T.	Vienna	74.6
43	237.000-1-52	Eckel, Aaron T.	Vienna	17.2
43	218.000-1-11.1	Eckel, Aaron T.	Vienna	78.4
44	237.000-1-39	Eckel, James V.	Vienna	112.1
44	237.000-1-22.2	Eckel, James V.	Vienna	12.0
44	237.000-1-22.1	Eckel, James V.	Vienna	47.1
44	237.000-1-22.1	Eckel, James V.	Vienna	37.7
44	237.000-1-22.1	Eckel, James V.	Vienna	14.1
45	128.000-1-25	Edgerton, Gordon L., Jr.	Camden	14.2
45	128.000-1-38	Edgerton, Gordon L., Jr.	Camden	59.2
45	128.000-1-38	Edgerton, Gordon L., Jr.	Camden	163.8
46	199.000-1-23.1	Fidler, Mark E.	Vienna	4.3
47	200.000-1-3.1	Foster, Thomas J. II	Vienna	22.4
48	201.000-2-45	Gafner, George	Vienna	253.9
48	201.000-1-35	Gafner, George	Vienna	26.3
48	201.000-2-45	Gafner, George	Vienna	20.8
48	201.000-2-45	Gafner, George	Vienna	82.0
48	201.000-2-45	Gafner, George	Vienna	0.3
48	201.000-2-45	Gafner, George	Vienna	1.3
48	201.000-2-45	Gafner, George	Vienna	0.1
49	198.000-1-23	Gallagher, Hugh C.	Vienna	31.8
49	216.000-1-15.1	Gallagher, Hugh C.	Vienna	22.9
50	180.000-1-36	Hanvey, Brett and Kristin	Vienna	17.1
51	94.000-1-25	Harosia, Bonnie	Annsville	68.9
52	200.000-1-4	Hartzog, Myron L.	Vienna	21.1
53	113.000-2-3.1	Hogue, Troy D.	Annsville	38.1
54	128.000-1-67	Hurley, James	Camden	50.3
54	128.010-1-1.1	Hurley, James	Camden (Village)	11.4
55	200.000-1-56.1	Isensee, Robert	Vienna	65.5

MAP ID#	PIN	OWNER	MUNICIPALITY	CALC. ACRES
56	184.000-2-27.2	Jutzeler, Mark	Annsville	6.2
56	184.000-2-27.2	Jutzeler, Mark	Annsville	18.3
56	184.000-2-27.2	Jutzeler, Mark	Annsville	7.2
56	184.000-2-33.1	Jutzeler, Mark	Annsville	103.3
57	199.000-1-23.10	Karlen, John W.	Vienna	12.3
58	127.000-1-54	Kikta, Randy P.	Camden	34.3
59	218.000-1-77.1	King, Sandra	Vienna	43.8
59	218.000-1-77.1	King, Sandra	Vienna	0.5
60	218.000-1-36	Klein, Judy A.	Vienna	76.6
60	218.000-1-28	Klein, Judy A.	Vienna	11.9
61	218.000-1-86.10	Kolonko, Stanley	Vienna	16.5
62	131.000-1-14	Kwasowsky, Roman	Annsville	16.9
62	131.000-1-14	Kwasowsky, Roman	Annsville	49.5
62	131.000-1-21	Kwasowsky, Roman	Annsville	402.8
62	131.000-1-21	Kwasowsky, Roman	Annsville	7.1
63	218.000-1-8.5	Lago, John E.	Vienna	34.0
64	200.000-1-75.1	Lambrych, Edward	Vienna	82.4
64	218.000-1-58.6	Lambrych, Edward	Vienna	40.8
64	218.000-1-12	Lambrych, Edward	Vienna	32.2
64	218.000-1-86.1	Lambrych, Edward	Vienna	49.2
64	218.000-1-27.4	Lambrych, Edward	Vienna	57.5
65	93.000-2-5	Lappin, John R.	Annsville	161.5
65	93.000-2-6	Lappin, John R.	Annsville	22.9
65	93.000-2-13	Lappin, John R.	Annsville	118.1
65	93.000-2-17	Lappin, John R.	Annsville	50.3
65	93.000-2-16	Lappin, John R.	Annsville	0.5
66	198.000-2-18.6	Leach, Norman Sr.	Vienna	84.8
66	216.000-2-2.1	Leach, Norman Jr.	Vienna	1.2
66	216.000-2-2.2	Leach, Norman Jr.	Vienna	2.5
66	216.000-2-2.1	Leach, Norman Jr.	Vienna	44.4
67	217.000-1-5	Leos, Jon Paul	Vienna	21.4
67	217.000-1-5	Leos, Jon Paul	Vienna	56.8
68	198.000-2-19	Leos, Richard J. Sr.	Vienna	130.1
69	168.000-2-31.1	Lewis, Frederick J.	Annsville	44.3
69	168.000-2-31.1	Lewis, Frederick J.	Annsville	45.4
70	184.000-2-20.1	Link, Jon	Annsville	83.0
70	184.000-2-20.1	Link, Jon	Annsville	32.9
71	199.000-1-23.4	Loomis, Randall	Vienna	74.0
72	184.000-2-83	Loveless, Spencer	Annsville	128.0
72	184.000-2-83	Loveless, Spencer	Annsville	22.4
73	168.001-2-1	Ludwin, Leo	Annsville	32.4
73	166.000-2-4	Ludwin, Shirley H.	Annsville	53.8
73	166.000-2-4	Ludwin, Shirley H.	Annsville	2.6
73	168.001-2-3	Ludwin, Leo	Annsville	9.2
73	168.001-2-3	Ludwin, Leo	Annsville	58.8
73	168.000-2-26	Ludwin, Leo & Shirley H. J.	Annsville	146.8
73	168.000-2-26	Ludwin, Leo & Shirley H. J.	Annsville	107.7
73	168.000-2-26	Ludwin, Leo & Shirley H. J.	Annsville	54.3
74	113.000-2-1	Martin , William R.	Annsville	130.9
74	113.000-2-1	Martin , William R.	Annsville	69.9
75	218.000-1-62	McCall, Mary K.	Vienna	34.2

<u>MAP ID#</u>	<u>PIN</u>	<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>CALC. ACRES</u>
76	112.000-1-2	Mickolyzck, Robert	Annsville	30.5
76	112.000-1-28	Mickolyzck, Robert	Annsville	180.2
77	200.000-2-37	Morgan, Christina	Vienna	22.4
78	200.000-2-36	Morgan, Walter E.	Vienna	1.5
79	150.000-1-1.3	Nobis, Anthony F.	Annsville	88.4
79	150.000-1-1.2	Nobis, Anthony F.	Annsville	5.6
79	150.000-1-1.3	Nobis, Anthony F.	Annsville	88.4
79	150.000-1-1.2	Nobis, Anthony F.	Annsville	5.6
80	130.000-1-28.1	Nobis, Douglas	Annsville	56.5
80	130.000-1-29.1	Nobis, Douglas	Annsville	13.7
80	131.000-1-25.6	Nobis, Douglas	Annsville	67.5
80	131.000-1-25.6	Nobis, Douglas	Annsville	14.2
80	131.000-1-25.6	Nobis, Douglas	Annsville	10.1
81	150.000-1-30	Nobis, Joseph & John, P F.	Annsville	115.0
81	149.000-2-20.1	Nobis, Joseph & John, P. F.	Annsville	72.3
81	149.000-2-20.1	Nobis, Joseph & John, P. F.	Annsville	0.8
82	145.000-1-25	Norton, Charles	Camden	130.4
82	146.000-1-45	Norton, Charles	Camden	18.3
82	146.000-1-44	Norton, Charles	Camden	69.5
82	146.000-1-45	Norton, Charles	Camden	11.6
82	146.000-1-45	Norton, Charles	Camden	58.9
82	146.000-1-45	Norton, Charles	Camden	50.8
82	163.000-2-3.1	Norton, Charles	Camden	121.3
82	163.000-2-3.1	Norton, Charles	Camden	0.1
82	163.000-2-3.1	Norton, Charles	Camden	12.9
83	218.000-1-8.3	Pantzer, Russell A.	Vienna	26.6
84	165.000-1-6	Parry, Henry & Charles	Camden	104.8
84	165.000-1-6	Parry, Henry & Charles	Camden	157.6
85	199.000-1-23.7	Petrella, Frank	Vienna	17.4
86	200.000-2-14.2	Petrie, Howard T.	Vienna	6.4
87	147.000-1-44	Phillips, George Andy G.	Camden	48.4
87	147.000-1-69	Phillips, George	Camden	145.2
87	147.000-1-69	Phillips, George	Camden	216.7
87	147.000-1-69	Phillips, George	Camden	165.9
87	147.000-1-70	Phillips, George & Andy G.	Camden	5.0
87	147.000-1-69	Phillips, George	Camden	148.6
87	147.000-1-71	Phillips, George & Andy G.	Camden	1.2
87	148.000-1-48.1	Phillips, George & Andy G.	Camden	90.1
87	148.000-1-48.1	Phillips, George & Andy G.	Camden	21.8
87	148.000-1-48.1	Phillips, George & Andy G.	Camden	94.4
88	200.000-1-21.1	Prest, Robert J.	Vienna	30.9
88	200.000-1-21.1	Prest, Robert J.	Vienna	5.1
89	166.000-2-3	Reilly, Donald E.	Annsville	82.6
89	166.000-2-3	Reilly, Donald E.	Annsville	15.1
90	166.000-2-2	Reilly Living Trust	Annsville	1.0
90	166.000-2-13.3	Reilly Living Trust	Annsville	116.1
90	166.000-2-6	Reilly Living Trust	Annsville	10.7
90	166.000-2-7	Reilly Living Trust	Annsville	41.2
91	217.000-2-12	Ren, Edwin	Vienna	106.2
91	217.000-2-12	Ren, Edwin	Vienna	15.6
91	217.000-2-12	Ren, Edwin	Vienna	38.7

<u>MAP ID#</u>	<u>PIN</u>	<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>CALC. ACRES</u>
92	237.000-1-57	RLW Land Trust	Vienna	39.5
92	237.000-1-50.1	RLW Land Trust	Vienna	40.2
92	237.000-1-56.1	RLW Land Trust	Vienna	34.2
93	218.000-1-53.1	Rockwell, Richard	Vienna	26.3
94	199.000-1-8.10	Roney, James P.	Vienna	15.8
94	199.000-1-8.2	Roney, James P.	Vienna	2.3
94	199.000-1-25.3	Roney, James P.	Vienna	3.6
94	199.000-1-25.8	Roney, James P.	Vienna	5.2
94	199.000-1-31.1	Roney, James P.	Vienna	22.4
94	199.000-1-31.1	Roney, James P.	Vienna	22.4
95	113.000-2-3.2	Savoia, Peter	Annsville	24.7
96	199.000-1-23.9	Semo, James B.	Vienna	12.2
97	112.000-1-19	Smothers, Andrew M.	Annsville	24.1
98	131.000-1-3	Smothers, Andrew R.	Annsville	86.1
99	184.000-2-44.3	Stagner, Donald & Henry	Annsville	29.4
99	202.000-1-1.1	Stagner, Donald & Henry	Vienna	306.8
99	202.000-1-1.1	Stagner, Donald & Henry	Vienna	0.7
99	202.000-1-1.2	Stagner, Donald & Henry	Vienna	0.0
99	202.000-1-1.3	Stagner, Donald & Henry	Vienna	0.0
99	202.000-1-1.1	Stagner, Donald & Henry	Vienna	1.6
99	202.000-1-1.1	Stagner, Donald & Henry	Vienna	167.9
99	202.000-1-1.1	Stagner, Donald & Henry	Vienna	1.3
99	202.000-1-4	Stagner, Donald & Henry	Vienna	102.8
99	201.000-2-33.3	Stagner, Donald & Henry	Vienna	41.3
100	76.000-1-15	Stanlevich, Brenda	Annsville	145.1
101	76.000-1-17	Stanlevich, Ronald	Annsville	54.8
102	76.000-1-11	Stanlevich, V.	Annsville	10.1
103	185.000-2-78.1	Superior Homes of Central NY	Annsville	72.6
103	218.000-1-38.1	Superior Homes of Central NY	Vienna	2.3
104	217.000-1-41	Talbot, Linda	Vienna	5.2
104	217.000-1-42.2	Talbot, Linda	Vienna	10.1
105	217.000-1-42.4	Talbot, Olin W.	Vienna	7.2
106	201.000-2-26	Teelin, Anne L.	Vienna	113.1
106	201.000-2-24.1	Teelin, Anne L.	Vienna	38.7
107	199.000-1-26	Tilton, Kenneth	Vienna	15.3
107	199.000-1-26.1	Tilton, Kenneth & Kathleen	Vienna	1.4
108	179.000-1-20.1	Treen, Phillip	Vienna	54.5
109	94.000-1-11	Trinka, Andrew	Annsville	23.7
109	95.000-3-23.1	Trinka, Andrew	Annsville	30.3
109	94.000-1-12	Trinka, Andrew	Annsville	57.3
109	94.000-1-12	Trinka, Andrew	Annsville	25.6
110	184.000-2-17	Tucker, Alan K.	Annsville	42.7
110	184.000-2-17	Tucker, Alan K.	Annsville	6.0
110	184.000-2-26	Tucker, Alan K.	Annsville	51.1
110	184.000-2-26	Tucker, Alan K.	Annsville	17.4
110	185.000-2-43	Tucker, Alan K.	Annsville	8.2
110	185.000-2-43	Tucker, Alan K.	Annsville	8.1
111	199.000-1-25.7	Turk, Rick C.	Vienna	43.8
111	199.000-1-24.1	Turk, Rick	Vienna	29.2
111	199.000-1-7.1	Turk, Rick	Vienna	0.0
111	199.000-1-7.1	Turk, Rick	Vienna	18.0



<u>MAP ID#</u>	<u>PIN</u>	<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>CALC. ACRES</u>
111	199.000-1-25.5	Turk, Rick C.	Vienna	5.0
112	199.000-1-7.2	Turk, Ronald S.	Vienna	87.4
112	199.000-1-8.7	Turk, Ronald S.	Vienna	180.9
112	199.000-1-7.2	Turk, Ronald S.	Vienna	29.6
112	199.000-1-29.1	Turk, Ronald S.	Vienna	4.0
113	150.000-2-15	Tuthill, Verne	Annsville	209.9
113	150.000-2-15	Tuthill, Verne	Annsville	2.9
114	217.000-2-18	Warcup, Jared	Vienna	31.2
114	217.000-2-18	Warcup, Jared	Vienna	117.0
114	217.000-2-18	Warcup, Jared	Vienna	3.9
114	200.000-2-14.1	Warcup, Jared	Vienna	50.2
115	113.000-2-14	Washeski, Joseph J.	Annsville	20.5
115	113.000-2-10	Washeski, Joseph J.	Annsville	96.5
116	131.000-1-13.1	Washeski, Stanley	Annsville	39.5
116	131.000-1-13.1	Washeski, Stanley	Annsville	96.5
116	131.000-1-13.1	Washeski, Stanley	Annsville	2.6
117	112.000-1-17.1	Washeski, Thomas J.	Annsville	24.6
117	112.000-1-17.1	Washeski, Thomas J.	Annsville	39.2
118	199.000-1-27	Wells Fargo Bank	Vienna	1.1
119	184.000-2-82	Whaley, Thomas	Annsville	215.8
119	184.000-2-82	Whaley, Thomas	Annsville	0.5
120	199.000-1-21.1	Williams, Charles	Vienna	5.7
120	199.000-1-21.1	Williams, Charles	Vienna	43.7
121	111.000-1-1.2	Willson, Glenn H.	Annsville	84.0
121	111.000-1-2.1	Willson, Glenn H.	Annsville	12.5
121	111.000-1-3.2	Willson, Glenn H.	Annsville	4.8
121	111.000-1-2.1	Willson, Glenn H.	Annsville	23.1
121	110.000-3-1	Willson, Glenn H.	Annsville	51.4
121	110.000-3-2	Willson, Glenn H.	Annsville	55.9
121	110.000-2-16.1	Willson, Glenn H.	Camden	5.1
121	110.000-1-10.1	Willson, Glenn H.	Florence	23.4
121	110.000-1-12.1	Willson, Glenn H.	Florence	7.8
121	110.000-1-12.1	Willson, Glenn H.	Florence	27.1
122	129.000-1-6	Willson, Lucile B.	Camden	71.0
123	168.000-2-11.3	Willson, Rodney A.	Annsville	152.6
123	167.000-1-57	Willson, Rodney A.	Annsville	29.0
124	130.000-1-53.8	Willson, Scott E.	Annsville	75.7
125	237.000-1-24.1	Woodcock, Doris Z.	Vienna	44.5
126	218.000-1-97.1	Woodcock, Harold	Vienna	62.2
126	217.000-2-19	Woodcock, Harold	Vienna	6.6
126	217.000-2-19	Woodcock, Harold	Vienna	46.9
126	218.000-1-97.3	Woodcock, Harold	Vienna	8.1
126	237.000-1-3.1	Woodcock, Harold	Vienna	78.1
126	218.000-1-96	Woodcock, Harold	Vienna	0.1
126	218.000-1-96	Woodcock, Harold	Vienna	0.4
126	218.000-1-96	Woodcock, Harold	Vienna	0.2
126	237.000-1-3.1	Woodcock, Harold	Vienna	3.0
126	237.000-1-51	Woodcock, Harold	Vienna	21.8
126	218.000-1-96	Woodcock, Harold	Vienna	70.7
128	168.000-2-23.2	Boardman, Joseph H., Sr.	Annsville	22.6
				{9-8-09}

<b>ONEIDA COUNTY NYS AGRICULTURAL DISTRICT #1</b>				
<b>NEW PARCELS 2009</b>				
<b>MAP ID#</b>	<b>PIN</b>	<b>OWNER</b>	<b>MUNICIPALITY</b>	<b>CALC ACRES</b>
44	237.000-1-67	Eckel, James	Vienna	5.5
44	237.000-1-67	Eckel, James	Vienna	15.8
84	165.000-1-67	Parry, Henry & Charles	Camden	94.4
84	165.000-1-67	Parry, Henry & Charles	Camden	1.6
84	165.000-1-68	Parry, Henry & Charles	Camden	50.2
127	148.000-1-48.2	Young, Jeff & Susan	Camden	4.8
129	112.000-1-25.2	Harosia, Isaiah	Annsville	99.2
129	112.000-1-27	Harosia, Isaiah	Annsville	88.2
129	131.000-1-4.1	Harosia, Isaiah	Annsville	24.7
130	111.000-1-26	Oram, Michael & Mollie	Annsville	45.0
130	129.000-2-5.1	Oram, Michael & Mollie	Annsville	188.3
130	149.000-1-1.1	Oram, Michael & Mollie	Annsville	46.9
130	149.000-1-7	Oram, Michael & Mollie	Annsville	77.6
131	201.000-2-41	Osterhoudt, Holly	Vienna	9.9
131	201.000-2-47	Osterhoudt, Holly	Vienna	0.5
131	201.000-2-74.1	Osterhoudt, Holly	Vienna	12.0
132	109.000-2-60.1	Brown, Jirard	Camden	7.4
132	109.000-2-60.1	Brown, Jirard	Camden	49.3

**ONEIDA COUNTY DEPARTMENT OF PLANNING REPORT  
ONEIDA COUNTY AGRICULTURAL DISTRICT NO. 1  
ANNSVILLE-CAMDEN-FLORENCE-VIENNA  
SEPTEMBER 2009**

I. INTRODUCTION

Oneida County Agricultural District No. 1 (OC-1) includes agricultural lands in the towns of Annsville, Camden, Florence, and Vienna. OC-1 was combined with several existing districts (OC-5, OC-13, OC-20, and OC-21) as part of the county's consolidation of agricultural districts. The anniversary of district #21 was chosen as the renewal date for the new district #1. OC-21 was created on September 28, 1977, and was renewed in 1985, 1993, and 2001. As part of the county's consolidation process Agricultural District #21 is renamed to Agricultural District #1.

II. FACTORS TO BE CONSIDERED IN THE REVIEW OF AN AGRICULTURAL DISTRICT

The procedure, set forth in Section 303-a of New York State Agricultural Markets Law, requires that reports regarding specific factors be made to the County legislative body by the Farmland Protection Board as part of an agricultural district review and renewal. Those factors, and the findings made, are set forth in the following sections.

III. DISCUSSION

A total of 132 landowners, owning 18, 273.4 acres of farmland, have expressed a desire to be in the new consolidated district #1. These landowners, together with the specific parcels and acreages to be enrolled in the modified district, are shown on the attached list.

When originally formed, OC-21 included 15 farms and 4,479 acres. The number of farms increased to 18 but the number of acres decreased to 4,199 when the district was renewed in 1985. In 1993, the number of farms increased to 30 and the acreage increased to 5,303. In 2001 the district was renewed to include portions of other districts partially within the Towns of Annsville, Camden, Florence, and Vienna as part of the county's plan for the consolidation of agricultural districts. As a result of the consolidation, the number of landowners included in the district in 2001 grew to 78 and the number of acres in the district increased to 14, 381.64 acres.

IV. FINDINGS MADE BY THE ONEIDA COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

- (1) The nature of farming and farm resources within such district;

District #1 has a variety of agricultural operations with dairy and field crops comprising the majority of agricultural uses. There are also beef cattle operations, horse farms, honey and maple syrup producers. In addition, there are many woodlots

included on farms enrolled in the district, which some farmers use for selling firewood and lumber.

- (2) The overall status of farming, the farm economy, and farm investment;

Farming is the predominant land use in the Towns of Annsville, Camden, and Vienna, and to a lesser extent in the Town of Florence. Currently, there are only two properties within the Town of Florence. The low price of milk and other agricultural products has resulted in financial difficulties for many farmers, and has limited the amount of money farmers can invest in new equipment and other improvements. A few farms in the district have made substantial investment in dairy expansions.

- (3) The extent to which the number of farms and farm acres in such district furthers the purposes for which such district was originally created;

OC-1 was created to encourage continuation of farming in the Towns of Annsville, Camden, and Vienna. The number of acres to be included in the district has increased due to the consolidation of agricultural districts within Oneida County. OC-1 is the first district to be consolidated by municipal boundaries. The new district includes the former districts 20 and 21 and portions of districts 5 and 13

- (4) The extent to which the district has achieved its original objectives;

Farming continues to be one of the predominant uses of land in Annsville, Camden, and Vienna and to a lesser extent, the Town of Florence. By and large, the district has served to retain farmland in agricultural production over time. Threats to continued agricultural production include an increase in residential development along rural roads and low prices for milk and other agricultural products, which makes it difficult for farmers to remain in business or to sell land for continued agricultural use.

- (5) Any county agricultural and farmland protection planning or implementation efforts pursuant to article 25AAA of this chapter; and

The county developed a Farmland Protection Plan. The following three main objectives were outlined the plan: 1) Agricultural Economic Development- foster an economic climate that supports and promotes the retention and expansion of agricultural businesses within the county; 2) Ag Awareness/Ag Promotion- educate consumers as to the importance of agriculture in today's society, encourage agricultural producers to explore more direct marketing methods and alternative enterprises; and 3) Farmland Protection- to make government, primarily at the town and county level, more sensitive to the needs of agriculture.

In related efforts, the County adopted a right-to-farm law in January 1998. The County has also hired an agricultural economic development specialist whose efforts

are expected to help existing farmers stay in business and enable retiring farmers to sell their land to buyers who will continue to farm the land.

Oneida County has also established a Purchase of Development Rights (PDR) Committee to spearhead the process of establishing a PDR program in the county through the New York State Department of Agriculture and Markets PDR grant program. The County expects to submit its first application in the 2009-2010 round of grants. One of the potential applications is within District #1.

- 6) Recommendations to continue, terminate, or modify such district.

The Oneida County Agricultural and Farmland Protection Board recommends that Agricultural District No. 1 be modified to include the 138 landowners and 18,273.4 acres of farmland shown on the attached list, and that the district, as modified, be renewed for an additional eight years.

#### V. RECOMMENDATION

The Oneida County Agricultural and Farmland Protection Board recommend that Agricultural District No. 1 be modified to include the 138 landowners and 18,273.4 acres of farmland shown on the attached list. It is further recommended that the Oneida County Board of Legislators renew the district, as modified, for an additional eight-year period, and forward the modified district to the NYS Commissioner of Agriculture and Markets for approval and recertification

AGDISTRICTOC1REPORT

9/8/09

1251

**ONEIDA COUNTY AGRICULTURAL DISTRICT NO. 1  
ANNSVILLE-CAMDEN-FLORENCE-VIENNA  
GENERAL DESCRIPTION OF DISTRICT  
SEPTEMBER 2009**

The western boundary of OC-1 is the Oswego County Line. The Verona Town Line forms the southern boundary. The eastern boundaries are the Ava and Lee Town Lines and the City of Rome Line. The northern boundary is the Lewis County Line.

PROJECT I.D. NUMBER  
OC-1

617.21  
Appendix C  
State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only

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

1. APPLICANT/SPONSOR Oneida County Board of Legislators	2. PROJECT NAME Agricultural District 1 (OC-1)
3. PROJECT LOCATION: Municipality: Towns of Annsville, Camden, Florence, & Vienna County: Oneida	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) OC-1's northern boundary is the Lewis County Line. The southern boundary is the Verona Town Line and the Rome City Line. The Oswego County Line is the western boundary. The Ava and Lee Town Lines form the eastern boundary.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification	
6. DESCRIBE PROJECT BRIEFLY: The eight year review of Oneida County Agricultural District 1 (OC-1) [former District OC-21] and its extension for eight years with modifications.	
7. AMOUNT OF LAND AFFECTED: Initially: 14,381.6 acres      Ultimately: 18,273.4 acres (+3,891.8 acres)	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If yes, list agency name and permit/approval: New York State Department of Agriculture and Markets.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If yes, list agency name and permit/approval: Agricultural District OC-21 has been in existence for the past 32 years. The proposed action, if approved, will modify the existing district to reflect the changes over the past eight years, or if disapproved, will continue the existing district unchanged for and an additional eight-year term.	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Application/sponsor Name: John R. Kent, Jr., Commissioner, Oneida County Department of Planning      Date: 9/8/09	
Signature: <u>John R. Kent Jr.</u>	

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

**PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: Yes. Potential effect to air quality caused by odor, effects to surface or groundwater caused by farming practices, and erosion if livestock permitted direct access to stream banks. (See attached Determination of Significance)

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
 No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
 No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain Briefly:  
 No. Proposed action may result in beneficial effects. (See attached Determination of Significance)

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
 No. (See attached Determination of Significance)

C6. Long term, short term, cumulative, or other effects not identified in C1-5? Explain briefly:  
 No.

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

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?  
 Yes  No

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

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

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probably of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

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

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

Oneida County Board of Legislators  
 Name of Lead Agency

<p>_____</p> <p>Gerald J. Fiorini</p> <p>Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____</p> <p>Chairman</p> <p>Title of Responsible Officer</p>
<p>_____</p> <p>Signature of Responsible Officer in Lead Agency</p>	<p>_____</p> <p><i>John R. Kent Jr.</i></p> <p>Signature of Prepared (If different from responsible officer)</p>

9/8/09  
Date

128



617.21  
Appendix C  
State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

Part III - Determination of Significance

Re: Oneida County Agricultural District 1 (OC - 1)

The following paragraphs include responses to questions C1 through C5 of Part II of the Environmental Assessment Form.

- C1) While the attached Environmental Assessment - Part II, C1 notes a potential adverse effect caused by the agricultural activity with regard to odor, surface and groundwater quality, and erosion, the effect is not considered substantial, large or otherwise significant. The area is predominantly agricultural with scattered rural residences and woodland. Additionally, the duration and reversibility of any such potential impact is highly controllable through the implementation of Agricultural Best Management Practices, which will also further reduce the likelihood of the adverse effects occurring.
- C2) With regard to aesthetic, agricultural resources and community character discussed in Part II, C2, the proposed agricultural use will have no adverse effects and may, in fact, have beneficial effects by encouraging the continuation of existing land uses as agriculture and open space. (See the discussion of C4 and C5 below)
- C3) With regard to vegetation and wildlife habitat discussed in Part II, C3, the agricultural uses of lands may have a beneficial effect in creating wildlife habitat and, in some cases of crop production, providing a source of food supply for wildlife.
- C4) Regarding potential impacts to a community's existing plans or land use goals discussed in Part II, C4, the modification of Agricultural District 1 (OC -1 ) will not be in conflict with existing plans or land use goals within the Towns of Annsville, Camden, Florence, or Vienna.
- C5) Regarding potential adverse impacts associated with topics discussed within Part II, C5, including: growth, subsequent development, or related activities induced by the proposed action, the continuation of land as agriculture and open space, in combination with the intent of the NYS Agricultural and Markets Law, will further control growth and development in all municipalities within OC-1.

617.12  
Appendix F  
State Environmental; Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number OC-1Date 9/8/09

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Oneida County Board of Legislators, as lead agency, has determined that the proposed action described below will not have significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Oneida County Agricultural District 1 (OC-1)

**SEQR status:**           Type I     
                                  Unlisted   

**Conditional Negative Declaration:**    Yes  
    No

**Description of Action:**   The eight-year review of existing Agricultural District OC-1 and its extension with modifications for eight additional years.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriated scale is also recommended.) The district extends from the Oswego County Line east to the Ava and Lee Town Lines, and from the Lewis County Line south to the Verona Town Line and the Rome City Line.

**Reasons Supporting This Determination:**

(See 617.6(g) for requirements of this determination: see 617.6(h) for Conditional Negative Declaration)

**If Conditional Negative Declaration**, Provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person:

Address:

Telephone Number:

**For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:**

Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001

Appropriate Regional Office of the Department of Environmental Conservation

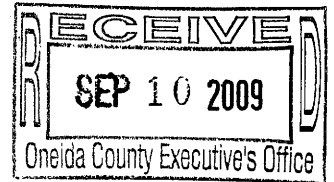
Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.

Applicant (if any)

Other involved agencies (if any)

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  
John L. Bauer  
Patrick F. Scully  
Christopher D. Hameline

September 3, 2009

7N2009-388

**PUBLIC SAFETY**

**WAYS & MEANS**

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

Dear Mr. Picente:

By this letter, I am requesting your approval as well as that of the Board of Legislators for the following budget transfer from the Law Enforcement cost center to the District Attorney cost center to cover prosecution expenses:

TO:

A1165.496 District Attorney, Prosecution \$8,500.

FROM:

A1162.413 Law Enforcement, Rent/Lease - Equipment \$7,500.  
A1162.491 Law Enforcement, Other Materials & Supplies \$1,000.

This 2009 budget transfer will be fully supported by forfeiture funds that are already on deposit.

At your earliest convenience, please submit this request to the Board of Legislators for their approval.

Thank you for your time and assistance in this matter.

Very truly yours,

*Scott D. McNamara*  
Scott D. McNamara  
Oneida County District Attorney

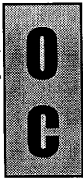
Reviewed and Approved for submittal to the  
Oneida County Board of Legislators by

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

Date 9/14/09

2009 SEP 15 AM 9:43  
RECEIVED  
ONEIDA COUNTY LEGISLATURE

132.



September 14, 2009

7N2009-389

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 15 AM 9:44

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

**WAYS & MEANS**

Dear County Executive:

During our review of the 2009 Assigned Counsel Budget it has been estimated the budget will have a shortfall of approximately \$500,000 on the high side. The number of cases referred to assigned counsel due to conflicts in 2008 equaled 3,116. In 2009 we have already referred 2,921 through the end of June. We have already spent the total budget of \$734,778.

Unfortunately this is another mandated program which must be funded and the only funds available for this size of a transfer, is the salary contingency account. Fortunately it looks like the vacancies in the salary lines will be sufficient to cover the contractual wages granted through binding arbitration.

I therefore request your Board approval for the following 2009 fund transfer:

TO:

AA# A1171.1951-DSS - Legal Defense / Assigned Council – Other Expenses..... \$272,450.

FROM:

AA#A1992.9 - Budget Special Items / Salary Contingency..... \$272,450.

Respectfully submitted,

Thomas B. Keeler  
Budget Director

County Attorney

CC:

Comptroller  
Budget Director  
Dir. Social Services

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

Anthony J. Picente, Jr.  
County Executive

Date: 9/14/09

133

## Revenue / Appropriation Analysis Report

Reporting for all funds, selected departments, for dates from 01/01/09 to 12/31/09 for fiscal year 2009

Department : 1171 - Law Dept - Suppl Assigned Counsel Plan

## Revenue Analysis

Account	Description	Estimated	Receipts	Revenue	Percentages
		Revenue		Remaining	
A3018	State Aid - Indigent Parolees	\$70,000.00	\$26,313.29	\$43,686.71	37.59 62.41
A3021	State Aid - Indigent Legal Services Fund	\$734,778.00	\$0.00	\$734,778.00	100.00
Total:		\$804,778.00	\$26,313.29	\$0.00	\$778,464.71

## Appropriation Analysis

Account	Description	Budget	Expenditures	Outstanding	Unencumbered	Percentages	
		Amount		Encumbrances	Balance	Used	Remaining
A1171.109	Salaries, Other	\$35,095.00	\$10,000.00		\$25,095.00	28.49	71.51
A1171.1951	Other Fees and Services	\$734,778.00	\$735,260.13		(\$482.13)	100.07	-0.07
A1171.1:		\$769,873.00	\$745,260.13	\$0.00	\$24,612.87	96.80	3.20
A1171.411	Office Supplies	\$1,063.99	\$303.00		\$760.99	28.48	71.52
A1171.416	Telephone	\$395.00	\$152.44		\$242.56	38.59	61.41
A1171.418	Meter Postage	\$2,250.00	\$439.23		\$1,810.77	19.52	80.48
A1171.495	Other Expenses	\$620.00	\$27.68		\$592.32	4.46	95.54
A1171.4:		\$4,328.99	\$922.35	\$0.00	\$3,406.64	21.31	78.69
Total:		\$774,201.99	\$746,182.48	\$0.00	\$28,019.51		

End of report

ANTONY J. PICENTE, JR.  
County Executive



ROBERT J. ROTH  
Director

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

7N2009-390

**EDUCATION, YOUTH & AGRICULTURE**  
**WAYS & MEANS**

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 15 AM 9:41

August 21, 2009

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

Dear Mr. Picente:

Re: Purchase of Service Agreement

Attached for your review and approval is a Purchase of Service Agreement between the Oneida County Youth Bureau and the Neighborhood Center of Utica per Board Resolutions and Local Law # 3 of 1991, amending Article VIII, Section 802 of the Administration Code.

This agreement the Neighborhood Center of Utica has four separate services. The Project AIM Program, the Outreach and Prevention Program, the Career Development Trainee Program, and the Transitional Life Skills Program. These programs include activities and counseling designed to help youngsters in skill building, education classes, stress reduction techniques, assertiveness training and training in independent living and decision making skills.

The term of this agreement is January 1, 2009 through December 31, 2009. This service agreement uses funding from the New York State Office of Children and Family Services in the amounts of \$8,800.00 for Project AIM; \$18,273.00 for Outreach and Prevention; \$8,218.00 for Career Development Trainees and \$22,938.00 for Transitional Life Skills.

I am respectfully requesting your approval of this Purchase of Service Agreement between the Oneida County Youth Bureau and the Neighborhood Center of Utica. In addition, because the total is \$58,229.00 in state funds, I am respectfully requesting that this be forwarded to the Board of Legislators to be reviewed at their earliest convenience.

Very truly yours,

Robert J. Roth  
Director

Attachments

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

Anthony J. Picente, Jr.  
County Executive

Date: 9/14/09

135

ONEIDA COUNTY BOARD  
OF LEGISLATORS

- Name of Proposing Organization:** Neighborhood Center of Utica, Inc.
- Title of Activity or Service:**
  - (A) Project AIM
  - (B) Outreach and Prevention Program
  - (C) Career Development Trainees Program
  - (D) Transitional Life Skills -  
(Part II of the Runaway and Homeless Youth funds)
- Proposed Dates of Operation:** January 1, 2009 to December 31, 2009
- Client Population/Number to be Served:**
  - (A) 10 Youth, ages 14 to 18
  - (B) 75 Youth, ages 5 to 20
  - (C) 10 Youth, ages 16 to 20
  - (D) 20 Youth, ages 16 to 20

**Summary Statements**

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

(A) The Project AIM (Achieve-Inspire-Motivate) program will provide youth an opportunity to build their self-confidence, reduce negative social behaviors, increase employability, and provide a community service. The opportunities and workshops offered to all trainees will help them in school, both academically and in extracurricular activities, while supporting them in setting goals of community participation and career choices.

(B) The Outreach and Prevention program provides after-school and evening clubs, classes and activities for youth during the school year and extended hours of such services during the summer. The program includes club groups, arts and crafts, music, drama, puppetry, sports, field trips, game room activities, playground programs, cooking/nutrition and individual attention. Home visits and parental contacts will be made. The Social Group Work method will be used in most activities and services provided by this program. Group Work is a planned method of working with individuals within a group setting that enables the individuals to better relate to other members of the group.

(C) The Career Development Trainee program provides on-the-job training experience for youth 16 to 20 years old with primary emphasis on youth that have completed 10<sup>th</sup> -12<sup>th</sup> grades. These experiences include working in agency childcare and/or group work programs or in support services related to these programs. Participants are also involved in enriching experiences aimed at fostering their personal and professional growth.

(D) The Transitional Life Skills program (utilizing Part II-Runaway and Homeless Youth funds) provides counseling and independent living services to teens in imminent risk of being homeless with no independent living skills. The focus for the population, referred from OCDSS, OC Probation, MVCAA's Runaway & Homeless Youth Program and Proctor High School, will be to enhance independent living skills to assist youth to attain/maintain a residence; to remain in school or re-enter an educational setting; and to build employability skills, (resume writing, interviewing and interpersonal relations).



## 2.) Program/Service Objectives and Outcomes

(A) The **Project AIM (Achieve-Inspire-Motivate)** goals are:

- Of the 10 youth who will participate, 4 will improve school grades in a minimum of 2 subjects and increase by 5 points or more as measured by report cards;
- Of the 10 youth who will participate, 5 will improve time spent on creative activities by enrollment in an extracurricular activity as measured by attendance;
- Of the 10 youth who will participate, 8 will improve community citizenship by volunteering as measured by a minimum of 10 hours of documented community service;
- Of the 10 youth who will participate, 8 will improve their sense of self and have a positive view of the future. Presentations of their current achievements and future goals will be presented during the session.

(B) The **Outreach & Prevention** program's goal is for children to learn about and practice habits that help them to achieve optimal physical and emotional health. Of the 40 regular participants, 27 will achieve on or more of the following: an increase in positive social interaction with their peers; an increase in active participation in group decision-making; development of trusting relationships with Adults; an increase in the frequency of positive methods of anger reduction and management; an increase in self-esteem and self-confidence and personal decision-making skills; identification of at least one area of personal competence or achievement.

(C) The **Career Development Trainee** program includes these goals for all 10 participants: All enrolled young adults will complete a formal interview process and attend an Orientation; each youth will participate in the trainee program for a minimum of 8 weeks; each youth will show improvement in basic job skills as measured by the bi-weekly individual conferences with staff mentors; each will participate in a minimum of 6 "growth groups" in which trainees will participate in group discussion and activities; and each youth will participate in a minimum of 2 agency staff meetings.

(D) The **Transitional Life Skills** program will strive for two main objectives: Youth in the program will strengthen and increase their capacity to function in a self-sufficient manner; and, Youth will achieve full autonomy and self-sufficiency. Goals will be met when: 100% of participants receive individual and family/group counseling; 100% of participants receive skills training in education, employment and money management; 70% will re-enter or remain in school; 50% of the youth not in school will obtain employment; 70% of the youth will reside in their own apartment or have a permanent residence; and 70% of the youth will maintain a stable address for 3 to 6 months.

## 3.) Program Design and Staffing

(A) Program staff includes the Associate Director of Behavioral Health Care and several Counselor IIIs, both of who are experienced in working with children and adolescents. Where possible, volunteers may be utilized. These volunteers will be recruited from Graduate and Human Service undergraduate college students in the area.

(B) Staffing for this program consists of the Director of Community Development and Outreach and several Group Workers, all with a minimum of a Bachelors Degree. The Associate Director of Child Care and Family Services assists with overall administrative support to this and other programs at the Neighborhood Center. Additional Group Leaders

and Volunteers will be engaged in some group and social activities as needed to support the program.

(C) Personnel paid by this program will be the student trainees, functioning as Program Aides. Agency personnel, not funded through, but involved with the program include the Director of Community Development and Outreach and other staff who will have the responsibility as supervisors and/or mentors for the trainees.

(D) The staff members for this program will have a Bachelor's degree level training (preferred) or educational and work experience sufficient to provide the services required. One staff member will serve as the Supervisor for the program. Wherever possible, volunteers in a graduate or undergraduate program may be utilized.

<b>Total Funding Requested</b>	(A)\$ 8,800.00	Account #	A8830.49555
	(B)\$ 18,273.00		A8830.4951
	(C)\$ 8,218.00		A8830.4951
	(D)\$ 22,938.00		A8830.49556

<b>Oneida County Dept. Funding Recommendation:</b>	(A)\$ 8,800.00
	(B)\$ 18,273.00
	(C)\$ 8,218.00
	(D)\$ 22,938.00

**Proposed Funding Sources (Federal \$/ State \$/County \$):** New York State Office of Children and Family Services (NYSOCFS)

<b>Cost Per Client Served:</b>	(A)\$ 880.00 per youth	(C)\$ 821.80 per youth
	(B)\$ 243.64 per youth	(D)\$ 1,146.90 per youth

**Past Performance Data:** All these programs have been reviewed by the Oneida County Youth Bureau and have met performance standards.

**O.C. Department Staff Comments:** (A) Project AIM was new for FY2008; (B) Outreach and Prevention; (C) Career Development Trainees; (D) Transitional Life Skills have all been receiving state funds for many years. The funding levels for 2008 reflect a slightly higher amount of funds available for these needs.

ONEIDA COUNTY YOUTH BUREAU SERVICE AGREEMENT

COUNTY

County of Oneida  
800 Park Avenue  
Utica, New York 13501  
acting through Oneida  
County Youth Bureau

SERVICE PROVIDER

Neighborhood Center, Inc.  
293 Genesee Street  
Utica, New York 13501

- (A) Partners In Prevention-PIP
- (B) Outreach and Prevention Program
- (C) Career Development Trainees
- (D) Transitional Life Skills Program

*(Part II of the Runaway and Homeless Youth funds)*

(Hereinafter referred to as the County)

(Hereinafter referred to as the Contractor)

PERIOD OF AGREEMENT

From: January 1, 2009  
To: December 31, 2009

COUNTY RESOLUTION NO.

Adopted on

FINANCIAL TERMS OF AGREEMENT:

Total Program	Approved O.C.F.S.	Matching Funds
Budget:	Funds:	
(A) \$ 17,600.00	(A) \$ 8,800.00	
(B) \$ 36,546.00	(B) \$ 18,273.00	<i>No County Funds are Required</i>
(C) \$ 16,436.00	(C) \$ 8,218.00	
(D) \$ 38,230.00	(D) \$ 22,938.00	

GENERAL LIABILITY INSURANCE:

\$ 1 Million

This agreement is made between the County, a municipal corporation of the State of New York, identified above, acting through its duly constituted Oneida County Youth Bureau, and the Service Provider referred to above. IN WITNESS WHEREOF, the parties hereto have executed this Agreement for the consideration and in accordance with the terms, provisions and conditions of the Agreement as set forth within the following pages, as of the first day of the period of agreement.

COUNTY OF ONEIDA

By: \_\_\_\_\_  
County Executive

By: *Sandra L. Soroka*  
Executive Director

By: *Samuel Soldo*  
Commissioner of Social Services

By: *Robert J. Bieri*  
Youth Bureau Director

Approved as to form

*Raymond Bawa*  
Oneida County Attorney

ANTHONY J. PICENTE, JR.  
County Executive



ROBERT J. ROTH  
Director

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

7N2009-391

August 21, 2009

**EDUCATION, YOUTH & AGRICULTURE**

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

**WAYS & MEANS**

Dear Mr. Picente:

Re: Purchase of Service Agreement

Attached for your review and approval is a Purchase of Service Agreement between the Oneida County Youth Bureau and Mohawk Valley Community Action Agency, Inc. per Board Resolutions and Local Law # 3 of 1991, amending Article VIII, Section 802 of the Administration Code.

The Runaway and Homeless Youth Program (Part I), has been operated successfully by the Mohawk Valley Community Action Agency since 1992. For the 200 program year, it will provide assessment, counseling and sheltering services to 90 at-risk and homeless youth up to 21 years of age. In addition, MVCAA has accepted oversight of several programs previously provided through the former Cosmopolitan Center, including the Special Delinquency Prevention Program and the Teen Center program.

The term of this agreement is January 1, 2009 through December 31, 2009. The contract's total budget is \$61,425.00, which is provided through an allocation of New York State Office of Children Family Services funds. *There is a County tax match commitment of \$3,150 for this program that was included and approved in the 2009 Oneida County budget.*

I am respectfully requesting your approval of this 2009 Purchase of Service Agreement between the Oneida County Youth Bureau and the Mohawk Valley Community Action Agency, Inc.

Very truly yours,

Robert J. Roth  
Director

Attachment

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

Date 9/14/09

Oneida Co. Department: Youth Bureau

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

ONEIDA COUNTY BOARD  
OF LEGISLATORS

**Name of Proposing Organization:** Mohawk Valley Community Action Agency, Inc.

**Title of Activity or Service:** A) Runaway and Homeless Youth Program-Part I  
B) Special Delinquency Prevention Program  
C) City Recreation Program

**Proposed Dates of Operation:** January 1, 2009 to December 31, 2009

**Client Population/Number to be Served:** A) 90 Runaway/Homeless Youth  
B) 15 youth, ages 10 to 20  
C) 80 youth, ages 10 to 20

**Summary Statements:**

**1) Narrative Description of Proposed Services**

A) The *Runaway & Homeless Youth Program* accepts runaway and homeless youth who request services and who do not pose a threat to themselves or others. Temporary shelter is provided in volunteer host homes throughout Oneida County. The main focus is to reconcile/mediate problems between youth and family. Our goal is to reunite youth and family by facilitating a plan to improve their situation whenever possible. The program works with youth who have run away, those at risk of running away, and those youth who are "throwaways" or homeless.

B) The *Special Delinquency Prevention Program* provides necessary support to allow targeted youth in the inner-city and Cornhill area of Utica to express themselves in a positive manner by assisting them in bettering their education through tutoring, preparing for employment, and strengthening family through Life Skills training. Drug awareness and adolescent pregnancy prevention are essential parts of this program.

C) The *City Recreation Program* will provide supervised, structured recreational and social activities to 80 at-risk youth, ages 10-18 during regular afterschool hours Monday through Friday.

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

A) The Runaway & Homeless Youth's program's goals are:

- Educate the community of services available to runaway, homeless, throwaway and at-risk youth and their families, while empowering youth with knowledge of their rights & responsibilities. Services will be provided to youth and families in need of crisis intervention, mediation, and advocacy, temporary housing for youth and referral services. Boost youth development in the community and involvement with planning and delivery services of this project and other youth based initiatives in the service area.

B) The Special Delinquency prevention Program's goals are:

- This program blends public and private sources to create a unique program that addresses youth needs at a variety of levels. The goal is to prevent a minimum of 15 at-risk minority youth age 10 to 20 and enrolled in the program from becoming involved or from re-involvement with the criminal justice system by providing structured educational and recreational activities during afterschool hours.

C) The City Recreation Program goals are:

- To provide supervised, structured recreational and social activities to 80 at-risk youth age 10 to 18 during after school hours Monday through Thursday. This program intends to decrease the incidence of risk behaviors in youth and promote positive youth development and constructive use of leisure time, along with opportunities for counseling and long-term interventions.

**3) Program Design and Staffing**

Program Staff members include the following: Program Director, (3) Youth Advocates, and a Program Manager. The program is also supported by a variety of Volunteers (Adult & Youth) and Host Families.

<b>Total Funding Requested</b>	A) \$ 25,000.00	Account # A8830.49556
	B) \$32,175.00	A8830.49554
	C) \$ 4,250.00	A8830.49557

**Oneida County Dept. Funding Recommendation:**

A) \$ 25,000.00
B) \$ 32,175.00
C) \$ 4,250.00

**Proposed Funding Sources (Federal \$/ State \$/County \$):** New York State Office of Children and Family Services (NYSOCFS) RHYA-Part I funds

**Oneida County Tax Match: \$ 3,150.00**

**Cost Per Client Served:**

A) \$ 277.78 per youth (Previously \$800.00 per youth)
B) \$2,145.00 per youth
C) \$ 53.13 per youth

**Past Performance Data:** This program has been reviewed by the Oneida County Youth Bureau and has met performance standards.

**O.C. Department Staff Comments:** The Runaway and Homeless Youth Program started receiving state funds in 1986. The state funded \$ 49,286.00 with Oneida County providing \$ 7,000.00. In 1992, Oneida County increased its contribution to \$ 9,000.00 and the state funded \$84,092.00. In 2004, the program received \$82,194.00 from NYSOCFS. The 2005 and 2006 allocations from the state represent a 6% decrease totaling \$5,044.00 over two years. In 2006, this program also had difficulty in utilizing the full allocation in the previous two years. In 2007, the agency reorganized the Youth Division, and specifically this program, resulting in a more program-direct approach to the use of OCFS funds. After some additional review by the BOL Education & Youth Chairman and Youth Bureau staff, this recommendation is consistent with the level of funding this agency requires from OCFS.

After careful evaluation of the progress that has been made by this program to realign its goals with a realistic care plan, the Youth Bureau has recommended that the program's funding remain steady at \$72,000 for the 2008 fiscal year. It is believed that this allocation will provide the needed support for this program to stabilize and grow. In 2009, the program decided that they only needed a third of their original allocation and therefore reduced their request to \$25,000. The tax match required for this program has also been reduced, making the County's commitment now \$3,150.00, down from \$9,000.00.

In 2009, The Mohawk Valley Community Action Agency acquired the assets of the dissolved Cosmopolitan Center, an area agency previously supported by the Youth Bureau. The Cosmo Center programs have been restructured and are now incorporated into the MVCAA funding from the Youth Bureau.

**ONEIDA COUNTY YOUTH BUREAU SERVICE AGREEMENT**

**COUNTY**  
County of Oneida  
800 Park Avenue  
Utica, New York 13501  
acting through Oneida  
County Youth Bureau

**SERVICE PROVIDER**  
Mohawk Valley Community Action Agency, Inc.  
9882 River Road  
Utica, New York 13502

(Hereinafter referred to  
as the County)

(Hereinafter referred to as the Contractor)

**PERIOD OF AGREEMENT**  
From: January 1, 2009  
To: December 31, 2009

**COUNTY RESOLUTION NO.**  
Adopted on

**FINANCIAL TERMS OF AGREEMENT:**

Total Program Budget:	Approved NYOCFS Funds:	County Matching Funds
A) \$ 46,147.00	\$ 25,000.00	\$3,150.00
B) \$ 37,299.00	\$32,175.00	
C) \$ 9,970.00	\$ 4,250.00	


**GENERAL LIABILITY INSURANCE:**  
\$ 1 Million

This agreement is made between the County, a municipal corporation of the State of New York, identified above, acting through its duly constituted Oneida County Youth Bureau, and the Service Provider referred to above. IN WITNESS WHEREOF, the parties hereto have executed this Agreement for the consideration and in accordance with the terms, provisions and conditions of the Agreement as set forth within the following pages, as of the first day of the period of agreement.

COUNTY OF ONEIDA

By: \_\_\_\_\_  
County Executive

By:   
Executive Director

By:   
Commissioner of Social Services

By:   
Youth Bureau Director

Approved as to form

  
Oneida County Attorney

ANTHONY J. PICENTE, JR.  
County Executive



ROBERT J. ROTH  
Director

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

RECEIVED  
ONEIDA COUNTY LEGISLATURE  
2009 SEP 15 AM 9:45

7N2009-392

**EDUCATION, YOUTH & AGRICULTURE**  
**WAYS & MEANS**

August 21, 2009

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

Dear Mr. Picente:

Re: Purchase of Service Agreement

Attached for your review and approval is a Purchase of Service Agreement between the Oneida County Youth Bureau and the YWCA of the Mohawk Valley, Inc., per Board Resolutions and Local Law # 3 of 1991, amending Article VIII, Section 802 of the Administration Code.

This agreement with the YWCA of the Mohawk Valley has five (5) separate services. The programs are detailed within this proposal and include the original programs from the YWCA organization: the Sexual Violence Services Program; the Sheltered Youth Program and the Adolescent Outreach Program; the YGirls, Inc. and the Case Management/Self Esteem/Life Skills Program.

The term of this agreement is January 1, 2009 through December 31, 2009. The contract's total budget is \$50,746.00 which is provided through funds received from the New York State Office of Children and Family Services. The recommended individual program amounts are as follows: A) The Sexual Violence Services Program is \$4,750.00. B) The Sheltered Youth is \$7,600.00 and C) the Adolescent Outreach Program is \$6,326.00; (D) The Girls, Inc. Program is \$4,070.00 and (E) The Case Management/Self Esteem/Life Skills Program is \$28,000.00.

I am respectfully requesting your approval of this Purchase of Service Agreement between the Oneida County Youth Bureau and the YWCA of the Mohawk Valley, Inc.

Very truly yours,

Robert J. Roth  
Director

Attachments

Reviewed and approved for submittal to the  
Oneida County Board of Legislators by  
  
Anthony J. Picente, Jr.  
County Executive  
Date 9/14/09

144.



ONEIDA COUNTY BOARD  
OF LEGISLATORS

**Name of Proposing Organization:**

YWCA of the Mohawk Valley

**Title of Activity or Service:**

- (A) Sexual Violence Services Project
- (B) Sheltered Youth Project
- (C) Adolescent Outreach Program
- (D) Ygirls
- (E) Case Management/Self Esteem/Life Skills

**Proposed Dates of Operation:**

January 1, 2009 to December 31, 2009

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

- (A) 350 Youth, ages 1 to 20 years
- (B) 90 Youth and mothers, infants to 18 yrs old
- (C) 3500 Youth, ages 4 to 21
- (D) 80 Females, ages 9-14
- (E) 30 Females, ages 16-21

**Summary Statements**

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

(A) The Sexual Violence Services Project helps victims of sexual violence and their non-offending family members deal with their victimization in a positive and healing fashion. The project also aims to help individuals lessen their vulnerability and risk of becoming re-victimized. A 24-hour Hotline is the hub for all requests for services, including counseling, crisis intervention, medical advocacy/accompaniment, shelter and outside referrals, when appropriate.

(B) The Sheltered Youth Program will provide shelter, crisis and short-term counseling, advocacy, information and referrals to youth and their mothers (victims of domestic violence). Women interested in accessing shelter services must contact the YWCA 24-hour hotline to be screened. Women and children can stay in the shelter for 90 days and return if the need arises.

(C) The Adolescent Outreach Program provides prevention education about domestic and dating violence; and sexual violence which includes child sex abuse, date rape, and sexual harassment. Community members and parents (850) will receive education on these subjects focusing specifically on issues related to youth. Area professionals (250) will receive training in order to better serve youth and coordinate services with the YWCA.

(D) The Ygirls Program builds communications, leadership, and life skills in girls ages 9-14. The program builds leadership skills and creates lasting social change by partnering girls and women mentors in community action projects. In 2008, a new program will be added, "The Magic Within," which encourages girls to explore their hopes and dreams, while sharing them with others to discover ways to make them come true.

(E) Case Management/Self-Esteem/Life Skills will provide young girls between the ages of 16 through 21 with training in money management/budgeting, household management/food preparation and self-esteem/interpersonal skills. In addition, case management services will be provided to enhance this Runaway & Homeless Youth supported program that includes residential services.

## 2.) Program/Service Objectives and Outcomes

(A) The ***Sexual Violence Services Project*** goals are:

- Of the 350 youth who have contact with the Domestic Violence Sexual Violence Services, 250 will report either to the hospital and/or police, as measured by advocate log sheets;
- Of the 350 youth, 51% will receive face-to-face counseling to assist them in their healing from the victimization;
- Of the 350 youth who have contact, 200 of their non-offending family members will improve their knowledge of risk factors for youth and receive information and referrals.

(B) The ***Sheltered Youth Program*** has the following objectives and goals for 2009:

- Provide 90 children and their mothers with temporary shelter, transportation, food, clothing and personal hygiene items;
- Of the 45 mothers who attend counseling and support group and utilize the information and referrals that are provided, 30 or 67% will be able to focus on the needs of their children;
- Of the 100 children residing in shelter, 50 will be able to identify their feelings, discuss their experiences and develop their own individual safety plan;
- Of the 100 children who will participate in age-appropriate recreational activities, 65% will be able to play and have fun without being afraid;
- Of the 100 children residing in shelter, 50% will either return to their school of origin and/or new schools, receive tutorial assistance or enroll in a pre-school/daycare program;
- Of the 100 children and their mothers provided with follow-up services and assistance after departure from Hall House and Lucy's House, 80% will know that there are appropriate services out in the community that will assist them in moving onto a violence-free life.

(C) The ***Adolescent Outreach Program's*** goals for 2009 include:

- 1000 elementary youth will receive bullying prevention education and 800 will know how to protect themselves from being bullied as measured by documentation from school personnel;
- 1000 middle school youth will receive bullying and sexual harassment prevention education and 750 will have improved knowledge on how to protect themselves from abuse as measured by pre and post tests;
- 1000 high school youth will receive prevention education about dating violence and date rape which will then change the norms and climate about relationships and provide 800 students with the skills needed to foster healthy relationships as measured by pre and post tests;
- 500 college students will receive education about date rape and dating violence and 350 will know the warning signs of a perpetrator of abuse measured by pre and post tests;
- 850 adults from the general community will receive education programs on domestic/dating violence, sexual violence and bullying; and Gay, Lesbian, Bi-Sexual and Transgender sensitivity training and 750 will be able to protect themselves and their children as measured by pre and post tests;
- 250 professionals (educators, medical providers, counselors, law enforcement, youth service providers) will receive domestic and sexual violence training and 225 will be better prepared to assist their own clientele as measured by pre and post tests.

(D) The ***Ygirls Program*** goals are that of the 80 members, 40 youth will increase grade level through:

- Support from volunteers, mentors and staff;

- Time provided for homework assignments; Monitoring of report cards;
- Dialogue with parents/guardians;
- Reports from teachers;
- Volunteering/community service opportunities; Gaining knowledge of all community resources;
- Public speaking;
- Workshops & trainings.

(E) The Case Management/Self-Esteem/Life Skills program will meet the following objectives:

- Basic academic knowledge and skills
- Career and/or vocational goals
- Daily living skills
- Survival skills
- Interpersonal and social skills

### 3.) Program Design and Staffing

(A) The Sexual Violence Services Project staffing consists of the Director, Legal Advocate Supervisor and CAC Coordinator to oversee the delivery of services and report to the Executive Director. Each of the three monitors the daily logs of each staff member providing services to participants. Staff members also receive regular supervision for case review and attend staff meetings. Individual monthly meetings are scheduled to address concerns.

(B) The Sheltered Youth Program staff has a Hall House Children's Service Coordinator, and Lucy's House Residents Services Coordinator, both of whom report to the Executive Director. Minimum requirements include a four-year degree in social work or child psychology/development. The program is available 24 hours a day, 7 days a week.

(C) The Adolescent Outreach Program staff includes the Director of Education and a Community Educator, both of whom report to the Executive Director. Both positions require a four-year degree in social work, health education or an associate's degree with equivalent experience.

(D) The Ygirls Program staff includes a Director, a part-time Teen Co-facilitator and recruited volunteers/mentors from the community.

E) The Self Esteem/Life Skills Program incorporates staffing which consists of a Crisis Services Residential Director and a Life Skills Coordinator. The program is supported additionally by a Case Manager, A Residence Service Coordinator and 3 PT Residence Managers. This program was formerly contracted under New Horizons which is now merged with the YWCA.

<b>Total Funding Requested:</b>	(A)\$ 4,750.00	Account #	A8830.49554
	(B)\$ 7,600.00		A8830.49554
	(C)\$ 6,326.00		A8830.4951
	(D)\$ 4,070.00		A8830.4951
	(E)\$ 28,000.00		A8830.49556

**Oneida County Dept. Funding Recommendation:** (A) \$ 4,750.00 (B) \$ 7,600.00 (C) \$ 6,326.00  
(D) \$ 4,070.00 (E) \$ 28,000.00

**Proposed Funding Sources (Federal \$/ State \$/County \$):** New York State Office of Children and Family Services (NYSOCFS)

**Cost Per Client Served:** (A) \$ 13.57 per youth (B) \$ 84.44 per youth (C) \$ 1.81 per youth  
(D) \$ 50.88 per youth (E) \$ 933.33 per youth

**Past Performance Data:** All of the above programs have been reviewed by the Oneida County Youth Bureau and have met performance standards.

**O.C. Department Staff Comments:**

**Please Note: The Self Esteem/Life Skills Programs were formerly funded under the New Horizons organization name. In early 2005, this organization was incorporated into the YWCA of the Mohawk Valley and is now operated as a part of that larger organization. It is anticipated that this will allow these programs to access additional funding opportunities as the New Horizon programs has recently applied for the necessary state certifications to receive those additional funds.** New Horizons started receiving NYSOCFS funding in 1997 for the Life Skills Program. In the year 2000, New Horizons started to receive funds from the Runaway and Homeless Youth Part II funding source for the Self-Esteem/Life Skills Classes. The 2005 funding represented a decrease of approximately 5% and the 2006 further cut of 13%.

The Ygirls Program was new for 2007 (as Girls, Inc.) and continues to expand and grow in a positive way. The increase in funds for FY2008 represents the increased level of confidence for this program.

ONEIDA COUNTY YOUTH BUREAU SERVICE AGREEMENT

COUNTY

County of Oneida  
800 Park Avenue  
Utica, New York 13501  
acting through Oneida  
County Youth Bureau

(Hereinafter referred to  
as the County)

SERVICE PROVIDER

YWCA of the Mohawk Valley  
1000 Cornelia Street  
Utica, New York 13502

- (A) Sexual Violence Services Project
  - (B) Sheltered Youth Program
  - (C) Adolescent Outreach Program
  - (D) Ygirls Program
  - (E) Self Esteem/Life Skills Program
- (Hereinafter referred to as the Contractor)

PERIOD OF AGREEMENT

From: January 1, 2009  
To: December 31, 2009

COUNTY RESOLUTION NO.

Adopted on

FINANCIAL TERMS OF AGREEMENT:

Total Program	Approved O.C.F.S.	Matching Funds
Budget:	Funds:	
(A)\$ 106,049.00	\$ 4,750.00	<b>No County Funds are Required for any of these programs</b>
(B)\$ 192,910.00	\$ 7,600.00	
(C)\$ 91,490.00	\$ 6,326.00	
(D)\$ 63,340.00	\$ 4,070.00	
(E)\$ 175,903.00	\$ 28,000.00	

GENERAL LIABILITY INSURANCE:

\$ 1 Million

This agreement is made between the County, a municipal corporation of the State of New York, identified above, acting through its duly constituted Oneida County Youth Bureau, and the Service Provider referred to above.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for the consideration and in accordance with the terms, provisions and conditions of the Agreement as set forth within the following pages, as of the first day of the period of agreement.

COUNTY OF ONEIDA

By: Elisabeth C. Tantillo  
Board President

By: \_\_\_\_\_  
County Executive

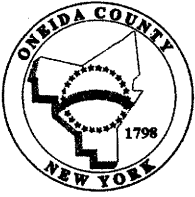
By: Linda Bettes  
Executive Director

By: Janice Soldo  
Commissioner of Social Services

By: Raymond J. Burr  
Youth Bureau Director

Approved as to form

Raymond J. Burr  
Oneida County Attorney



COUNTY OF ONEIDA  
**OFFICE OF THE COUNTY EXECUTIVE**

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

**ANTHONY J. PICENTE JR.**

County Executive

ce@ocgov.net

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ONEIDA COUNTY LEGISLATURE  
2009 SEP 15 AM 10:52

RE: 2009-362

September 15, 2009

Oneida County Board of Legislators  
800 Park Ave.  
Utica, NY 13501

**READ & FILED**

Honorable Members:

I want to address the resolution that is before the Ways & Means committee seeking a renegotiation of the lease agreement between the County of Oneida and Insight House, the discussion of which has consumed much of our time over the last several weeks. On July 15, 2009, this Board voted to extend the lease between the County and Insight House to 2033. During that vote and since, the issue of renegotiating this lease that has been in place since 1997, in order to charge rent above the sum of \$1 per year has been the subject of much discussion as well as much discord.

While the issues have been aired through board meetings and the media, and while many questions have been asked of County and State officials as to the nature of the lease and the provision of services by Insight House, there remains a lack of acknowledgement by certain members of this Board as to what re-opening of lease discussions could mean to the County of Oneida.

The decision by Oneida County several years ago to allow Insight House to privatize its operations and thereby get out of the business of providing substance abuse services as a County department was made after a thorough review of County costs associated with the operation of those programs as well as County responsibility and liability for its entire operations. This privatization came at a time when Oneida County was also in the process of getting out of the nursing home business with the privatization of Broadacres to St. Luke's Home. Both of these operations were considered to be cost and liability drains to the County in terms of increased Medicaid costs, which, like today, drive budgets out of control. The County was also seeking to rid itself of continuing operational costs to the county in the areas of staffing and property maintenance, improvement and insurance.

As with the Broadacres privatization, and all areas of privatization, the end goal is that services that were performed by the County, whether mandated or not, would still be provided but without County taxpayers providing additional costs above that which is reimbursable. In both instances, County taxpayers year after year bore additional expenses in county budgets through general fund appropriations that were reflected in the property tax levy. In addition, as was the case with both Broadacres and Insight House, all responsibility for building liability and medical malpractice rested on Oneida County's shoulders.

150

I cite both these examples of privatization as relevant to the discussion because it goes to the argument of how can we provide vital services in the best fashion at the lowest costs to our residents. These are areas that we explore even today in the context of what services can be better provided by the private or not-for-profit sector to alleviate the burden on county taxpayers. The intent at the end of the day is to get out of the business, not get back in. The mere intent of charging rent to Insight House does just that. It puts us back in the business that we decided to get out of years ago.

I would like to discuss the ramifications that would occur if the County AND Insight House were to re-open this lease in order to raise the rent above \$1 (since both parties would have to agree to open it in the first place). If the County were to propose that the Insight House pay rent, regardless of the amount over \$1, there would have to be a greater acceptance of responsibility for the building on the County's part. We would enter into a landlord – tenant relationship that we have never been in since the beginning of the current lease. This would include assuming the maintenance costs, utility costs, capital improvements to the structure and land, as well as the insurance and liability costs. As the lease is currently written, we are not connected in any way with any operational liability areas. It brings us back to many of the reasons the County "got out of the business" in the first place.

Taking the discussion further, there is the Potter Center building, which, when purchased by the County for Insight House, was an underused warehouse which the County was able to obtain due to its location, its then condition and its overall operating costs, which continue to be expensive due to the nature of its age and construction. The County applied for and obtained grant money through the State and Federal governments to rehabilitate the building. A condition of the grant agreements was that the County would hold the title to the building and lease for the sum of \$1 so that those grants would not have to be repaid and that further improvements could be bonded for, not at County expense, but rather at the State's expense in the form of the Dormitory Authority bonding. The County would, as a result of such agreement, continue to provide those services as prescribed by law with an **annual maintenance of effort payment of \$71,000** which pales in comparison to the costs associated with having an additional 90 County employees and all of the attendant expenses that come with maintaining a departmental workforce and a building.

Acceptance of rent offsets the money we are required to contribute through the maintenance of effort (MOE) payment (\$71,000) and therefore if we, for example, accept \$48,000 a year in rent revenue, we would need to increase our MOE payment by \$48,000 thereby **negating any monetary benefit to collecting rent.**

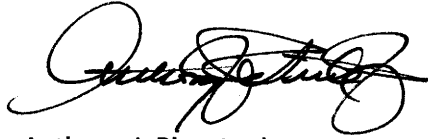
If rent is charged, it will also be leveraged against all other Mental Health services in the County which would require a reallocation of funding for all agencies as explained by OASAS, and any deficit incurred by Insight House could be the County's responsibility. It is also important to note that if Insight House ceased to exist for any reason, that facility could only be used for the purpose of providing substance abuse services either by another provider or the County resuming the role.

Simply put, we are providing essential substance abuse services at the least possible costs to our taxpayers. We currently have no responsibility for any of Insight House's operations or liabilities. We have an agency that is providing services to the County's indigent population, which no other agency is required to do and the State of New York, at all levels, continues to approve the manner in which this agreement has been structured.

I firmly believe that re-opening this lease will place the County at a great financial disadvantage, even if we collect more than \$1 in rent.

I therefore do not see any purpose in the proposed resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Picente, Jr.", written in a cursive style.

Anthony J. Picente, Jr.  
Oneida County Executive

Cc: Linda Dillon