



# ONEIDA COUNTY BOARD OF LEGISLATORS

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

Gerald J. Fiorini  
Chairman  
(315) 798-5900

Mikale Billard  
Clerk  
(315) 798-5404

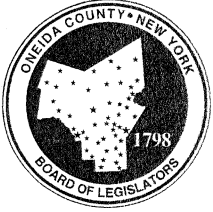
George Joseph  
Majority Leader

Frank D. Tallarino  
Minority Leader

## EXPEDITED COMMUNICATIONS FOR CONSIDERATION AT THE December 26, 2012 Board Meeting

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

<u>FILE NO.</u>	<u>COMMITTEE</u>	<u>PAGES</u>
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## ONEIDA COUNTY BOARD OF LEGISLATORS

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*Gerald J. Fiorini, Chairman ♦ 800 Park Avenue ♦ Utica, New York 13501*

*Work Phone: 798-5900 ♦ Home Phone: 337-9045*

**FN 20 12 - 469**

December 20, 2012

Board of Legislators  
800 Park Ave.  
Utica, NY 13501

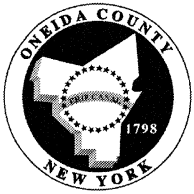
Honorable Members:

Due to time constraints, I am hereby forwarding FN 2012-469, Local Law Introductory "H" Amending Local Law No. 5 of 2012 Regulating Dealers of Second Hand Articles for consideration by Ways and Means and the full Board on Wednesday, December 26<sup>th</sup>.

Thank you for your consideration.

Sincerely,

Gerald J. Fiorini  
Chairman



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

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

(315) 798-5656

wpc@ocgov.net

FAX 724-9812

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

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

December 11, 2012

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

FN 20 12 - 478

**WAYS & MEANS**



Re: Public Hearing  
Capital Project HG479 – North Utica Parallel Interceptor

Dear County Executive Picente:

The Department of Water Quality and Water Pollution Control is in the process of preparing the necessary documents to secure funding for the capital project listed above. It is anticipated that construction of this project will occur next year. Consequently, it is time to move forward with the bonding process.

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

The engineers have calculated estimated cost of the project on annual basis for the typical property owner in the Sewer District to be approximately \$6.70 per year using the conservative assumption that the annual debt service translates directly to the sewer rate. Normally, this is a worst case assumption as debt service is part of the total Department budget and the sewer rate is derived from considering all expenses and revenues that affect the entire budget.

I would appreciate consideration of this request by you and Board of Legislators so that the legislation could be acted upon during the December 26<sup>th</sup> meeting. This would allow the public hearing to be held prior to the board meeting on January 9<sup>th</sup>. I am available to meet with you or the Board at your convenience to discuss this request and explain the project in more detail.

Thank you for your consideration in this matter.

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

Steven P. Devan, P.E.  
Commissioner

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

Anthony J. Picente, Jr.  
County Executive

Date 12/10/12

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

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ORRICK

ORRICK, HERRINGTON & SUTCLIFFE LLP  
51 WEST 52<sup>ND</sup> STREET  
NEW YORK, NY 10019-6142

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November 27, 2012

Thomas E. Myers  
(212) 506-5212  
tmyers@orrick.com

VIA E-MAIL (jtimpano@ocgov.net)

Mr. Joseph J. Timpano  
County Comptroller  
County of Oneida  
County Office Building  
800 Park Avenue  
Utica, NY 13501

Re: County of Oneida, New York  
Oneida County Sewer District  
Orrick File: To Be Assigned

Dear Joe:

In accordance with your request, I have drafted and enclose herewith the form of resolution calling for the public hearing. Notice of such hearing must be published at least ten days prior to the date of the hearing. Please let me know if the cost will be allocated to only a portion of the District. If this is the case, we will have to indicate the zone or zones to which such costs will be allocated.

In addition, I also need to see the map, plan and report for these projects, as well as evidence of compliance with SEQR. Finally, the increased cost to the typical two-family home will need to be inserted into the notice.

When available, we look forward to being provided with the following:

1. A certified copy of the enclosed resolution calling for the public hearing.
2. An affidavit of publication of the notice of public hearing.

With best wishes,

Very truly yours,

*Tom*

Thomas E. Myers

/es

cc: Ms. Sheryl Brown (sbrown@ocgov.net)  
Mr. John C. Shehadi (jshehadi@fiscaladvisors.com)

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

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

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF  
CONSIDERING PROPOSED IMPROVEMENTS FOR THE ONEIDA  
COUNTY SEWER DISTRICT

WHEREAS, it is proposed that the County establish improvements to the Oneida County  
Sewer District consisting of North Utica Interceptor Sewer improvements; and

WHEREAS, it is now proposed to authorize such improvements, at a maximum  
estimated cost of \$11,630,000; and

WHEREAS, it is now desired to call a public hearing thereon; now therefore, BE IT

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

Section 1. A meeting of the County Legislature, the County of Oneida, New York, to  
be held at the County Office Building, in Utica, New York, in said County, on the 9th day of  
January, 2013, at \_\_\_\_\_ o'clock P.M., prevailing time, for the purpose of conducting a Public  
Hearing upon the aforesaid matter. The Clerk of said County Legislature is hereby authorized  
and directed to cause a notice of such public hearing to be published and posted in the manner  
provided by law.

Section 2. The Clerk of the Legislature is hereby authorized and directed to cause a  
copy of the Notice of Public Hearing hereinafter provided to be published once in the official  
newspaper not less than ten, nor more than twenty, days before the date designated for the  
hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Oneida, New York, will meet at the County Office Building, in Utica, New York, in Oneida, New York, on January 9, 2013, at \_\_\_\_\_ o'clock \_\_.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of the Oneida County Sewer District in said County, consisting of North Utica Interceptor Sewer improvements, at a maximum estimated cost of \$11,630,000. This project is to be funded by the issuance of up to \$6,630,000 in bonds (for the North Utica Interceptor Sewer) and a \$5,000,000 grant from the Empire State Development Corporation (through Mohawk Valley EDGE). The estimated increased annual cost to the typical property owner in said Sewer District as a result thereof is \$6.70 for a single family home and \$10.04 for a two family home.

Dated: Utica, New York,  
\_\_\_\_\_, 2012.

BY ORDER OF THE COUNTY  
LEGISLATURE OF THE COUNTY  
OF ONEIDA, NEW YORK

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

Section 4. This resolution shall take effect immediately.

APPROVED:

DATED:

Adopted by the following roll call vote:

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





ANTHONY R. CARVELLI  
COMMISSIONER

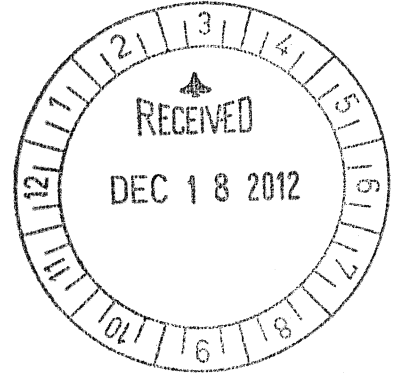
ONEIDA COUNTY

ANTHONY J. PICENTE JR.  
COUNTY EXECUTIVE



DEPARTMENT OF FINANCE

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



December 17, 2012

FN 20 12-479

**WAYS & MEANS**

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

Dear Mr. Picente:

Please find enclosed with this correspondence several items extending against the taxable property located in Oneida County various tax levies for 2013. These items derive from Resolution #380, dated November 14, 2012.

Please forward same to the Board of Legislators for their action on December 26, 2012.

Sincerely,

  
Anthony Carvelli  
Commissioner of Finance

AC/bad

cc: Mike Billard, Clerk of the Board

Enclosures

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

  
Anthony J. Picente, Jr.  
County Executive

Date

12/18/12

# ONEIDA COUNTY BOARD OF LEGISLATORS

**RESOLUTION NO.**

**INTRODUCED BY:**

**2ND BY:**

**RE: AMOUNTS TO BE LEVIED AS PART OF COUNTY TAX AND EXTENDED  
AGAINST PROPERTIES IN VARIOUS TOWNS AND CITIES**

**WHEREAS,** There have been filed with the Clerk of the Oneida County Board of Legislators and the Commissioner of Finance reports by various city, town and other public officials, and

**WHEREAS,** Said reports show various figures which are to be levied as part of the 2013 County tax, now, therefore, be it hereby

**RESOLVED,** That the amounts set forth herein, as same may be subject to items returned for insufficient funds or similar adjustments, if any, be, and the same hereby are, levied as part of the 2013 County tax and ordered extended against properties in the various towns and cities according to law, as follows:

School Superintendent's levy . . . . .	\$ 15,657.00
MVCC. . . . .	\$ 3,060,350.89
Returned School Taxes . . . . .	\$ 6,843,627.92
Delinquent Charges School . . . . .	\$ 479,051.12
Returned Village Taxes . . . . .	\$ 450,435.78
Delinquent Charges Village . . . . .	\$ 31,530.60
UMVRWB Town Outside Water Charges . . . . .	\$ 57,616.35
Delinquent Charges – Water . . . . .	\$ 1,047.51
HAVA. . . . .	\$ 1,686,988.78

OIN Pursuant to Chapter 71, State Finance Law, Laws of New York, 2012:

Town of Verona, VVS/Oneida City School . . . . .	
2011/12 Additional Value from OIN . . . . .	\$10,135,608.66
Delinquent Charges – School . . . . .	\$ 709,492.61
Town of Vernon, VVS School . . . . .	
2011/12 Additional Value from OIN . . . . .	\$ 595,527.82
Delinquent Charges – School . . . . .	\$ 41,686.96

APPROVED: Ways & Means Committee (December 26, 2012)

DATED: December 26, 2012

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

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.**

**INTRODUCED BY:  
2ND BY:**

**RE: APPROVAL OF SPECIFIED AMOUNTS TO BE LEVIED AGAINST UTICA AND  
SPECIFIED TOWNS FOR DELINQUENT SEWER CHARGES**

**WHEREAS,** The Finance Administrator of the Oneida County Part County Sewer District has filed with the Commissioner of Finance an itemized statement showing owners and the amounts of arrears of said owners for Sewer Use Charges and SSO Abatement Charges, now, therefore, be it hereby

**RESOLVED,** That there shall be levied and extended certain amounts of arrears for Sewer Use Charges and SSO Abatement Charges, with such items as may be posted for insufficient funds or similar adjustments if necessary, on the 2013 tax rolls of the towns and cities listed below against the properties owned by the various persons in the amounts set opposite their respective names, as follows:

<b>MUNICIPALITY</b>	<b>SEWER AMOUNT</b>	<b>SSO AMOUNT</b>
Utica	\$201,029.79	
Deerfield	\$ 4,574.28	
Marcy	\$ 9,080.39	
New Hartford	\$ 22,339.83	\$ 3,793.27
Whitestown	\$ 31,988.74	\$ 20,053.12
Paris	\$ 19,183.04	\$ 6,186.82
Trenton	\$ <u>1,631.08</u>	<u>                    </u>
<b>TOTAL</b>	<b>\$289,827.15</b>	<b>\$ 30,033.21</b>

APPROVED: Ways & Means Committee (December 26, 2012)

DATED: December 26, 2012

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

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.**

**INTRODUCED BY:  
2ND BY:**

**RE: APPROVAL OF HIGHWAY 1, 2, 3 & 4 HEALTH, FIRE PREVENTION, GENERAL WELFARE,  
AND SPECIFIED DISTRICT TAXES TO BE LEVIED AGAINST TOWNS**

**WHEREAS,** There has been presented to this Board of Legislators a duly certified copy of the annual budget of each of the several towns in the County of Oneida for the fiscal year beginning January 1, 2013, now therefore, be it hereby

**RESOLVED,** That there shall be district taxes assessed and levied upon, and collected from, the real property liable therefore within the respective fire, fire protection, fire alarm and improvement districts in the towns specified in their respective annual budgets, and, be it further

**RESOLVED,** (a) That there be and hereby is assessed and levied upon, and collected from, the taxable real property situate in the named towns outside of any incorporated village, wholly or partially located therein, the amounts indicated therein for Town-Wide General, Town-Wide Highway, Highway Outside and General Outside as specified in the budgets of the respective towns, and be it further

**RESOLVED,** (b) That the amounts to be raised by tax for all purposes specified in the said several annual budgets as presented to this Board and which are on file within the Office of the Clerk and/or the Commissioner of Finance, shall be and hereby are assessed and levied upon, and collectible from, all taxable property in the towns as enumerated, except as otherwise provided by law.

APPROVED: Ways & Means Committee (December 26, 2012)

DATED: December 26, 2012

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

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.**

**INTRODUCED BY:  
2ND BY:**

**RE: APPROVAL OF WATER RENTS, SEWER CHARGES, AND OTHER MISCELLANEOUS  
CHARGES TO BE LEVIED ON PROPERTIES IN SPECIFIED TOWNS**

**WHEREAS,** The Supervisors of the various towns have filed with the Commissioner of Finance itemized statements showing the owners and the amounts of arrears of said owners and water rents and sewer charges to be levied in the specified towns, as more particularly set forth in records on file with the Commissioner of Finance, and

**WHEREAS,** The Commissioner of Finance may be notified of other pro-rata taxes, DEC Violations, NSF charges or other miscellaneous charges against properties owned by various persons, now, therefore, be it hereby

**RESOLVED,** That there be levied and extended on the 2013 tax rolls of the aforementioned towns, against those properties owned by various persons such amounts of arrears, rents and charges as are set forth opposite their respective names.

APPROVED: Ways & Means Committee (December 26, 2012)

DATED: December 26, 2012

Adopted by the following v.v. vote:

AYES            NAYS            ABSENT

**ONEIDA COUNTY BOARD OF LEGISLATORS**

**RESOLUTION NO.**

**INTRODUCED BY:**

**2ND BY:**

**RE: AMOUNTS TO BE LEVIED AND ASSESSED UPON CERTAIN ONEIDA INDIAN  
NATION PROPERTIES IN ONEIDA COUNTY PURSUANT TO 2012 LAWS OF NEW YORK,  
CHAPTER 71, STATE FINANCE LAW**

**WHEREAS,** The New York State Legislature has enacted legislation to address the uncertainty that exists as to when and to what extent the Oneida Indian Nation will pay taxes, and

**WHEREAS,** The administrative calculations of tax liability within the County are contingent upon an accurate and final determination of property tax liability and payment against such liabilities, and

**WHEREAS,** It is necessary to generally preserve the status quo for all other property owners pending the resolution of the said uncertainty, now, therefore, be it hereby

**RESOLVED,** That the sums generated from additional value assessments on certain properties owned by the Oneida Indian Nation as specified in said State legislation are hereby levied and extended on the 2013 tax rolls.

APPROVED: Ways & Means Committee (December 26, 2012)

DATED: December 26, 2012

Adopted by the following v.v. vote:

AYES            NAYS            ABSENT



**Oneida County**

**Office for the Aging & Continuing Care**

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

**Michael J. Romano**  
Director

120 Airline Street-Suite 201 Oriskany, NY 13424

Phone 315-798-5456

Fax 315-768-3658

E-mail.ofa@ocgov.net

December 18, 2012

FN 20 12 - 481

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

**WAYS & MEANS**

**Re: Carryovers of Unspent Federal Funds 2011  
AOA Title III E**

Dear Mr. Picente:

Office for the Aging/Continuing Care has recently been notified by New York State Office for the Aging (NYSOFA) of the availability of unexpended Federal funds from the 2011 program period for use in the department's 2012 operating budget. Included in this Federal funding carryover is Administration on Aging Title III E (Caregiver Support). At the same time there continues to be a growing need to provide services to frail elderly individuals served through Caregiver Respite Services. Therefore, I respectfully recommend that supplemental appropriations be made into the following expense lines:

A6772.495.135 Caregiver Support .....	\$ 38,000.
<b>Total:</b>	<b>\$ 38,000.</b>

This request for supplemental appropriations will be fully offset by unanticipated revenue in the following revenue accounts:

A4775 Federal Aid Caregiver Program .....	\$ 38,000.
<b>Total:</b>	<b>\$ 38,000.</b>

This request will not require additional County dollars. I am available should you have any questions or concerns regarding this request for supplemental appropriations.

Sincerely,

Michael J. Romano  
Director

CC: Tom Keeler, Budget Director  
Sue Perritano, Fiscal Supervisor

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

Anthony J. Picente, Jr.  
County Executive

Date 12/19/12

**NOTIFICATION OF GRANT AWARD UNDER TITLE VIII OF THE OLDER AMERICANS ACT  
NEW YORK ELDER CAREGIVERS SUPPORT PROGRAM**

Name and Address of Area Agency:  Oneida County Office for the Aging/Continuing Care 120 Airline Street - Suite 201 Oriskany, NY 13424	Name and Address of Sponsoring Agency/Payee:  Oneida County
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Program Year - Beginning: 1/1/2012 - Ending: 12/31/2012

Fiscal Year from which funds are awarded: 2012      Federal CFDA No. - 93.052      This award is REVISED

<u>Section I - Cost Categories</u>	<u>Amount</u>	<u>Section II - Grantee Budget - Federal and Matching Funds:</u>
Personnel	\$25,727.00	1. Federal Share (see remark 1) <span style="float: right;">\$175,335.80</span>
Fringe Benefits	7,718.00	2. Combined Matching Share
Equipment	0.00	A. In-Kind <span style="float: right;">0.00</span>
Travel	0.00	B. Cash <span style="float: right;">61,181.20</span>
Maint. & Operations	16,835.00	3. Net Cost <span style="float: right;">\$236,517.00</span>
Other Expenses	645.00	
Subcontracts	189,392.00	<u>Section III - Federal Funds Ceiling:</u>
Food	0.00	A. Carryover <span style="float: right;">\$38,591.80</span>
Approved Costs	\$240,317.00	B. Base Allocation <span style="float: right;">134,998.00</span>
Less:		C. Supplement <span style="float: right;">439.00</span>
Anticipated Income	3,800.00	Federal Funds Ceiling (see remark 1) <span style="float: right;">\$174,028.80</span>
NSIP	0.00	
Net Cost	\$236,517.00	

Remarks: In addition to the conditions contained in the Four Year Plan, Annual Implementation Plan and Application for Funding, the conditions checked below apply to this award:

- (XX) 1. Federal reimbursement is limited to the lower of the "Federal Share" in Section II or the "Federal Funds Ceiling" in Section III of this award notice.
- (XX) 2. Receipt of federal funds (either through advance or reimbursement) does not constitute earning of these funds. The federal share of the project cost is earned only when allowable costs have been incurred and paid; and the non-federal share of the costs has been contributed.
- (XX) 3. The federal share will not exceed 75% of the cost of approved program activities.
- (XX) 4. Of the federal share and local matching funds for approved program activities, no more than 10% may be spent on Grandparent Caring for Children activities and no more than 20% may be spent on Supplemental Services.
- ( ) 5. Federal funds carried over from the prior year are estimated. Actual carryover depends on prior year closeout and will be confirmed upon closeout.
- ( ) 6. This award authorizes the payment of advances only. The award is conditional upon the approval of the Annual Implementation Plan and application referenced above, and the initial advance must be repaid if such plan and application do not receive final approval after appropriate modifications, if any.

Name and Title of Authorizing Official:  Greg Olsen Acting Director	Signature: 	Date: 10-10-12
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