



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE M. FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202

Phone: 315.435.2070 Fax: 315.435.8434

www.ongov.net

RESOLUTION NOS. 019 - 029

OFFICE OF THE CLERK

March 6, 2018

Listed below are the resolutions to be presented to the County Legislature at the March Session.
The meeting will be held at **1:00 p.m. on Tuesday, March 6, 2018.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mr. Burtis**
- D. SALUTE TO FLAG – **Mr. Burtis**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. **Correspondence:**
 - a. 1-12-18 Appointment to the Onondaga County Justice Center Oversight Committee (Jeffrey P. Marier)
 - b. 1-18-18 Memo from Chairman McMahon – RE: Appointment to the Board of Directors of the Onondaga County Civic Development Corporation (Richard Zaccaria)
 - 2. **Public Comment:**
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 3)

3RD DISTRICT – MR. BURTIS – HEALTH

- 1. **NO. 19** Confirming the Reappointment of Indu Gupta, M.D., M.P.H. as Commissioner of Health for the County of Onondaga (16-0-1 Tassone)
- 2. **NO. 20** 2018 Transfer Resolution - Health Department (\$458,598) (16-0-1 Tassone)

8TH DISTRICT – MR. RYAN – PUBLIC SAFETY

- 3. **NO. 21** Confirming an Appointment and Reappointment to the Onondaga County Fire Advisory Board (Richard Nemier, Ronald R. Foote, Jr.) (16-0-1 Tassone)

15TH DISTRICT – MR. McMAHON

- 4. **NO. 22** Confirming Appointment to the Onondaga County Justice Center Oversight Committee (Jeffrey P. Marier) (16-0-1 Tassone)
- 5. **NO. 23** Confirming Appointment by the Chairman of the Onondaga County Legislature to the Board of Directors of the Onondaga Civic Development Corporation (Richard G. Zaccaria) (16-0-1 Tassone)

1ST DISTRICT – MR. MAY – WAYS AND MEANS

- 6. **NO. 24** Amending the 2018 County Budget to Make Funds Available in Connection with the Central Library Reconfiguration Project (\$2,355,520) (10 Knapp, Ervin, Burtis, Cody, Plochocki, Ryan, Chase, Williams, May, McMahon -6 Buckel, Holmquist, McBride, Bush, Jordan, Rowley -1 Tassone)

7. **NO. 25** Authorizing New York State Reimbursement for 2018 Expenses of the Recording Officer for the County of Onondaga for Administration of Mortgage Taxes (16-0-1 Tassone)
8. **NO. 26** Confirming Reappointment to the Board of Directors for CNY Works, Inc. (J. Ryan McMahon, II) (16-0-1 Tassone)
9. **NO. 27** Confirming Appointment to the Region 7 Fish and Wildlife Management Board (Michael Plochocki) (16-0-1 Tassone)
10. **NO. 28** Authorizing the Execution of Agreements to Accept Grant Funding from the New York State Environmental Facilities Corporation in Connection with Development of the Meadowbrook Limestone Inflow and Infiltration Reduction Facility Plan (\$50,000) (16-0-1 Tassone)
11. **NO. 29** Authorizing the Execution of Agreements to Accept Grant Funding from the New York State Environmental Facilities Corporation in Connection with the South Salina Street Green Corridor Project (\$1,310,000) (16-0-1 Tassone)

LOCAL LAWS:

- A. **PULLED** - A Local Law Protecting and Providing for the Health and Well-Being of Dogs in Onondaga County, and Amending Local Law No. 5-2017 (Sponsored by Mr. Ryan)
- B. **PULLED** - A Local Law Protecting and Providing for the Health and Well-Being of Dogs and Other Companion Animals in Onondaga County, and Amending Local Law No. 5-2017 (Sponsored by Mr. Jordan)

- K. UNFINISHED BUSINESS
- L. ANNOUNCEMENTS FROM THE CHAIR
- M. ADJOURNMENT

Respectfully submitted,



DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE

ROLL CALL			MARCH 6, 2018 SESSION
LEGISLATOR	PRESENT	ABSENT	
1. MAY	✓		Called to order at 1:10 p.m.
2. ROWLEY	✓		
3. BURTIS	✓		
4. TASSONE		✓	
5. CODY	✓		Public comment - see attached list
6. PLOCHOCKI	✓		
7. BUCKEL	✓		
8. RYAN	✓		
9. CHASE	✓		
10. HOLMQUIST	✓		
11. McBRIDE	✓		
12. KNAPP	✓		
13. BUSH	✓		
14. JORDAN	✓		
16. WILLIAMS	✓		
17. ERVIN	✓		
15. MCMAHON	✓		
TOTAL	16	1	



Onondaga County Legislature

J. Ryan McMahon, II

Chairman

401 Montgomery Street · Court House · Room 407 · Syracuse, New York 13202

Phone (315) 435-2070 · Fax (315) 435-8434

January 12, 2018

TO: Chris Ryan, Chairman
Public Safety Committee Members

FROM: J. Ryan McMahon, II, Chairman

RE: Appointment to Onondaga County Justice Center Oversight Committee

A handwritten signature in black ink, appearing to be "J. McMahon", is written over the "FROM:" line of the memo.

Due to the resignation of Mr. Dominic Fruscello, a vacancy currently exists on the Onondaga County Justice Center Oversight Committee. I am submitting for your consideration the appointment of Mr. Jeffrey P. Marier to fill Mr. Fruscello's unexpired term.

The resume for Mr. Marier is attached for your review. This appointment requires confirmation by the full Legislature at the March 6, 2018 Session.

APPOINTMENT:

Jeffrey P. Marier
3707 Hayes Road
Baldwinsville, New York 13027

TERM EXPIRES:

December 31, 2019

cc: All Legislators
Deborah Maturo, Clerk, Onondaga County Legislature

18 JAN 23 AM 10:28

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

JEFFREY P. MARIER

(315) 283-8105 (Cell)

marierny@yahoo.com

EDUCATION

- Masters of Science in Electrical Engineering (MSEE)
Syracuse University (Syracuse, NY)
- Graduate Certificate in Systems Engineering & Architecture
Stevens Institute of Technology (Hoboken, NJ)
- Bachelor of Science in Electrical Engineering (BSEE)
University of Toledo (Toledo, OH)

LEADERSHIP EXPERIENCE

- President of Board of Education for Baldwinsville Central School District (2011 – Present)
- Member of the Leadership Greater Syracuse Class of 2009 and Founding member of the CNY Political Leadership Institute (2010)
- US Air Force Desert Storm Veteran
- Eagle Scout (1990), Boy Scouts of America, Troop 216, Marysville, Michigan

WORK EXPERIENCE

Business Area Manager (11/16 - Present)

Anaren Microwave - Syracuse, NY

Primary responsibilities include subcontract and technical management of radar beamformer related circuit board development and manufacturing programs to include Raytheon AMDR SPY-6, THAAD TPY-2 and SPY-3 radar systems. Responsible for all customer interface activities to include business development, program contracts, technical reviews, specifications, hardware test events and deliveries.

Engineering Project Manager (9/15 – 10/16)

Saab Defense USA - Syracuse, NY

Primary responsibilities include subcontract management and oversight of all technical, cost, schedule and staffing of the Raytheon 3DELRR radar software development. Team consists of systems, software, integration and test engineers working in monthly agile development cycles. Responsible for all customer interface activities to include program contracts, reviews, specifications, software test events and deliveries.

Adjunct Professor (8/15 – Present)

Cayuga Community College – Auburn, NY

Classes taught:

- ELEC-201 Intermediate Electronics (Fall 2016 Semester)
- ELEC-101 Electronics 1 (Fall 2015 Semester)

Adjunct Professor (1/15 – Present)

Onondaga Community College - Syracuse, NY

Classes taught:

- ELT-161 Electronics 1 (Spring 2015 Semester)

Systems Engineering / I&T Manager (1/09 – 9/15)

Lockheed Martin - Syracuse, NY

Responsible for development and execution of multiple international and domestic radar, electronic warfare and undersea projects.

- Functional management oversight of up to 30 engineers at one time.
- Develop proposal inputs on over 20 proposal efforts yearly (>\$20M scope)
- Deployed to radar sites across the US and overseas to install, troubleshoot and test TPS-77 & FPS-117 radar systems and directly interface with customers for successful sell-off.
- Engineering Program Manager (EPM) for all FCC/FAA license and RF activities for Syracuse sites.

Integration & Test (I&T) Lead (12/05 – 1/09)

Lockheed Martin - Syracuse, NY

Define I&T approach for MEADS Low Frequency Sensor (LFS) radar by developing plans, procedures, fixtures, and Special Test Equipment (STE) to ensure verification of all system requirements. Project manager for Near Field Test Chamber development and commissioning.

Senior Systems Engineer (08/04 – 12/05)

Smiths Aerospace – Grand Rapids, MI

Technical lead for the Boeing 787 Dreamliner Common Core System (CCS) Health Management subsystem. Responsibilities include: Define system concept, requirements, models and verification approach for complex system, Internal and aircraft-level interface definition for system ICD and CCS Interoperability specification and familiarity with ARINC 661/664/653 and DO-178B/254/297 specifications.

Radar Integration and Test Lead (4/01 – 07/04)

Lockheed Martin - Syracuse, NY

Perform and direct factory and overseas I&T activities for various AN/FPS-117 and AN/TPS-77 radar systems. In-country Test Director, including direct customer interface, for various radars in Taiwan, Korea, Italy and Croatia.

Engineering Leadership Development Program (ELDP)

Lockheed Martin - Syracuse, NY

- RF and Analog Hardware Design – Digital Final Receiver (7/00 – 4/01)
- Advanced Air Defense System Firmware/Software (2/00 – 7/00)
- Advanced Development Engineering (7/99 – 2/00)

Electronic Intelligence (ELINT) Analyst (7/91 – 10/99)

US Air Force

Assigned to RC-135 Rivet Joint Reconnaissance squadrons throughout the world. Performed in-depth analysis on both analog and digital radar signal collections. Maintained a Top Secret/SCI Security Clearance. Stations include Kadena AB (Okinawa, Japan), Offutt AFB (NE), National Security Agency (NSA). Desert Storm veteran.

PUBLICATIONS

J. Marier, S. McBride, C. Kryzak, J. Fordham, K. Liu, "A Large Spherical Near-Field Arch Scanner for Characterizing Low-Frequency Phased Arrays," Proceedings of the 2010 Symposium, Antenna Measurement Techniques Association (AMTA), Atlanta, Georgia, Oct 2010



Onondaga County Legislature

J. Ryan McMahon, II
Chairman

401 Montgomery Street · Court House · Room 407 · Syracuse, New York 13202
Phone (315) 435-2070 · Fax (315) 435-8434

January 18, 2018

TO: John McBride, Chairman
Planning & Economic Development Committee Members

FROM: J. Ryan McMahon, II, Chairman

RE: Appointment to Board of Directors of the Onondaga County Civic Development Corporation

Submitted for your consideration is the appointment of Mr. Richard Zaccaria to the Board of Directors of the Onondaga County Civic Development Corporation. Mr. Zaccaria will fill a current vacancy on the board.

A resume for Mr. Zaccaria is attached for your review. This appointment requires confirmation by the full Legislature at the March 6, 2018 Session.

APPOINTMENT:
Richard Zaccaria
5 Sun Meadows Way
Baldwinsville, New York 13027

TERM EXPIRES:
10/6/19

cc: All Legislators
Deborah Maturo, Clerk, Onondaga County Legislature

Richard G. Zaccaria

5 Sun Meadows Way
Baldwinsville, NY 13027

Phone: 315.391.9271

Email: rick.zaccaria@gmail.com

Bio:

- Lifetime resident of Onondaga County
- Resident of Baldwinsville for 23 years
- Local small business owner
- Married to wife Natalie for 9 years
- Three children, two grandchildren

Leadership Experience:

- **President/CEO Zaccaria Development**
Expanded into the shipping and printing field with a new consolidated company, Zaccaria Development, and our first acquisition, The UPS Store in Baldwinsville. Added a second UPS Store in Cicero in 2015 and a third in Skaneateles in 2016.
- **President, Zaccaria Hearing**
In 2015 I moved back to the hearing healthcare field with Zaccaria Hearing Aid Clinic in Liverpool. Added a location in Fayetteville in 2016 and Homer in 2017. Zaccaria Hearing acquired by New Jersey based company in 2018.
- **Councilor for the Town of Van Buren**
In March 2015, I accepted an appointment as Town Councilor for the Van Buren Town Board. I am currently serving my second term after winning re-election in Nov. 2015. I serve as the Chairman of Parks & Rec and Facilities Committee, I also serve on the Highway and the Personnel Committees.
- **Former Candidate for New York State Assembly 129th District**
In 2014 I was nominated to be the Republican candidate for the New York State Assembly, to run against a long-time incumbent, in the 129th district.
- **New York Retail Corporate Manager, Beltone**
Beltone Electronics acquired Action Ear in 2012. I served as a Corporate Manager for the New York market until November 2014, concentrating on my specialties of marketing and sales training.
- **President and CEO, Action Ear Hearing & Audiology**
In 2007 I took over my father's small hearing aid company, Action Ear Hearing & Audiology. As President and CEO, Action Ear grew from a single location in North Medical Center to seven locations across three counties.
- **Inventor & U.S. patent-holder**
In 2012 I was granted my first U.S. Patent, US8542842B2, for a Remote Programming System for Digital Hearing Aids. I currently have other inventions in various stages of development, including a vehicle assistive device and innovative technology for professional athletes.
- **Online writer & political essayist**
- **NYS Master Hearing Aid Dispenser and Certified Dispenser Instructor**
- **Board member with The Cicero Chamber of Commerce**
- **Board member with the Cpl. Kyle R. Schneider Foundation /Race committee**

Organizations:

- American Auditory Society
- New York Hearing Healthcare Alliance
- NRA, Golden Eagles lifetime member
- National Italian American Foundation
- The Nora S. Lamirande Foundation

March 6, 2018

Motion Made By Mr. Burtis

RESOLUTION NO. 019

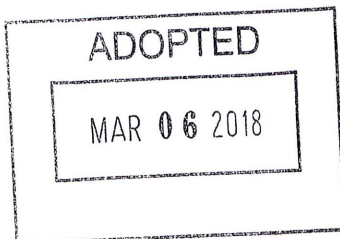
CONFIRMING THE REAPPOINTMENT OF INDU GUPTA, M.D., M.P.H. AS COMMISSIONER OF
HEALTH FOR THE COUNTY OF ONONDAGA

WHEREAS, pursuant to Section 1602 of the Onondaga County Charter, the Onondaga County Executive has duly reappointed Indu Gupta, M.D., M.P.H., 6807 Morehouse Flats Road, Jamesville, New York 13078, to serve as Commissioner of Health for the County of Onondaga, subject to the confirmation of this Legislature; and

WHEREAS, consistent with the Onondaga County Charter and Administrative Code, such reappointment is subject to confirmation by the Onondaga County Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the reappointment of Dr. Gupta to serve as the Onondaga County Commissioner of Health for the remainder of the unexpired term, pursuant to Section 1602 of the Onondaga County Charter, where such term is to expire December 31, 2021.

HealthCommr
KMB
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 20 18.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 JAN 23 AM 9:28

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

/				MARCH 6, 2018 SESSION
LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

2.

March 6, 2018

020

Motion Made By Mr. Burtis

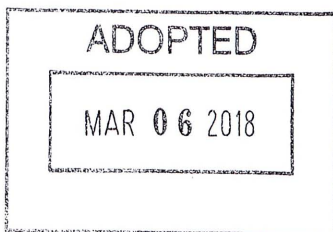
RESOLUTION NO. _____

2018 TRANSFER RESOLUTION

RESOLVED, that the following transfers be made:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT:</u>
Admin Unit 4300000000	Admin Unit 4300000000	
Health Department	Health Department	
Speed Type #330501	Speed Type #330501	
Acct. 641010	Acct. 694080	
Regular Employee Salaries	Professional Services	\$312,610
 Admin Unit 4300000000	 Admin Unit 4300000000	
Health Department	Health Department	
Speed Type #330501	Speed Type #330501	
Acct. 691200	Acct. 694080	
Employee Benefits	Professional Services	\$145,988

2018 Health Trans annual
KMB
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE
6th DAY OF March, 2018.

Deborah A. Maturo
CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 FEB -7 PM 12:02

ONONDAGA COUNTY
LEGISLATURE

2

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

3.

March 6, 2018

021

Motion Made By Mr. Ryan

RESOLUTION NO. _____

CONFIRMING AN APPOINTMENT AND REAPPOINTMENT TO THE ONONDAGA COUNTY
FIRE ADVISORY BOARD

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has appointed and designated the following individuals to serve as members of the Onondaga County Fire Advisory Board, consistent with the Section 1903 of the Onondaga County Charter:

APPOINTMENT:

Richard Nemier
102 Meredith Avenue
Nedrow, New York 13120

TERM EXPIRES:

December 31, 2020

REAPPOINTMENT:

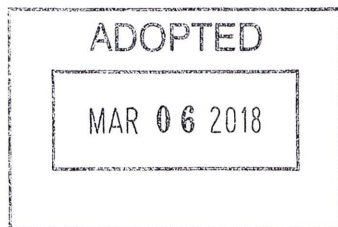
Ronald R. Foote, Jr.
3436 Amber Road
Syracuse, New York 13215

December 31, 2020

WHEREAS, such appointment and reappointment are subject to confirmation by the Onondaga County Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature does confirm the appointment and reappointment of the above individuals to serve as members of the Onondaga County Fire Advisory Board for the term specified above or until subsequent action by the County Executive.

Fire Advisory
KMB
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 JAN 25 PM 1:41

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

3

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

4

March 6, 2018

022

Motion Made By Mr. McMahon

RESOLUTION NO. _____

CONFIRMING APPOINTMENT TO THE ONONDAGA COUNTY JUSTICE CENTER OVERSIGHT
COMMITTEE

WHEREAS, pursuant to Local Law No. 4 - 2015, J. Ryan McMahon, II, Chairman of the Onondaga County Legislature, has duly appointed the individual listed below to serve as a member of the Onondaga County Justice Center Oversight Committee, subject to the confirmation of this Legislature:

APPOINTMENT:

Jeffrey P. Marier
3703 Hayes Road
Baldwinsville, New York 13027

TERM EXPIRES:

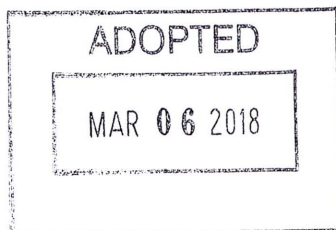
December 31, 2019

and

WHEREAS, it is the desire of this Legislature to confirm such appointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm such appointment of the above named individual, effective immediately.

Justice Ctr - Committee - Marier
AMA
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 JAN 23 AM 11:38

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

4

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

5.

March 6, 2018

023

Motion Made By Mr. McMahon

RESOLUTION NO. _____

CONFIRMING APPOINTMENT BY THE CHAIRMAN OF THE ONONDAGA COUNTY
LEGISLATURE TO THE BOARD OF DIRECTORS OF THE ONONDAGA CIVIC DEVELOPMENT
CORPORATION

WHEREAS, the Chairman of the Onondaga County Legislature has duly appointed and designated, subject to confirmation by the Onondaga County Legislature, the following individual to serve as the Chairman's appointee to the Board of Directors of the Onondaga Civic Development Corporation:

APPOINTMENT:

Richard G. Zaccaria
5 Sun Meadows Way
Baldwinsville, New York 13027

TERM EXPIRES:

October 6, 2019

and

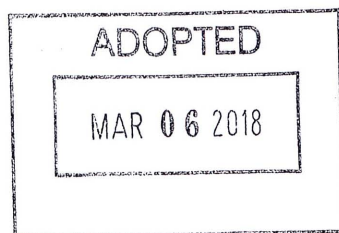
WHEREAS, it is the desire of this Legislature to confirm said appointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the appointment of the above individual to serve as the Chairman's appointee to the Board of Directors to the Onondaga Civic Development Corporation.

OCDC 3.18 (2)

SS

dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 JAN 23 AM 11:38

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

5

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

March 6, 2018

6.
024

Motion Made By Mr. May

RESOLUTION NO. _____

AMENDING THE 2018 COUNTY BUDGET TO MAKE FUNDS AVAILABLE IN CONNECTION
WITH THE CENTRAL LIBRARY RECONFIGURATION PROJECT

WHEREAS, the Central Library Reconfiguration Project undertook a series of renovations intended to change the layout and division of space within The Galleries, a building with a Library Unit held by the County of Onondaga and a Commercial Unit held by Onondaga Galleries Limited Liability Company under a condominium plan; and

WHEREAS, the County's improved space has allowed the Central Library to gain efficiencies and condense its operations to occupy fewer floors in the building, creating an opportunity to generate income from leasing approximately 60,000 square feet of the Library Unit to SUNY Upstate Medical University through a long-term lease (Local Law No. 12-2014); and

WHEREAS, the rental income generated by the lease supported the full cost of the landlord work and tenant improvements needed to make the fourth and fifth floors of the Library Unit compliant with building codes and suitable for lease to SUNY Upstate Medical University, while also supporting the cost of the County's responsibilities under such lease, as well as the cost of renting approximately 28,269 square feet of the Commercial Unit commencing on or about August 1, 2015; and

WHEREAS, the Onondaga County Legislature adopted Local Law No. 13-2014 on November 3, 2014 providing for such lease of space within the Commercial Unit for a period of years needed to cover the period for which the County has authorized bonds outstanding for the library renovation project, such period not to exceed 25 years; and

WHEREAS, Local Law No. 13-2014 authorized the County to have an option to purchase the leased property within the Commercial Unit for \$2,355,520, such option to be exercised after November 1, 2017, but not later than December 31, 2019; and

WHEREAS, the County entered into a certain Lease Agreement, dated July 17, 2015, under which The Onondaga Galleries Limited Liability Company shall sell, and the County shall purchase, the leased space, committing each party to take such steps as may be necessary to close such transaction by December 31, 2017; and

WHEREAS, the 2014 County Budget was amended by Resolution No. 176-2014 to establish Grant Project #767351 (OCPL Galleries Leases) to receive rent payments from SUNY Upstate Medical University which are used to provide services to the County's tenant, make improvements in connection with such lease, and offset costs associated with lease of space from The Onondaga Galleries Limited Liability Company; and

WHEREAS, the total lease payments due for the period of years for which the County has authorized bonds outstanding for the library renovation projects would have amounted to \$5,276,880, an amount far in excess of the purchase price of \$2,355,520; and

WHEREAS, going forward, the rent to be collected from SUNY Upstate Medical University or other tenants of the Library Unit's fourth and fifth floor will be used to keep the spaces in use and to pay for services and maintenance typically provided by a landlord to its tenants, as well as to provide the source of funding for the purchase price of \$2,355,520; now, therefore be it

RESOLVED, that the 2018 County Budget be amended as follows:

REVENUES:

In Admin Unit 6500000000

Onondaga County Public Library

Speed Type #390062

In Project 767351 - OCPL Galleries Leases

In Account 590051 - Rental Income

\$2,355,520

APPROPRIATIONS:

In Admin Unit 6500000000

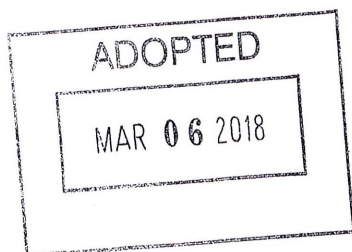
Onondaga County Public Library

Speed Type #390062

In Project 767351 - OCPL Galleries Leases

\$2,355,520

OCPL
KMB
dak



FILED WITH CLERK

ONON. CO. LEG.

January 24, 2018
JLM

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 FEB -7 PM 1:07

ONONDAGA COUNTY
LEGISLATURE

6

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP	✓			
17. ERVIN	✓			
3. BURTIS	✓			
4. TASSONE			✓	
5. CODY	✓			
6. PLOCHOCKI	✓			
7. BUCKEL		✓		
8. RYAN	✓			
9. CHASE	✓			
10. HOLMQUIST		✓		
11. McBRIDE		✓		
13. BUSH		✓		
14. JORDAN		✓		
16. WILLIAMS	✓			
1. MAY	✓			
2. ROWLEY		✓		
15. MCMAHON	✓			
TOTAL	10	6	1	

March 6, 2018

025

Motion Made By Mr. May

RESOLUTION NO. _____

AUTHORIZING NEW YORK STATE REIMBURSEMENT FOR 2018 EXPENSES OF THE
RECORDING OFFICER FOR THE COUNTY OF ONONDAGA FOR ADMINISTRATION OF
MORTGAGE TAXES

WHEREAS, New York State Tax Law Section 262 provides that recording officers shall be entitled to receive necessary expenses for the administration of mortgage taxes as approved and allowed by the State Tax Commission; and

WHEREAS, the State Tax Commission did, by resolution duly adopted, determine that such mortgage tax expense be approved at the amount certified to the State Tax Commissioner by the County Legislature, provided it is a reasonable and necessary allowance for such expenses; and

WHEREAS, it is the desire of this Legislature to certify said expenses for reimbursement by the State; now, therefore be it

RESOLVED, by the Onondaga County Legislature that the sum of \$541,339 for the year 2018 be and the same hereby is determined as necessary, reasonable and proper allowance to be received by the Recording Officer of the County of Onondaga for the purpose of administering mortgage taxes in her office, as follows:

Clerk III Salary	\$46,097	
Plus additional sum as follows:		
Social Security	\$3,526	
Retirement	\$7,283	
Health Insurance	\$13,226	
Unemployment	\$82	
Workman's Compensation	\$842	
Dental Insurance	\$607	
Disability	<u>\$272</u>	
	\$25,838	\$71,935
Clerk II Salary (2) (\$39,491.00)	\$78,982	
Plus additional sum as follows:		
Social Security	\$6,042	
Retirement	\$12,479	
Health Insurance	\$22,661	
Unemployment	\$141	
Workman's Compensation	\$1,442	
Dental Insurance	\$1,040	
Disability	<u>\$466</u>	
	\$44,271	\$123,253

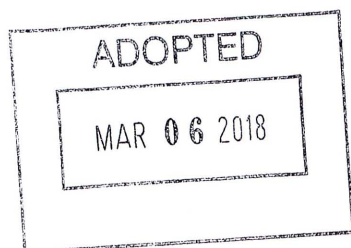
Deputy County Clerk Salary (2) (\$46,041.00)	\$92,082	
Plus additional sum as follows:		
Social Security	\$7,044	
Retirement	\$14,549	
Health Insurance	\$26,419	
Unemployment	\$164	
Workman's Compensation	\$1,681	
Dental Insurance	\$1,213	
Disability	<u>\$543</u>	
	\$51,613	\$143,695
Indirect Costs	\$10,238	
Office Supplies	\$4,522	
Data Processing Services	\$118,062	
Facilities Management	\$59,568	
Law Department Services	\$1,714	
Purchase Division Services	\$2,396	
Maintenance Utility Rents	\$5,878	
All Other Expenses	<u>\$78</u>	
	\$202,456	
		<u>\$202,456</u>
	Total	\$541,339

and, be it further

RESOLVED, that such additional sum of \$541,339 for the year 2018 is hereby certified to the State Tax Commissioner as the reasonable and necessary allowance for such expense; and, be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward 2 certified copies of this resolution to the appropriate County officials.

2018 Salary Resolution
KMB
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah L. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 JAN 24 PM 1:27

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

7

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

8.

March 6, 2018

Motion Made By Mr. May

RESOLUTION NO. 026

CONFIRMING REAPPOINTMENT TO THE BOARD OF DIRECTORS FOR CNY WORKS, INC.

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly reappointed and designated, consistent with Section 1903 of the Onondaga County Charter, the following individual to serve as a member of the Board of Directors for CNY Works, Inc., where such board serves as the Onondaga County Workforce Development Board for the Onondaga County Workforce Development Area, consistent with the Workforce Innovation and Opportunity Act:

REAPPOINTMENT:

Hon. J. Ryan McMahon, II
Chairman, Onondaga County Legislature
113 Carlton Road
Syracuse, New York 13207

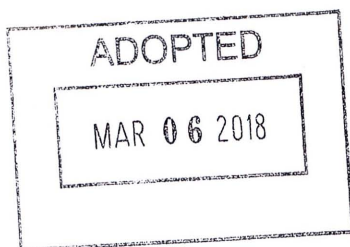
TERM EXPIRES:

December 31, 2019

WHEREAS, it is necessary for this Onondaga County Legislature to confirm said reappointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the reappointment of the above individual to serve as a member of the Board of Directors for CNY Works, Inc., for the term specified above or until subsequent action by the Onondaga County Executive.

CNYWorks - WIOA
KMB
dak



FILED WITH CLERK
ONON. CO. LEG.
January 26, 2018
Kmf

18 FEB 26 PM 3:51

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 20 18.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

8

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

9.

March 6, 2018

027

Motion Made By Mr. May

RESOLUTION NO. _____

CONFIRMING APPOINTMENT TO THE REGION 7 FISH AND WILDLIFE MANAGEMENT BOARD

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly appointed and designated, pursuant to the New York State Fish and Wildlife Management Act and Section 11 – 0501 of the Environmental Conservation Law, subject to confirmation by the Onondaga County Legislature, the following individual to serve as a member of the Region 7 Fish and Wildlife Management Board:

APPOINTMENT:

Michael Plochocki
Onondaga County Legislator
4753 Howlett Hill Road
Marcellus, New York 13108

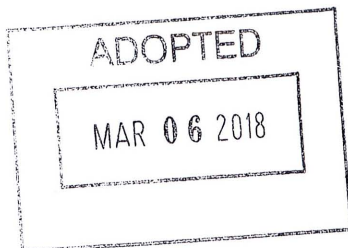
TERM EXPIRES:

December 31, 2019

now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the appointment of the above individual to serve as member of the Region 7 Fish and Wildlife Management Board for the term specified above or until subsequent action by the County Executive.

FishWildl
KMB
dak



WITH CLERK
ON. CO. LEG.
February 9, 2018
KMF

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE 6th DAY OF March, 20 18.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 FEB 26 PM 3:52

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

9

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

10.

March 6, 2018

028

Motion Made By Mr. May

RESOLUTION NO. _____

AUTHORIZING THE EXECUTION OF AGREEMENTS TO ACCEPT GRANT FUNDING FROM
THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION IN CONNECTION
WITH DEVELOPMENT OF THE MEADOWBROOK LIMESTONE INFLOW AND INFILTRATION
REDUCTION FACILITY PLAN

WHEREAS, Onondaga County has received an Engineering Planning Grant in an amount up to \$50,000, administered by the New York State Environmental Facilities Corporation (NYS EFC) and the New York Clean Water State Revolving Fund program, used to support development of the Meadowbrook Limestone Inflow and Infiltration Reduction Facility Plan (Project), and it is necessary to authorize the execution of agreements to accept such grant and participate in the program; now, therefore be it

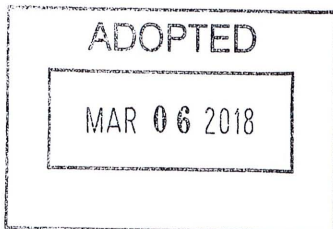
RESOLVED, that the County Executive is authorized to execute agreements and such other documents as may be reasonably necessary to implement the intent of this resolution, including agreements with NYS EFC and those other contracts, documents, and instruments necessary to bring about the Project and to fulfil the County's obligations under the Engineering Grant Agreement to be provided by NYS EFC; and, be it further

RESOLVED, that the Commissioner of Water Environment Protection, or such officer's designee, is designated to act as the County's point of contact for implementing and administering this grant; and, be it further

RESOLVED, that the County has available to it appropriated funds necessary to meet the local match requirement of 20%; and, be it further

RESOLVED, that the Project, as it involves only engineering, constitutes an action classified as a Type II in accordance with 6 NYCRR 617.5(c)(21), where such action is not subject to further environmental review and where such is an engineering plan involving the conduct of concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, and such activities do not commit the County, as the agency, to commence, engage in or approve such action.

WEP - Engineering Planning Grant
KMB
dak



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF March, 2018.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 FEB -9 PM 1:47

ONONDAGA COUNTY
LEGISLATURE
RECEIVED

10

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

Replacement 11

March 6, 2018

029

Motion Made By Mr. May

RESOLUTION NO. _____

AUTHORIZING THE EXECUTION OF AGREEMENTS TO ACCEPT GRANT FUNDING FROM
THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION IN CONNECTION
WITH THE SOUTH SALINA STREET GREEN CORRIDOR PROJECT

WHEREAS, Onondaga County has received a grant in the amount of \$1,310,000 from the New York State Environmental Facilities Corporation (NYS EFC) and its Green Innovation Grant Program (GIGP) to support the South Salina Street Green Corridor Project (Project), implementing green infrastructure, including bio retention systems and storm water street trees, and it is necessary to authorize the execution of agreements to accept such grant and participate in the program; now, therefore be it

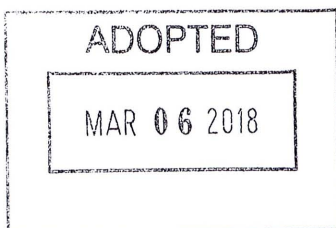
RESOLVED, that the County Executive is authorized to execute agreements and such other documents as may be reasonably necessary to implement the intent of this resolution, including agreements with NYS EFC and those other contracts, documents, and instruments necessary to bring about the Project and to fulfil the County's obligations under the Grant Agreement to be provided by NYS EFC; and, be it further

RESOLVED, that the Commissioner of Water Environment Protection, or such officer's designee, is designated to act as the County's point of contact for implementing and administering this grant; and, be it further

RESOLVED, that the County has available to it appropriated funds necessary to meet the local match requirement of 10% of total eligible project costs, where such was made available for use under a bond resolution dated April 5, 2011 (Resolution No. 387 - 2011); and, be it further

RESOLVED, that the County Legislature determines that the proposed Project is a Type II action in accordance with 6 NYCRR 617.5(c), consistent with paragraphs 1, 2, and 8 within Resolution No. 144-2014, adopted by this County Legislature, and is therefore not subject to further review under 6 NYCRR Part 617.

WEP - GIGP Grant
KMB
dak



FILED WITH CLERK
ONON. CO. LEG.
February 20, 2018
RmF

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE
6th DAY OF March, 2018.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

18 FEB 34 AM 11:22

ONONDAGA COUNTY
LEGISLATURE
RECEIVED

//				MARCH 6, 2018 SESSION
LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL	16	0	1	

MARCH 6, 2018 SESSION

LOCAL LAWS

- A. A LOCAL LAW PROTECTING AND PROVIDING FOR THE HEALTH AND WELL-BEING OF DOGS IN ONONDAGA COUNTY, AND AMENDING LOCAL LAW NO. 5 – 2017 (Sponsored by Mr. Ryan)**
- B. A LOCAL LAW PROTECTING AND PROVIDING FOR THE HEALTH AND WELL-BEING OF DOGS AND OTHER COMPANION ANIMALS IN ONONDAGA COUNTY, AND AMENDING LOCAL LAW NO. 5-2017 (Sponsored by Mr. Jordan)**

18 FEB 23 PM 4:23

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

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A.

LOCAL LAW NO. ____ - 2018

A LOCAL LAW PROTECTING AND PROVIDING FOR THE HEALTH AND WELL-BEING OF
DOGS IN ONONDAGA COUNTY, AND AMENDING LOCAL LAW NO. 5 - 2017

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA,
AS FOLLOWS:

Section 1. Findings/Purpose.

Often referred to as “man’s best friend”, dogs are companions, valued for the animals’ loyal behavioral traits and ability to be kept in close proximity to people in domestic situations. Some dogs are left outdoors without means to protect themselves. These animals are exposed and vulnerable to changing weather conditions. In Onondaga County, weather conditions are famously known to change quickly and dramatically. By way of example, dangerous conditions include: temperatures at extreme ends of the spectrum, subzero wind chills, sun, thunderstorms, and high humidity. No dog should be left outside, tethered and exposed to the weather for prolonged periods when the temperature falls below the freezing point of water. With temperatures below the freezing point, a dog may experience harm and damage to its skin, causing pain. Similarly, dogs left outside, tethered and exposed for prolonged periods when the temperature rises to greater than 90° Fahrenheit are believed likely to experience heatstroke or other bodily harm.

Consistent with Municipal Home Rule Law section 10(1)(ii)(a)(12), this local law protects and provides for the health and well-being of dogs in Onondaga County by regulating the manner in which dogs may be kept outdoors. This local law is intended to provide greater protection for dogs than found within New York State Agriculture and Markets Law Sections 353-b and 353 at the time of adoption. Humane treatment of dogs not only provides these animals with a better quality of life, but may also reduce the likelihood of dogs having harmful behaviors towards other animals. It is believed that most dogs tethered outside for prolonged periods do not have adequate protection.

Section 2. Regulations.

(a) Prohibition.

No person who owns or has custody or control of a dog shall knowingly leave such dog tethered outdoors for longer than a period of 2 continuous hours at such time as when either (1) the actual air temperature is lower than 32° Fahrenheit (not accounting for wind chill), (2) the actual air temperature is greater than 90° Fahrenheit (no accounting for humidity levels), or (3) during such period of time as extreme weather conditions exist, where any such condition in (1), (2), or (3) above is actually known to such person or reasonably should have been known to such person. Actual harm or injury need not be shown to prove a violation of the prohibition in this subsection.

(b) Rebuttable Presumptions.

Extreme weather conditions shall be presumed to have been present in the event that a weather alert was in effect for a region reasonably construed and commonly understood to be affecting the region in which the dog was left outdoors and during such time as the dog was left outdoors.

A dog exhibiting signs of frostbite shall be presumed to have been left outdoors for longer than a period of 2 continuous hours at such time as when the actual air temperature was lower than 32° Fahrenheit.

A dog exhibiting signs of heatstroke shall be presumed to have been left outdoors for longer than a period of 2 continuous hours at such time as when the actual air temperature was greater than 90° Fahrenheit.

(c) Exceptions.

This local law shall not apply:

- to dogs on a leash or other restraint under direct supervision or control of persons actively engaged in recreational activities, including walking, jogging, or running; and
- to dogs required to be tethered under an applicable law, rule, regulation, or court order.

(d) Definitions.

For purposes of this local law, the terms listed below have specific definitions, as follows.

- “extreme weather conditions” shall include inclement weather, being weather conditions that are likely to adversely affect the health or safety of the dog, including but not limited to rain, sleet, ice, snow, wind, or extreme heat and cold, and otherwise consistent with the provisions of New York State Agriculture and Markets Law Section 353-b(1)(b), as may be amended from time to time.
- “weather alert” shall mean a broadcast of the National Weather Service regarding one of the following weather-related events, reasonably construed to be affecting the region in which the dog was left outdoors: blizzard warning, severe thunderstorm (watch or warning), severe weather statement, tornado (watch or warning), winter storm (watch or warning).
- “outdoors” shall mean a location outside a permanent structure capable of habitation or occupancy by people during an extreme weather event or period of time with temperatures falling below 32° Fahrenheit or greater than 90° Fahrenheit (depending on the applicable weather conditions), such as a house, apartment building, or office building. Examples of non-suitable outdoor structures include, without limitation, wire cages and non-insulated structures, including those made of plastic (e.g., calf hutch).
- “tether” shall include the actions of leashing, fastening, securing, chaining, tying, or otherwise restraining a dog to any stationary object outdoors.

Section 3. Enforcement, Penalties, and Registration Obligations.

(a) Enforcement Officers.

This local law shall be enforced by the Onondaga County Sheriff’s Office, or designee, and may also be enforced by any police officer, local dog control officer, peace officers, animal control officer, New York State Police, having jurisdiction within Onondaga County, or any other officers as may be designated by the Onondaga County Legislature via resolution from time to time (where any such officer shall be an “enforcement officer”). Such enforcement officers shall have the authority to enforce the provisions of this local law and to take such necessary and related enforcement actions, including, without limitation, accepting, recording, and investigating complaints, issuing appearance tickets, obtaining supporting depositions, and preparing and submitting criminal and civil complaints to a court of competent jurisdiction.

(b) Classification of Offense.

Any person who violates the prohibition found within Section 2(a) of this local law, shall, upon conviction thereof, be guilty of a violation, as defined in Section 55.10 of the New York State Penal Law, as may be amended from time to time. Each calendar day in which such person violates Section 2(a) of this local law shall constitute a separate offense.

(c) Penalties and Registration.

The court, in its discretion, may impose a sentence of imprisonment to be fixed by the court for a term not to exceed fifteen days, consistent with Section 70.15(4) of the New York State Penal Law, a sentence to pay an amount to be fixed by the court not exceeding the amount of two hundred fifty dollars, consistent with Section 80.05(4) of the New York State Penal Law, or both.

The court may also elect to cause the dog(s) underlying the basis of the conviction to be surrendered or otherwise forfeited by the person after such conviction. The surrender or forfeiture shall be to an enforcement officer, as provided herein above.

In lieu of or in addition to any other penalty imposed under this local law, the court may impose upon any person who fails to comply with Section 2 of this local law a civil penalty, enforceable and collectable by Onondaga County, in the amount of two hundred fifty dollars for a first offense, five hundred dollars for a second offense, and one thousand dollars for each additional offense.

Conviction of a person under this local law shall require such person to register with the Animal Abuser Registry as an Animal Abuse Offender and to comply with the entirety of Local Law No. 5 - 2017, as amended herein below.

(d) Disposition of Fines.

All fines collected pursuant to this local law shall be the sole property of Onondaga County, kept and accounted for separately, to be used for promoting animal welfare within Onondaga County, including, programs of public education.

Section 4. Severability.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as expressly limited by such order or judgment.

Section 5. Effect on Existing Local Legislation.

Local Law No. 5 - 2017, establishing an Animal Abuser Registry, is hereby amended such that the definition of an "Animal Abuse Crime" shall now include New York State Agriculture and Markets Law Section 353-b – Appropriate Shelter for Dogs Left Outdoors within subsection (a) thereof and shall now include a new subsection (f) to read as follows: "Violating local laws enacted by Onondaga County providing for the health and well-being of dogs in Onondaga County, including the local law passed on March 6, 2018, becoming effective on April 1, 2018."

Section 6. Reverse Preemption.

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or Federal administrative agency issues and promulgates regulations preempting such action by the County of Onondaga. The Onondaga County Legislature may determine via resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 7. Effective Date.

This local law shall take effect on April 1, 2018, and shall be filed, consistent with the provisions of the Municipal Home Rule Law.

LL – Protecting Dogs
KMB
dak

RECEIVED
ONONDAGA COUNTY
LEGISLATURE
18 FEB 23 PM 4:22

LOCAL LAW A

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				Pulled by sponsor
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				
2. ROWLEY				
15. MCMAHON				
TOTAL				

pullled

B.

LOCAL LAW NO. __-2018

A LOCAL LAW PROTECTING AND PROVIDING FOR THE HEALTH AND WELL-BEING OF
DOGS AND OTHER COMPANION ANIMALS IN ONONDAGA COUNTY, AND AMENDING
LOCAL LAW NO. 5-2017

BE IT ENACTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY AS
FOLLOWS:

Section 1. Findings/Purpose.

Consistent with Municipal Home Rule Law Section 10(1)(ii)(a)(12), this local law protects and provides for the health and well-being of dogs and other companion animals in Onondaga County by regulating the manner in which such animals may be kept outdoors. This local law is intended to provide greater protection for dogs and other companion animals than found within New York State Agriculture and Markets Law Sections 353-b and 353 at the time of adoption. Humane treatment of dogs not only provides these animals with a better quality of life, but may also reduce the likelihood of dogs having harmful behaviors towards other animals.

Section 2. Definitions

For purposes of this local law, the terms listed below have specific definitions, as follows:

- (a) "Companion animal" shall mean any dog or cat, and shall also mean any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal. "Companion animal" shall not include a "farm animal" as defined in Section 350(4) of the New York State Agricultural and Markets Law. "Companion animal" shall also not include animals under direct supervision or control of the owner or person who cares for such companion animal, including, but not limited to, companion animals on a leash or other restraint with persons walking, jogging, hunting or running with the companion animal.
- (b) "Physical condition" shall include any special medical needs of a companion animal due to disease, illness, injury, age or breed about which the owner or person with custody or control of a companion animal should reasonably be aware.
- (c) "Inclement weather" shall mean weather conditions that are likely to adversely affect the health or safety of a companion animal, including but not limited to rain, sleet, ice, snow, wind, or extreme heat and cold.
- (d) "Companion animals that are left outdoors" shall mean companion animals that are outdoors in inclement weather without ready access to, or the ability to enter, a house, apartment building, office building, or any other permanent structure that complies with the standards enumerated in Section 3 of this local law.

Section 3. Regulations

- (a) Any person who owns or has custody or control of a companion animal that is left outdoors shall provide it with adequate shelter, apparel and/or other protection from inclement weather appropriate to its breed, physical condition and the climate.

(b) Any person who owns or has custody or control of a companion animal that is left outdoors shall provide proper food and water so as not to impair the health of the companion animal.

(c) For all companion animals that are left outdoors in inclement weather, the minimum standards for adequate shelter must include: (1) a waterproof roof; (2) be structurally sound so as to protect the companion animal from the inclement weather; (3) be appropriate for the companion animal's breed and physical condition, and the climate; (4) have insulation appropriate to local climatic conditions and sufficient to protect the companion animal from inclement weather after taking into account other measures taken by an owner or custodian to maintain the companion animal's body temperature and to protect the companion animal from inclement weather; (5) have four connected sides and a raised floor; (6) have a door maintained in good repair, that is offset and baffled, if necessary, to eliminate the entry of drafts and precipitation, and also allow the accumulation of body heat; provided, further, that damaged door flaps shall be replaced; (7) be constructed to allow each companion animal adequate freedom of movement to make normal postural adjustments, including the ability to stand up, turn around and lie down with its limbs outstretched; and (8) allow for effective removal of excretions, other waste material, dirt and trash. The housing facility and the area immediately surrounding it shall be regularly cleaned to maintain a healthy and sanitary environment and to minimize health hazards.

(d) For companion animals that are restrained in any manner outdoors in an enclosure, such enclosure shall be set on a solid foundation, such as stone or concrete, or solid ground that is well drained.

(e) For companion animals that are restrained in any enclosure, whether indoors or outdoors, the animal shall be provided with dry bedding and/or solid resting boards so as to conserve its body heat and under no circumstance shall a companion animal be forced to lie on a damp surface or upon unheated concrete or stone if doing so would result in the loss of body heat (e.g. excluding times of warm or hot air temperatures).

(f) Inadequate shelter may be indicated by the appearance of the housing facility itself, including but not limited to, size, structural soundness, evidence of crowding within the housing facility, healthful environment in the area immediately surrounding such facility, or by the appearance or physical condition of the companion animal.

Section 4. Enforcement and Penalties

(a) Enforcement Officers.

This local law shall be enforced by the Onondaga County Sheriff's Office, or designee, and may also be enforced by any police officer, local dog control officer, animal control officer, New York State Police, having jurisdiction within Onondaga County, or any other officers as may be designated by the Onondaga County Legislature via resolution from time to time. Such enforcement officers shall have the authority to enforce the provisions of this local law and to take such necessary and related enforcement actions, including, without limitation, accepting, recording, and investigating complaints, issuing appearance tickets, obtaining supporting depositions, and preparing and submitting criminal and civil complaints to a court of competent jurisdiction.

(b) Classification of Offense.

Any person who knowingly violates the regulations set forth in Section 3 of this local law, shall, upon conviction thereof, be guilty of a violation, as defined in Section 55.10 of the New York State Penal Law, as may be amended from time to time.

(c) Penalties and Registration.

For a first offense, the court, in its discretion, may impose a fine of not less than fifty dollars nor more than two hundred fifty dollars. For second or subsequent offenses, the court may impose a fine of not less than one hundred dollars nor more than five hundred fifty dollars, or imprisonment for not more than fifteen days consistent with Section 70.15(4) of the New York State Penal Law, or both such fine and imprisonment.

The court may also elect to cause the dog(s) underlying the basis of the conviction to be surrendered or otherwise forfeited by the person after such conviction. The surrender or forfeiture shall be to an enforcement officer, as provided herein above.

Beginning seventy-two hours after a charge of violating Section 3 of this local law, each day that a defendant fails to correct the deficiencies in the shelter for a companion animal that he or she owns or that is in his or her custody or control and that is left outdoors, so as to bring it into compliance with this local law, shall constitute a separate offense. The aforementioned period of time may be extended, however, in the discretion of a Court of competent jurisdiction, upon a showing by a defendant that reasonable efforts have been undertaken to correct any alleged deficiencies, but have not been able to be completed.

In lieu of or in addition to any other penalty imposed under this local law, the court may impose upon any person who fails to comply with Section 3 of this local law a civil penalty, enforceable and collectable by Onondaga County, in the amount of two hundred fifty dollars for a first offense, five hundred dollars for a second offense, and one thousand dollars for each additional offense.

The court may, in its discretion, reduce the amount of any fine and/or or civil penalty imposed for a violation of this local law by the amount which the defendant proves he or she has spent providing an adequate shelter or repairing an existing shelter so that it complies with the requirements of this local law. Nothing in this paragraph shall prevent the seizure of a companion animal for a violation of local law.

Upon a finding of any violation of this section, any companion animal or companion animals seized pursuant to the provisions of this article that have not been voluntarily surrendered by the owner or custodian or surrendered pursuant to court order shall be returned to the owner or custodian only upon proof that appropriate shelter as required by Section 3 of this local law is being provided, any fine imposed has been paid and/or the completion of any sentence of imprisonment imposed for violation of this local law.

Two or more convictions of a person under this local law shall require such person to register with the Animal Abuser Registry as an Animal Abuse Offender and to comply with the entirety of Local Law No. 5 - 2017, as amended herein below.

(d) Disposition of Fines.

All fines collected pursuant to this local law shall be the sole property of Onondaga County, kept and accounted for separately, to be used for promoting animal welfare within Onondaga County, including, programs of public education.

Section 5. Severability.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as expressly limited by such order or judgment.

Section 6. Effect on Existing Local Legislation.

Local Law No. 5 - 2017, establishing an Animal Abuser Registry, is hereby amended such that the definition of an "Animal Abuse Crime" shall now include New York State Agriculture and Markets Law Section 353-b – Appropriate Shelter for Dogs Left Outdoors within subsection (a) thereof and shall now include a new subsection (f) to read as follows: "Violating local laws enacted by Onondaga County providing for the health and well-being of dogs in Onondaga County, including two or more violations of the local law passed on March 6, 2018, becoming effective on April 1, 2018."

Section 7. Reverse Preemption.

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or Federal administrative agency issues and promulgates regulations preempting such action by the County of Onondaga. The Onondaga County Legislature may determine via resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 8. Effective Date.

This local law shall take effect April 1, 2018, and shall be filed consistent with the provisions of the Municipal Home Rule Law.

LL-Companion Animal Shelter
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ONONDAGA COUNTY
LEGISLATURE
RECEIVED

LOCAL LAW B

MARCH 6, 2018
SESSION

LEGISLATOR	AYES	NOES:	ABSENT	
12. KNAPP				
17. ERVIN				Pulled by sponsor
3. BURTIS				
4. TASSONE			✓	
5. CODY				
6. PLOCHOCKI				
7. BUCKEL				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. JORDAN				
16. WILLIAMS				
1. MAY				The meeting was adjourned at 2:20 p.m.
2. ROWLEY				
15. MCMAHON				
TOTAL				