



Onondaga County Legislature

JAMIE McNAMARA
Clerk

DAVID H. KNAPP
Chairman

MELANIE VILARDI
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York, 13202
Phone: 315.435.2070 • Fax: 315.435.8434 • www.ongov.net/legislature

OFFICE OF THE CLERK

RESOLUTION NOS. 65-73

June 1, 2021

*Masks will be **REQUIRED** to enter and exit the Court House.*

In accordance with the Governor's guidelines, within the Legislative offices, masks will not be required for anyone who is fully vaccinated and will be required for anyone that is not.

Listed below are the resolutions to be presented to the County Legislature at the June Session. The meeting was held at **1:00 p.m. on Tuesday, June 1, 2021.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mr. May**
- D. SALUTE TO THE FLAG – **Mr. Rowley**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. **Correspondence:**
 - 2. **Public Comment:**
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 1)

1st DISTRICT – MR. MAY

- 1. **NO. 65** Calling for a Public Hearing for Adopting a Pilot Youth Deer Hunting Program (17-0)

3rd DISTRICT – MR. BURTIS – WAYS AND MEANS

- 2. **NO. 66** Mortgage Tax Apportionment (17-0)
- 3. **NO. 67** Adoption of Annual Budget for Onondaga Community College for the Fiscal Year September 1, 2021, to August 31, 2022, and Authorizing the County Executive to Enter into Contracts with Other Governmental Units in which Appropriations and Revenues are Approved by the Adoption of the 2022 Budget (17-0)
- 4. **NO. 68** Approving and Directing the Correction of Certain Errors on Tax Bills (17-0)

5TH DISTRICT – MS. CODY – COUNTY FACILITIES

- 5. **NO. 69** Amending the 2021 Onondaga County Budget to Accept \$1,167,013 in CHIPS Funding From the New York State Department of Transportation and Authorizing the Execution of Agreements (\$1,167,013) (17-0)
- 6. **NO. 70** Amending the 2021 Onondaga County Budget to Accept \$1,167,992 in Extreme Winter Recovery Funding From the New York State Department of Transportation and Authorizing the

Execution of Agreements (\$1,167,992) (17-0)

7. **NO. 71** Amending the 2021 Onondaga County Budget to Make Funds Available for use in Connection with the New York State Pave-NY Program, and Authorizing the Execution of Agreement (\$1,921,913) (17-0)
8. **NO. 72** Amending Resolution No. 67-2020 to Increase the Authorization to Pay in the First Instance 100 Percent of the Federal and State Aid Eligible Costs by an Additional \$380,000 for the Construction and Construction Inspection Phases of the Old Route 5 (CR 98) and Warners Road (CR 63) Paving (2R) Project, PIN 3755.69, and Authorizing Execution of Agreements (\$380,000) (17-0)

12TH DISTRICT – MR. KNAPP

9. **NO. 73** Personnel Resolution (17-0)

LOCAL LAW

- a. **PASSED** A Local Law to establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Onondaga (Sponsored by Ms. Kuhn) (15-2 Rowley, Holmquist)

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

Respectfully submitted,



JAMIE McNAMARA, Clerk
Onondaga County Legislature

**JUNE 1, 2021
SESSION**

ROLL CALL

LEGISLATOR	PRESENT:	ABSENT:	
1. MAY	✓		<i>Chairman Knapp called the meeting to order at 1:18 p.m.</i>
2. ROWLEY	✓		
3. BURTIS	✓		
4. TASSONE	✓		
5. CODY	✓		
6. ABBOTT-KENAN	✓		
7. KUHN	✓		
8. RYAN	✓		
9. CHASE	✓		
10. HOLMQUIST	✓		
11. McBRIDE	✓		
13. BUSH	✓		
14. KELLY	✓		
15. KINNE	✓		
16. WILLIAMS	✓		
17. ERVIN	✓		
12. KNAPP	✓		
TOTAL:	17	0	

June 1, 2021

Public Comment

PLEASE PRINT

	Name	Street Address	City/Zip	Organization	Topic
1	Jackie Schneider-	8403 Maple Rd	Clay 13041	NY Stands Up	vaccination privacy/right
2	Cynthia Broccoli ^{Revetu}	4849 Copperfield Rd	Syracuse, 13215	NY Stands Up	vaccination 5
3	Victoria Lewis	Wells Ave E 7 Legs	13212	NY Stands Up	Freedom
4	CHRISTINA Maleski	111 Curtis Ave	Syracuse	CNY Informed	freedom
5	Dolores Cochran	127 Softwind circle	13027	CNY Informed	Freedom
6	Nicole Pruitt	210 Brookka Driv	Fayetteville	CNY Informed	Freedom
7	Carol Magdon	4356 Brickyard Inn	Manlius NY	NY Stands Up	multiple
8	Darren Pichagnani	PO Box 101	Built	CNY Informed	multiple
9	Erika Adigun	4267 huntingcreeke Rd	Clay NY 13011	"	children
10	TAMMI BROWN	6169 Ridgcrest	N-Syr 13212	CNY Informed	mandates
11	TIM SHARPE	6169 Ridgcrest	N-Syr 13212	CNY Informed	Freedom
12	Gary Dunlap	Box 372 Liverpool	13088	Divide NYS	Vaccines
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					

June 1, 2021

Motion Made By Mr. May, Mr. Knapp, Mr. Burtis,
Mr. Bush

RESOLUTION NO. 65

CALLING FOR A PUBLIC HEARING FOR ADOPTING A PILOT YOUTH DEER HUNTING
PROGRAM

WHEREAS, Environmental Conservation Law §11-0935, establishes a pilot program wherein a hunting license holder who is 12 or 13 years of age may hunt deer with a crossbow, rifle, shotgun or muzzle loading firearm in areas where and during the hunting season in which such implements may be used; and

WHEREAS, Environmental Conservation Law §11-0935 requires that in order to be an “eligible area”, a county must pass a local law authorizing participation in the pilot program; and

WHEREAS, according to a 2011 U.S. Fish and Wildlife Service study, the community spends approximately \$4.95 billion per year in the State of New York in pursuit of sporting activities, and sporting activities are responsible for the support of approximately 56,000 jobs across New York State; and

WHEREAS, sporting activities have a positive impact on the local and statewide economy; and

WHEREAS, public interest and participation in sporting activities, including deer hunting, has significantly increased, including the number of individuals completing hunter education programs and purchasing hunting and other sporting licenses; and

WHEREAS, the universal hunting age of 12 is supported by the 2012 – 2016 NYS Deer Management Plan and the draft 2021 – 2025 NYS Deer Management Plan; and

WHEREAS, prior to the adoption of Environmental Conservation Law §11-0935, 49 out of 50 States with New York being the exception, permitted 12 and 13 year olds to participate in hunting under varying circumstances; and

WHEREAS, hunting with youth provides quality time for parents, guardians and other mentor figures to bond with their children, other family members and friends in an outdoor setting and presents an excellent opportunity to introduce youth to nature, stewardship, conservation, and responsible wildlife management; and

WHEREAS, hunting with youth provides an opportunity to mentor and instruct youth hunters regarding safe and responsible hunting; now, therefore be it

RESOLVED, that pursuant to Environmental Conservation Law §11-0935, a public hearing will be held to consider the above requests for opting-in to the provisions of the Pilot Youth Deer Hunting Program, which hearing shall be held at the Onondaga County Court House, County Legislative Chambers, 4th Floor, 401 Montgomery Street, Syracuse, New York on July, 6, 2021 at 12:50 p.m.; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to cause publication of such hearing pursuant to applicable law.

APPROVED 6/1/21



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 1st day of June 2021.
Clerk, County Legislature

A handwritten signature in blue ink, appearing to be "J. M.", is written over the printed name of the Clerk.

**JUNE 1, 2021
SESSION**

1

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY			
17. ERVIN			
2. ROWLEY			
3. BURTIS			
4. TASSONE			
5. CODY			
6. ABBOTT-KENAN			
7. KUHN			
8. RYAN			
9. CHASE			
10. HOLMQUIST			
11. McBRIDE			
13. BUSH			
14. KELLY			
15. KINNE			
16. WILLIAMS			
12. KNAPP			
TOTAL:	17	0	

June 1, 2021

Motion Made By Mr. Burtis

RESOLUTION NO. 66

MORTGAGE TAX APPORTIONMENT

RESOLVED, that pursuant to Section 261 of the Tax Law, the Commissioner of Finance be hereby authorized and directed to forthwith draw warrants and deliver the same to the supervisors of the several towns in the County of Onondaga; the treasurers of the respective villages in said towns; and the City of Syracuse, covering the amounts due respectively for mortgage tax payments for the period October 1, 2020 through March 31, 2021.

APPORTIONMENT OF TOWNS AND CITY:

Camillus	376,072.59
Cicero	517,945.48
Clay	813,244.39
DeWitt	648,312.27
Elbridge	51,553.59
Fabius	10,640.80
Geddes	143,450.42
LaFayette	107,294.06
Lysander	408,205.09
Manlius	532,412.00
Marcellus	82,197.84
Onondaga	292,885.37
Otisco	34,003.72
Pompey	153,387.76
Salina	298,550.76
Skaneateles	222,015.86
Spafford	51,713.89
Tully	53,911.06
VanBuren	150,330.93
City of Syracuse	887,652.49

5,835,780.37

APPORTIONMENT OF VILLAGES:

Camillus	5,456.05
Cicero-North Syracuse	12,908.74
Clay-North Syracuse	22,725.29
East Syracuse	26,724.90
Jordan	4,105.86
Elbridge	5075.07
Fabius	597.27
Solvay	25,406.50
Lysander-Baldwinsville	34,950.50
Fayetteville	38,201.36
Manlius	35,704.28
Minoa	20,843.86

Marcellus	9,816.02	
Liverpool	12,503.30	
Skaneateles	42,746.04	
Tully	5,754.75	
Van Buren-Baldwinsville	10,681.46	
		<u>314,201.25</u>
		6,149,981.62

MORTGAGE TAX

<u>TOWN</u>	<u>AMOUNT OF TAXES COLLECTED AS ADJUSTED AND CORRECTED</u>	<u>NET AMOUNT DUE EACH DISTRICT</u>
CITY OF SYRACUSE	903,720.60	887,652.49
CAMILLUS	388,434.99	381,528.64
CICERO	540,463.63	530,854.22
CLAY	851,102.23	835,969.68
DEWITT	687,256.55	675,037.17
ELBRIDGE	61,833.92	60,737.52
FABIUS	11,441.50	11,238.07
GEDDES	171,913.53	168,856.92
LAFAYETTE	109,236.27	107,294.06
LYSANDER	451,177.50	443,155.59
MANLIUS	638,514.24	627,161.50
MARCELLUS	93,679.48	92,013.86
ONONDAGA	298,187.12	292,885.37
OTISCO	34,619.25	34,003.72
POMPEY	156,164.35	153,387.76
SALINA	316,684.69	311,054.06
SKANEATELES	269,554.56	264,761.90
SPAFFORD	52,650.00	51,713.89
TULLY	60,745.87	59,665.81
VAN BUREN	<u>163,927.00</u>	<u>161,012.39</u>
	6,261,307.28	6,149,981.62

DISTRIBUTION RATE 0.98222006124

APPROVED 6/1/21



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Clerk, County Legislature

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**JUNE 1, 2021
SESSION**

2

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY			
17. ERVIN			
2. ROWLEY			
3. BURTIS			
4. TASSONE			
5. CODY			
6. ABBOTT-KENAN			
7. KUHN			
8. RYAN			
9. CHASE			
10. HOLMQUIST			
11. McBRIDE			
13. BUSH			
14. KELLY			
15. KINNE			
16. WILLIAMS			
12. KNAPP			
TOTAL:	17	0	

June 1, 2021

Motion Made By Mr. Burtis, Ms. Cody

RESOLUTION NO. 67

ADOPTION OF ANNUAL BUDGET FOR ONONDAGA COMMUNITY COLLEGE FOR THE FISCAL YEAR SEPTEMBER 1, 2021, TO AUGUST 31, 2022, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS WITH OTHER GOVERNMENTAL UNITS IN WHICH APPROPRIATIONS AND REVENUES ARE APPROVED BY THE ADOPTION OF THE 2022 BUDGET

WHEREAS, pursuant to Section 6304 of the Education Law, as amended by Chapter 631 of the Laws of 1965 and pursuant to Article VI of the Onondaga County Charter, the Ways and Means Committee has reviewed the tentative proposed Onondaga Community College Budget for the fiscal year September 1, 2021, to August 31, 2022, having held a public hearing upon such tentative proposed budget on May 25, 2021, pursuant to Resolution No. 35-2021, adopted on May 4, 2021, and all persons desiring to be heard were heard at such public hearing; and

WHEREAS, the total Tentative Community College Budget presented to this Legislature was in the estimated amount of \$64,526,731 required for Community College Operating Fund purposes. From this estimated total of \$64,526,731 for the Community College Operating Fund was deducted the amount of \$54,654,731 estimated as revenues, leaving a net budget for the Community College Operating Fund subject to tax levy of \$9,872,000 (Tentative Local Sponsor's Contribution). The total amount estimated for grants to be received by the Community College in 2021-2022 is \$14,000,000; now, therefore be it

RESOLVED, that said 2021-2022 Tentative Community College Budget heretofore prepared and submitted by the County Executive and subsequently reviewed by the Ways and Means Committee as hereinafter set forth, be and the same hereby is adopted for 2021-2022 with no changes; and, be it further

RESOLVED, that the Adopted Operating Budget for Onondaga Community College for the fiscal year September 1, 2021, through August 31, 2022, in the amount of \$64,526,731 with the County financial assistance of \$9,872,000 be and hereby is approved; and, be it further

RESOLVED, that the estimated grant activity in the Community College's 2021-2022 Annual Budget is \$14,000,000; and, be it further

RESOLVED, that expenditures from this budget be made by the Board of Trustees of Onondaga Community College pursuant to the provisions of Resolution No. 111 - 1970 by this County Legislature and that such expenditures be subject to the terms and conditions of such appropriations and to such regulations regarding the custody, deposit, audit and payment thereof as this County Legislature may deem proper; and, be it further

RESOLVED, that the sum of \$9,872,000 be included in the 2022 Annual County Budget in Appropriation Account 668750 Transfer to Community College Fund. Such sum represents the Local Sponsor's (County of Onondaga) contribution to the Community College, and therefore the sum shall be subject to tax levy for Community College purposes and is hereby made a part of the tax levy for the County of Onondaga for the fiscal year January 1, 2022, to December 31, 2022; and, be it further

RESOLVED, that this resolution evidences authorization for the execution of agreements and such other documents as may be reasonably necessary with other units of government involving items for which appropriations or revenues have been approved by adoption of this 2021-2022 Onondaga Community College Budget.

APPROVED 6/1/21



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Clerk, County Legislature

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**JUNE 1, 2021
SESSION**

3

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY	✓		
17. ERVIN	✓		
2. ROWLEY	✓		
3. BURTIS	✓		
4. TASSONE	✓		
5. CODY	✓		
6. ABBOTT-KENAN	✓		
7. KUHN	✓		
8. RYAN	✓		
9. CHASE	✓		
10. HOLMQUIST	✓		
11. McBRIDE	✓		
13. BUSH	✓		
14. KELLY	✓		
15. KINNE	✓		
16. WILLIAMS	✓		
12. KNAPP	✓		
TOTAL:	17	0	

June 1, 2021

Motion Made By Mr. Burtis

RESOLUTION NO. 68

APPROVING AND DIRECTING THE CORRECTION OF CERTAIN ERRORS ON TAX BILLS

WHEREAS, the following named property owner has filed an application with the County Director of Real Property Tax Services for the correction of errors on the tax roll relative to their premises for tax year 2020; and

WHEREAS, the County Director of Real Property Tax Services, acting as agent of this Legislature, which is the tax levying body of this County, has investigated the circumstances of the claimed errors and has submitted his recommendation that the applications for the corrections be approved; and

WHEREAS, Section 554 of the Real Property Tax Law prescribes the procedure for correction of clerical errors, errors in essential fact, and certain unlawful entries on tax rolls; and

WHEREAS, Section 556 of the Real Property Tax Law prescribes the manner in which refunds shall be charged back to appropriate municipality; now, therefore be it

RESOLVED, that the report of the County Director of Real Property Tax Services be and the same hereby is accepted; and, it is further

RESOLVED, that the Chairman of this Legislature be and he hereby is authorized and directed to mail a notice of approval to each applicant and order the collecting officers of the appropriate Towns or the Commissioner of Finance, as the case may be, to correct the respective taxes as follows:

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>TAX MAP NUMBER</u>	<u>AMOUNT OF TAX BILLED</u>	<u>CORRECTED TAX</u>
<u>DEWITT</u> City of Syracuse 1000 Col Eileen Collins Blvd. Syracuse, NY 13212	015.-02-22.1	4,868.16	259.16
City of Syracuse 1000 Col Eileen Collins Blvd. Syracuse, NY 13212	017.-01-01.0	3,950.93	234.30
<u>VAN BUREN</u> Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2021	69,658.60	39,812.60
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2020	62,178.71	40,635.83

NAME AND ADDRESS

AMOUNT OF

<u>OF APPLICANT</u>	<u>TAX MAP NUMBER</u>	<u>TAX BILLED</u>	<u>CORRECTED TAX</u>
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2019	31,191.69	56,190.86
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2018	10,556.21	30,075.09
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2017	37,722.41	38,162.30
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	064.-02-19.1 year 2016	37,892.48	38,180.26
Tessy Plastics Corporation 700 Visions Drive Skaneateles, NY 13152	<u>TOTAL TESSEY PLASTICS REFUND</u>		6,143.16

APPROVED 6/1/21



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Clerk, County Legislature

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**JUNE 1, 2021
SESSION**

4

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY			
17. ERVIN			
2. ROWLEY			
3. BURTIS			
4. TASSONE			
5. CODY			
6. ABBOTT-KENAN			
7. KUHN			
8. RYAN			
9. CHASE			
10. HOLMQUIST			
11. McBRIDE			
13. BUSH			
14. KELLY			
15. KINNE			
16. WILLIAMS			
12. KNAPP			
TOTAL:	17	0	

June 1, 2021

Motion Made By Ms. Cody

RESOLUTION NO. 69

AMENDING THE 2021 ONONDAGA COUNTY BUDGET TO ACCEPT \$1,167,013 IN CHIPS FUNDING FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE EXECUTION OF AGREEMENTS

WHEREAS, the formula for New York State's Consolidated Local Street and Highway Improvement Program (CHIPS) included \$1,167,013 in funding for Onondaga County; and

WHEREAS, it is necessary to amend the budget to include such funds in the Onondaga County Department of Transportation's 2021 budget to repair and maintain County roads; 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; and, be it further

RESOLVED, that the 2021 County budget be amended as follows:

REVENUES:

In Admin. Unit 9310000000
County Road Fund
Speed Type #534030
In Acct. 590024 St Aid H-Way Cap Project \$1,167,013

APPROPRIATIONS:

In Admin. Unit 9310000000
County Road Fund
Speed Type #534030
In Acct. 674600 Provision for Capital Projects \$1,167,013

APPROVED 6/1/21



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**JUNE 1, 2021
SESSION**

5

LEGISLATOR	AYES:	NOES:	ABSENT:	
1. MAY				
17. ERVIN				
2. ROWLEY				
3. BURTIS				
4. TASSONE				
5. CODY				
6. ABBOTT-KENAN				
7. KUHN				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. KELLY				
15. KINNE				
16. WILLIAMS				
12. KNAPP				
TOTAL:	17	0		

June 1, 2021

Motion Made By Ms. Cody

RESOLUTION NO. 70

AMENDING THE 2021 ONONDAGA COUNTY BUDGET TO ACCEPT \$1,167,992 IN EXTREME WINTER RECOVERY FUNDING FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE EXECUTION OF AGREEMENTS

WHEREAS, New York State recently approved Extreme Winter Recovery funding for the winter of 2020-2021 and Onondaga County's portion has been determined to be \$1,167,992; and

WHEREAS, it is necessary to amend the budget to include such funds in the Onondaga County Department of Transportation's 2021 budget to repair and maintain County roads; 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; and, be it further

RESOLVED, that the 2021 County budget be amended as follows:

REVENUES:

In Admin. Unit 9310000000	
County Road Fund	
Speed Type #534030	
In Acct. 590024 St Aid H-Way Cap Project	\$1,167,992

APPROPRIATIONS:

In Admin. Unit 9310000000	
County Road Fund	
Speed Type #534030	
In Acct. 674600 Provision for Capital Projects	\$1,167,992

APPROVED 6/1/21



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**JUNE 1, 2021
SESSION**

6

LEGISLATOR	AYES:	NOES:	ABSENT:	
1. MAY				
17. ERVIN				
2. ROWLEY				
3. BURTIS				
4. TASSONE				
5. CODY				
6. ABBOTT-KENAN				
7. KUHN				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. KELLY				
15. KINNE				
16. WILLIAMS				
12. KNAPP				
TOTAL:	17	0		

June 1, 2021

Motion Made By Ms. Cody

RESOLUTION NO. 71

AMENDING THE 2021 ONONDAGA COUNTY BUDGET TO MAKE FUNDS AVAILABLE FOR
USE IN CONNECTION WITH THE NEW YORK STATE PAVE-NY PROGRAM, AND
AUTHORIZING THE EXECUTION OF AGREEMENTS

WHEREAS, New York State's 2021-2022 budget includes the PAVE-NY program to fund projects that improve the physical condition of local roads and help foster regional economic growth, and Onondaga County's portion of PAVE-NY funding has been determined to be \$1,921,913; and

WHEREAS, it is necessary to amend the budget to include such funds in the Onondaga County Department of Transportation's 2021 budget to repair and maintain County roads and to authorize the execution of agreements; 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; and, be it further

RESOLVED, that the 2021 County budget be amended as follows:

REVENUES:

In Admin. Unit 9310000000	
County Road Fund	
Speed Type 534030	
In Acct. 590024 St Aid H-Way Cap Project	\$1,921,913

APPROPRIATIONS:

In Admin. Unit 9310000000	
County Road Fund	
Speed Type #534030	
In Acct. 674600 Provision for Capital Projects	\$1,921,913

APPROVED 6/1/21



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Clerk, County Legislature

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**JUNE 1, 2021
SESSION**

7

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY			
17. ERVIN			
2. ROWLEY			
3. BURTIS			
4. TASSONE			
5. CODY			
6. ABBOTT-KENAN			
7. KUHN			
8. RYAN			
9. CHASE			
10. HOLMQUIST			
11. McBRIDE			
13. BUSH			
14. KELLY			
15. KINNE			
16. WILLIAMS			
12. KNAPP			
TOTAL:	17	0	

June 1, 2021

Motion Made By Ms. Cody

RESOLUTION NO. 72

AMENDING RESOLUTION NO. 67-2020 TO INCREASE THE AUTHORIZATION TO PAY IN THE FIRST INSTANCE 100 PERCENT OF THE FEDERAL AND STATE AID ELIGIBLE COSTS BY AN ADDITIONAL \$380,000 FOR THE CONSTRUCTION AND CONSTRUCTION INSPECTION PHASES OF THE OLD ROUTE 5 (CR 98) AND WARNERS ROAD (CR 63) PAVING (2R) PROJECT, PIN 3755.69, AND AUTHORIZING EXECUTION OF AGREEMENTS

WHEREAS, by Resolution No. 67-2020, this Legislature: approved the Old Route 5 and Warners Road project, PIN 3755.69, at a total Project cost of \$4,200,000; agreed to participate and pay up to 100 percent of the County share (\$210,000); and authorized the Comptroller to pay in the first instance the total federal and state shares of the cost of the Construction and Construction Inspection phases (\$3,990,000); and

WHEREAS, the total additional cost of the Construction and Construction Inspection phases is now estimated at \$400,000, with the additional federal share estimated at \$320,000 (80 percent of the total additional cost) and the additional non-federal share estimated at \$80,000 (20 percent of the total additional cost); and

WHEREAS, with these additional costs, the total estimated cost is now \$4,600,000, with the estimated County share now being \$230,000 (5 percent), and the total estimated federal and state share now being \$4,370,000 (95 percent); and

WHEREAS, the State of New York requires Onondaga County to contribute up to 100 percent of the non-federal share of the phases of this project, and to pay in the first instance the total federal and state shares of the cost of the phases; and

WHEREAS, the County of Onondaga desires to pay in the first instance the additional federal and state shares of the costs (\$380,000) for the above project; now, therefore be it

RESOLVED, that this Legislature hereby approves the project, agrees to participate and pay up to 100 percent of the non-federal share of the project, and agrees to pay in the first instance, up to 100 percent of the total federal and state shares (\$4,370,000); and, be it further

RESOLVED, that the County Executive is hereby authorized to execute agreements with the New York State of Department of Transportation approving the above-mentioned project, providing for County participation in the cost of the local share of the project, and otherwise implementing the intent of this resolution; and, be it further

RESOLVED, that Resolution No. 67-2020 is hereby amended to be consistent with this resolution, and to authorize payment in the first instance of the additional \$380,000 beyond those funds provided in Resolution No. 67-2020; and be it further

RESOLVED, that the 2021 County Budget Capital Project Fund 40021 be amended as follows:

REVENUES:

In Admin Unit 9310000000

Highway Division

Speed Type #532309

In Project 535172

Old Route 5 and Warners Road project,

Phase 3 - Construction

In Account 590014

Federal Aid Highway Capital projects

\$380,000

APPROPRIATIONS:

In Administrative Unit 9310000000

Highway Division

Speed Type #532309

Capital Project 535172

Old Route 5 and Warners Road project,

Phase 3 – Construction

\$380,000

APPROVED 6/1/21



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 1st day of June 2021.
Clerk, County Legislature

A handwritten signature in blue ink, appearing to be "Jm", is written over the text of the clerk's name.

**JUNE 1, 2021
SESSION**

8

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY			
17. ERVIN			
2. ROWLEY			
3. BURTIS			
4. TASSONE			
5. CODY			
6. ABBOTT-KENAN			
7. KUHN			
8. RYAN			
9. CHASE			
10. HOLMQUIST			
11. McBRIDE			
13. BUSH			
14. KELLY			
15. KINNE			
16. WILLIAMS			
12. KNAPP			
TOTAL:	17	0	

June 1, 2021

Motion Made By Mr. Knapp

RESOLUTION NO. 73

PERSONNEL RESOLUTION

WHEREAS, it is necessary for the County to provide for various changes to personnel; now, therefore be it

RESOLVED, that the following change is authorized, effective the first full pay period after June 1, 2021:

Comptroller (Admin Unit 1300)

Advance Step L102254, Chief Governmental Accountant at Grade 35, from Step 1 to Step 6;

and, be it further

RESOLVED, that the Commissioner of Personnel is authorized to make any administrative corrections as may be reasonably needed to effectuate the intent of this resolution.

APPROVED 6/1/21



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 1st day of June 2021.
Clerk, County Legislature

A handwritten signature in blue ink, appearing to be "Jm", is written over a horizontal line.

**JUNE 1, 2021
SESSION**

9

LEGISLATOR	AYES:	NOES:	ABSENT:	
1. MAY				
17. ERVIN				
2. ROWLEY				
3. BURTIS				
4. TASSONE				
5. CODY				
6. ABBOTT-KENAN				
7. KUHN				
8. RYAN				
9. CHASE				
10. HOLMQUIST				
11. McBRIDE				
13. BUSH				
14. KELLY				
15. KINNE				
16. WILLIAMS				
12. KNAPP				
TOTAL:	17	0		

LOCAL LAW NO. ___-2021

A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE)
IN THE COUNTY OF ONONDAGA

BE IT ENACTED BY THE COUNTY OF ONONDAGA (THE “MUNICIPALITY”) AS
FOLLOWS:

Section 1. This local law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the Municipality and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement.

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the County of Onondaga, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy

System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.

- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and §5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.

- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment

for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

- §10. Separability. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect,

impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

ADOPTED 6/1/21



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 1st day of June 2021.
Clerk, County Legislature

A handwritten signature in blue ink, appearing to be "Jm", is written over the text of the clerk's name.

**JUNE 1, 2021
SESSION**

Local Law A

LEGISLATOR	AYES:	NOES:	ABSENT:
1. MAY	✓		
17. ERVIN	✓		
2. ROWLEY		✓	
3. BURTIS	✓		
4. TASSONE	✓		
5. CODY	✓		
6. ABBOTT-KENAN	✓		
7. KUHN	✓		
8. RYAN	✓		
9. CHASE	✓		
10. HOLMQUIST		✓	
11. McBRIDE	✓		
13. BUSH	✓		
14. KELLY	✓		
15. KINNE	✓		
16. WILLIAMS	✓		
12. KNAPP	✓		
TOTAL:	15	2	

Legislator Holmquist assumed the chair, so Chairman Knapp could debate. Following debate, Chairman Knapp re-assumed the chair.

The meeting was adjourned at 1:30 p.m.