



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

REVISED

RESOLUTION NOS. 117 - 135

OFFICE OF THE CLERK

August 3, 2012

PUBLIC HEARING:

12:55 P.M. – Re: In Connection with Acceptance by the Onondaga County Sanitary District of the Westfield Trunk Sewer from the Village of Manlius, New York

Listed below are the resolutions to be presented to the County Legislature at the August Session. The meeting will be held at **1:00 p.m. on Tuesday, August 7, 2012.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mr. Ryan**
- D. SALUTE TO FLAG – **Mr. Stanczyk**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. Correspondence:
 - 2. Gold Seal:
 - a. Recognize and Honor the Snedeker Family for Their Generous Donation to the Beaver Lake Nature Center to Promote Literacy (Sponsored by Mr. May)
 - 3. Public Comment:
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (**District No. 8**)

10TH DISTRICT – MR. HOLMQUIST – PUBLIC SAFETY

- 1. **NO. 118** Resolution to Request Financial Support from Neighboring Counties for the Availability of Air One Helicopter Police and Rescue Services (17-0-0)
- 2. **NO. 119** Amending the 2012 County Budget to Accept Funds from the United States Department of Justice, Office of Community Oriented Policing Services (C.O.P.S.), and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000) (17-0)

11th DISTRICT – MR. KILMARTIN

- 3. **NO. 120** Requesting Support for the “BeSafe” Initiative (Bath Salt Awareness and Education Initiative) to Combat the Use of Dangerous Synthetic Drugs (17-0)

12TH DISTRICT – MR. KNAPP – WAYS AND MEANS

- 4. **NO. 121** Personnel Resolution (OCPL) (17-0)
- 5. **NO. 122** Calling for a Public Hearing on the Proposed Inclusion of Viable Agricultural Lands Within Certified Agricultural Districts Pursuant to Section 303-B of the New York State Agriculture and Markets Law (17-0)
- 6. **NO. 123** Calling for a Public Hearing for Renewal of Agricultural District No. 2, Towns of Marcellus, Skaneateles, and Spafford (17-0)

7. **NO. 124** Authorize the Settlement of the Action Filed with the Supreme Court of the State of New York, County of Onondaga, Patricia Longo and Samuel Longo, Individually and on Behalf of Jacob Longo V. Onondaga County (17-0)

15th DISTRICT – MR. McMAHON

- 7a. **NO. 125** Authorizing the Use of County Highway Equipment by the Town of Geddes (17-0)

4TH DISTRICT – MRS. TASSONE – COUNTY FACILITIES

8. **NO. 126** Authorizing the Removal from the County Road System of a County Road Known as Limestone Plaza, and a County Road Known as North Mill Street, CR No. 56, and Transferring Jurisdiction to the Village of Fayetteville (17-0)
9. **NO. 127** Amending Resolution No. 189 - 2007 to Increase the Authorization to Pay in the First Instance 100% of the Federal Aid Eligible Costs by \$80,000 for the Design (Scoping I-VI) and Right of Way Incidentals of Morgan Road (CR 47) / Liverpool Bypass (CR 88) Paving Project, Pin 375416 (\$80,000) (17-0)
10. **NO. 128** Authorizing the County Executive to Enter into a Contract to Sell Fuel to the Town of Van Buren (17-0)
11. **NO. 129** Amending the 2012 County Budget to Accept Funds from Syracuse University for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$4,500) (17-0)
12. **NO. 130** Amending the 2012 County Budget to Enable the Establishment of a Project Account for Tourism Promotions (\$68,900) (17-0)
13. **NO. 131** Authorizing the Department of Parks and Recreation to Accept Donated Items (\$150,000) (17-0)

5TH DISTRICT – MRS. RAPP

14. **NO. 117** Amending the 2012 County Budget to Fund a Highway Improvement Project on Taft Settlement Part II, C.R. No. 19 (East Taft Road), in the Town of Cicero (17-0)

6TH DISTRICT – MR. PLOCHOCKI – ENVIRONMENTAL PROTECTION

15. **NO. 132** Authorizing Acceptance of Grant Funds from the United States Environmental Protection Agency and Authorizing Execution of Grant Agreements to Implement the Intent of this Resolution (\$388,000) (17-0)
16. **NO. 133** Authorizing Acceptance of Additional Grant Funds from the New York State Environmental Facilities Corporation Green Innovative Grants Program and Authorizing Execution of Grant Agreements to Implement the Intent of this Resolution (\$37,500) (17-0)
17. **NO. 134** Authorizing Intermunicipal Agreements to Comply with the Amended Consent Judgment CSO and TMDL Requirements and to Maximize Grant Funds for Green Technology (16-1 Jordan)
18. **NO. 135** Authorizing the Acquisition of Real Property for the Clinton CSO Storage Facility Improvement Project (17-0)

7TH DISTRICT – MR. LIEDKA

19. **NO. 136** Memorializing the New York State and Federal Governments to Ban the Manufacture, Distribution, Sale and Possession of Dangerous Unregulated Synthetic Drugs (17-0)

LOCAL LAWS:

- A. A Local Law Prohibiting Sale and Possession of Synthetic Drugs, Including those Commonly Known as "Bath Salts" Within Onondaga County (Sponsored by Mr. McMahon, Mr. Liedka) (17-0)
- B. **DEFEATED** A Local Law Amending the Onondaga County Charter in Section 207 to Revise the Onondaga County Reapportionment Commission to Ensure a Non-Partisan, Fair and Objective Process by Which the Onondaga County Legislature Districts are Reapportioned (Sponsored by Mr. Stanczyk) (6 Stanczyk, Ryan, Williams, Ervin, Liedka,

McMahon -11 Kilmartin, Holmquist, Knapp, Shepard, Jordan, May, Dougherty, Meyer, Tassone,
Rapp, Plochocki)

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

Respectfully submitted,
DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE

14.

August 7, 2012

Motion Made By Mrs. Rapp

RESOLUTION NO. 117

AMENDING THE 2012 COUNTY BUDGET TO FUND A HIGHWAY IMPROVEMENT PROJECT
ON TAFT SETTLEMENT PART II, C.R. NO. 19 (EAST TAFT ROAD), IN THE TOWN OF CICERO

WHEREAS, it is the desire of this Legislature to amend the Onondaga County Department of Transportation's 2012 operating budget to fund an additional project on Taft Settlement Part II, C.R. No. 19 (EAST TAFT ROAD), in the Town of Cicero, and such total project costs are estimated to be \$200,000; now, therefore be it

RESOLVED, that the County Legislature hereby approves the project and agrees to participate in the project by funding the total project costs; and, be it further

RESOLVED, that the 2012 County Budget be amended and the following accounts adjusted:

APPROPRIATIONS:

D960 Appropriations

In Administrative Unit 80-93-10

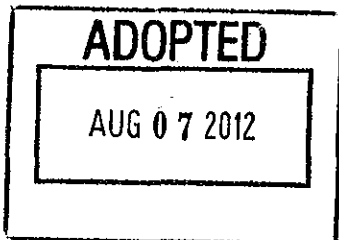
Highway Division

FAMIS Index 534040

In Acct. 570-9570 Contracted Client Svce - \$200,000

In Acct. 960-7460 Provision for Capital Projects \$200,000

2012 Taft Road Improvement.doc
kam



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

7th DAY OF August, 2012.
Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 JUL - 6 AM 11:21

LEGISLATURE
ONONDAGA COUNTY
CLERK

August 7, 2012

118

Motion Made By Mr. Holmquist, Mr. May

RESOLUTION NO. _____

RESOLUTION TO REQUEST FINANCIAL SUPPORT FROM NEIGHBORING COUNTIES FOR
THE AVAILABILITY OF AIR ONE HELICOPTER POLICE AND RESCUE SERVICES

WHEREAS, in the spirit of mutual aid when not imminently required for Onondaga County residents, the Air One helicopter is occasionally utilized for critical police and rescue services in neighboring counties; and

WHEREAS, on average, Air One is deployed nearly 30 times each year for out-of-County mutual aid support at an approximate cost of \$1,250 per hour of flight time; and

WHEREAS, in Resolution No. 513 of 2011, the Legislature encouraged the Sheriff's Office to pursue every measure to reduce local taxpayers' cost of operating Air One, further indicating it is "unduly burdensome" for local taxpayers to fund any services performed outside of Onondaga County; and

WHEREAS, in response to the Legislature's request, the Onondaga County Sheriff's Office received certification from the Federal Aviation Authority to fly the Air One helicopter pursuant to Part 135 of the Code of Federal Regulations; and

WHEREAS, with this certification, the Sheriff's Office is now able to receive funds from other entities for the valuable police, rescue and medical transportation services it provides; and

WHEREAS, some neighboring counties recognize the value of having Air One available for the safety and health of their residents when needed, and have entered agreements to provide Onondaga County with funds commensurate with the approximate cost providing such services; and

WHEREAS, in contrast to the reciprocal spirit of mutual aid, a number of neighboring counties continue to receive the benefit of Air One's services without sharing the expense or offering comparable services in reciprocity; now, therefore be it

RESOLVED, that the Onondaga County Legislature hereby requests that any county that benefits from the availability of Air One services within its borders provide Onondaga County with funds commensurate with the costs of providing such services in that county; and, be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to transmit this resolution to the chairpersons of the legislative bodies in Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Ontario, Oswego, Seneca, St. Lawrence, and Wayne Counties.

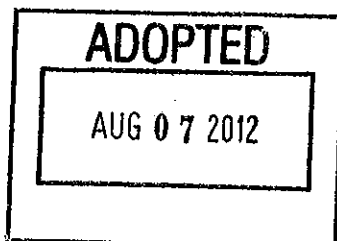
Memorializing Request to Fund Air One.doc
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EXACT COPY OF LEGISLATION DULY ADOPTED BY THE
COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

7th DAY OF August, 2012.

Deborah L. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUN 27 2012

ONONDAGA COUNTY
LEGISLATURE
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August 7, 2012

2
119

Motion Made By Mr. Holmquist

RESOLUTION NO. _____

AMENDING THE 2012 COUNTY BUDGET TO ACCEPT FUNDS FROM THE UNITED STATES
DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES
(C.O.P.S.), AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO
IMPLEMENT THIS RESOLUTION

WHEREAS, the Onondaga County Department of Emergency Communications is eligible to receive a United States Department of Justice, Office of Community Oriented Policing Services (C.O.P.S.) Technology grant in the amount of \$300,000 for the purpose of helping local law enforcement agencies prevent, respond to, and investigate crime through the purchase of technologies that advance communications interoperability; and

WHEREAS, the County of Onondaga has implemented the Onondaga County Interoperable Communications System (OCICS) which serves approximately 18 law enforcement agencies that operate within Onondaga County including the Onondaga County Sheriff's Office, town and village police departments, and the New York State Police; and

WHEREAS, the OCICS continues to require infrastructure and subscriber unit development to include among other things: Federal Communications Commission (FCC) mandated narrowbanding of legacy interoperable radio channels by January 1, 2013; improving talk-in radio coverage limitations on the new VHF, UHF, and 800 MHz National Interoperability calling channels (i.e., VCALL, UCALL, and 8CALL) through the use of comparators and voted receivers; purchasing portable radio equipment to allow for continuity of operations in the event of radio console failure(s) or the need to evacuate the E9-1-1 Center; and purchasing multiband radio equipment for interoperability and with federal and other public safety/public service agencies not members of the OCICS; and

WHEREAS, it is necessary to amend the 2012 County Budget to accept these grant funds for the continued development and improvement of the OCICS system; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into contracts to implement this resolution; and, be it further

RESOLVED, that the 2012 Budget be amended by providing and making available the following:

APPROPRIATIONS:

Admin. Unit 40-34	\$300,000
Emergency Communications	
FAMIS Index #305011	
In Acct: 413-9413 Maintenance, Utilities, & Rents	\$300,000

REVENUES:

Admin. Unit 40-34

\$300,000

Emergency Communications

FAMIS Index #305011

In Acct: 0121-4320 Federal Aid Pub Safety &
Community Policing

\$300,000

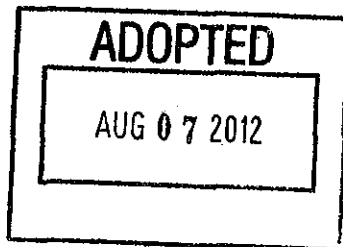
COPS Grant

WRB/thf

LHT 06.26.12

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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

7th DAY OF August, 20 12.

Deborah L. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
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June 29, 2012
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August 7, 2012

120

Motion Made By Mr. Kilmartin, Mr. May, Mr. Dougherty, RESOLUTION NO. _____
Mrs. Tassone, Mrs. Rapp, Mr. Plochocki, Mr. Liedka,
Mr. Holmquist, Mr. Knapp, Mr. Shepard, Mr. Jordan, Mr. McMahon

REQUESTING SUPPORT FOR THE "BeSafe" INITIATIVE (BATH SALTS AWARENESS AND EDUCATION INITIATIVE) TO COMBAT THE USE OF DANGEROUS SYNTHETIC DRUGS

WHEREAS, the sale and abuse of synthetic "designer" drugs, including bath salts and synthetic marijuana, continues to rise dramatically and very quickly in Onondaga County, harming Onondaga County residents; and

WHEREAS, local drug abuse experts are concerned that the use of bath salts will increase in our schools once the school year begins; and

WHEREAS, users of bath salts and other designer drugs exhibit particularly dangerous and violent behavior, threatening the safety of all and posing serious health risks to the users; and

WHEREAS, these dangerous drugs are marketed with trendy packaging and catchy names, making school-age children susceptible and vulnerable to these harmful substances; and

WHEREAS, it is the desire of this Onondaga County Legislature to implement a new countywide initiative, the BeSafe Initiative (Bath Salts Awareness & Education Initiative), to combat the spread of bath salt, synthetic marijuana usage, and analogs within our local schools and among our school-age children; and

WHEREAS, the BeSafe Initiative is specifically targeted to educate and inform our middle school and high school children of the very serious dangers and risks associated with bath salts and synthetic drug usage, and analogs; and

WHEREAS, the BeSafe program will involve engagement between local experts and children to provide real-world evidence about the serious risks these drugs pose; and

WHEREAS, the anti-DWI education programs have enjoyed great success with our high school students because of the face-to-face conversations between students and public safety and substance abuse experts, and it is critical to emulate the successes of that program by educating and informing our children about the risks of these dangerous and harmful designer drugs through the BeSafe Initiative; now, therefore be it

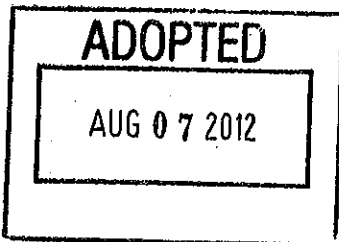
RESOLVED, that this Onondaga County Legislature respectfully requests the support and expertise of the County Executive and administration in implementing the Be Safe Initiative (Bath Salts Awareness & Education Initiative) to combat the spread of bath salts and synthetic marijuana usage, and analogs within our local schools and among our school-age children, thereby capturing the opportunity to generate positive peer pressure among children so that our local students can encourage each other not to use bath salts, synthetic designer drugs, and analogs; and, be it further

RESOLVED, that the Onondaga County Commissioner of Health and the Commissioner of Mental Health are respectfully requested to incorporate the BeSafe Initiative into the County's educational programs, and to work with community partners to develop and implement this Initiative by providing for the education of our children about the horrific side effects of bath salts and other

designer drugs, thereby optimizing our first line of defense against the spread of bath salts abuse in our community; and, be it further

RESOLVED, that the Commissioner of Health is further requested to incorporate the BeSafe Initiative into the Municipal Public Health Services Plan and to locate and access grant funds or other funding opportunities to assist in the implementation this important Initiative.

Memorialize - Bath Saltss BeSafe Education Program - Revised 8.2.12.doc
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FILED WITH CLERK
ONONDAGA CO. LEG. 012
0819 3, 2 DLM

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

7th DAY OF August, 2012.
Deborah H. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

01:11:11 7-50VZ1

LEGISLATURE
ONONDAGA COUNTY
CLERK

4

August 7, 2012

121

Motion Made By Mr. Knapp

RESOLUTION NO. _____

PERSONNEL RESOLUTION

WHEREAS, various County Departments have requested changes in personnel, requests that have been approved by the Commissioner of Personnel, Chief Fiscal Officer, County Executive and the Ways & Means Committee of the County Legislature; now, therefore be it

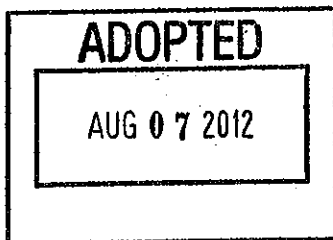
RESOLVED, that the following personnel changes be and hereby are authorized:

Public Library Unit 40-65-30

Create R.P. 01 406530 1864, Custodial Worker 1, CSEA Grade 2 @ \$27,491-\$30,323, effective August 11, 2012

Abolish R.P. 01 406530 5864, Maintenance Worker 1, CSEA Grade 5 @ \$32,313-\$35,681, effective August 11, 2012

Res 08-12.doc
PT/lbg
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FILED WITH CLERK
ONONDAGA CO. LEG.

July 3, 2012
[Signature]

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

7th DAY OF August, 20 12.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 JUL 26 AM 10:55

LEGISLATURE
ONONDAGA COUNTY
CLERK

August 7, 2012

122

Motion Made By Mr. Knapp, Mr. Shepard, Mr. May

RESOLUTION NO. _____

CALLING FOR A PUBLIC HEARING ON THE PROPOSED INCLUSION OF VIABLE AGRICULTURAL LANDS WITHIN CERTIFIED AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-B OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides land owners with a thirty day period to submit requests for the inclusion of predominantly viable agricultural lands within certified agricultural districts; and

WHEREAS, pursuant to Resolution No. 71-2004, that thirty day period began January 1, 2012 and ended January 30, 2012; and

WHEREAS, the owners of the following properties filed requests for inclusion of predominantly viable agricultural land within certified agricultural districts:

DISTRICT	MUNICIPALITY	PARCEL	OWNER	ACRES*
1	Onondaga	052.-01-02.0	Amidon	18.55
1	Onondaga	028.-01-44.1	Wegerski	86.28
1 Total				104.83
3	Elbridge	037.-01-25.0	Hiltbrand	35.23
3	Elbridge	041.-03-42.0	Hiltbrand	125.28
3	Elbridge	030.-02-11.2	Hourigan	5.14
3	Elbridge	030.-02-11.3	Hourigan	3.14
3	Elbridge	030.-03-17.0	Hourigan	9.05
3	Elbridge	040.-03-03.1	Hourigan	7.9
3 Total				185.74
4	Onondaga	038.-02-03.1	Southwick	75.32
4 Total				75.32
Grand Total				365.89
* Calculated using a Geographic Information System, not Real Property Services (RPS) data.				

and

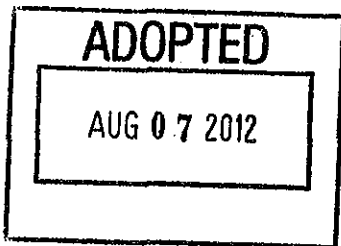
WHEREAS, the Onondaga County Agricultural and Farmland Protection Board has reviewed such requests and determined that such property consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the districts; and

WHEREAS, Section 303-b of the Agriculture and Markets Law requires a hearing upon notice concerning the request for inclusion of such parcels within the certified agricultural districts, and it is the desire of this Legislature to call such hearing; now, therefore be it

RESOLVED, that pursuant to Section 303-b of New York State Agriculture and Markets Law, a public hearing will be held to consider the above requests for inclusion and recommendations on the inclusion of predominantly viable agricultural lands within certified agricultural districts, which hearing shall be held at the Onondaga County Court House, 401 Montgomery Street, Syracuse, New York on Tuesday, September 4, 2012 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.

Ag District PH.doc
LHT 06.26.12
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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

7th DAY OF August, 20 12.

Deborah L. Naturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

July 3, 2012
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12 JUL 27 PM 3:52

LEGISLATURE
ONONDAGA COUNTY
RECEIVED

August 7, 2012

123

Motion Made By Mr. Knapp

RESOLUTION NO. _____

CALLING FOR A PUBLIC HEARING FOR RENEWAL OF AGRICULTURAL DISTRICT NO. 2,
TOWNS OF MARCELLUS, SKANEATELES, AND SPAFFORD

WHEREAS, pursuant to Section 303-a of Article 25AA of the New York State Agriculture and Markets Law, this Onondaga County Legislature adopted Resolution No. 584-2011 providing for notice of the eight year review of Agricultural District No. 2 in the Towns of Marcellus, Skaneateles, and Spafford; and

WHEREAS, as part of that review, the County Agricultural and Farmland Protection Board has prepared reports in accordance with the provisions of Article 25AA, including recommendations to continue such district with modifications; and

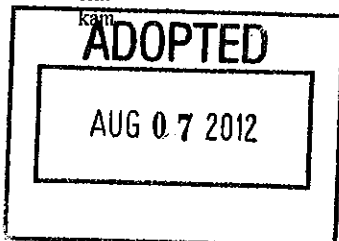
WHEREAS, as part of the review and renewal process, Article 25AA requires the County to hold a public hearing concerning the renewal of Agricultural District No. 2; and

WHEREAS, a notice of renewal for Agricultural District No. 2 was mailed to involved and affected agencies, municipalities, and landowners by the Syracuse-Onondaga County Planning Agency and the Onondaga County Legislature; now, therefore be it

RESOLVED, that pursuant to Article 25-AA of the New York State Agriculture and Markets Law, a public hearing on the renewal of Agricultural District No. 2 shall be held at the Onondaga County Court House, 401 Montgomery St., Syracuse, New York on Tuesday, September 4, 2012 at 12:55 p.m.; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to provide notice of such hearing in accordance with the provisions of Article 25AA of the New York State Agriculture and Markets Law.

Ag District Renewal PH.doc
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FILED WITH CLERK
ONON. CO. LEG.

July 9, 2012
am

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

7th DAY OF August, 2012.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 JUL 27 PM 3:56

LEGISLATURE
ONONDAGA COUNTY
JUL 27 2012

August 7, 2012

124

Motion Made By Mr. Knapp

RESOLUTION NO. _____

AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, PATRICIA LONGO AND SAMUEL LONGO, INDIVIDUALLY AND ON BEHALF OF JACOB LONGO V. ONONDAGA COUNTY

WHEREAS, on or about June 28, 2010, by Summons and Complaint, Plaintiffs, Patricia Longo and Samuel Longo, individually and on behalf of Jacob Longo, commenced this action against Onondaga County Department of Mental Health and Onondaga County Department of Mental Health Day Treatment Program, demanding payment for alleged injuries sustained by Jacob Longo while enrolled at the Onondaga County Department of Mental Health Day Treatment Program for Children; and an Amended Complaint having been filed on November 18, 2010, naming the County of Onondaga as the sole Defendant; and

WHEREAS, Plaintiffs, Patricia Longo and Samuel Longo, individually and on behalf of Jacob Longo, are willing to settle against the Defendant, upon the payment of \$39,000, inclusive of attorney fees; now, therefore be it

RESOLVED, that the County Attorney is hereby authorized to settle this action in the amount of \$39,000, and the Comptroller be and hereby is authorized to draw his warrant charging it against the proper funds; and, be it further

RESOLVED, that this warrant shall be released to the County Attorney upon receipt of the proper Settlement Agreement and Stipulation of Discontinuance.

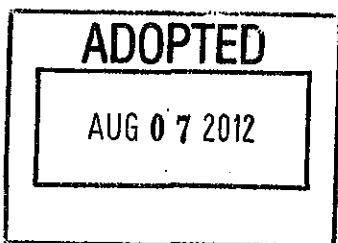
Longo Resolution.doc
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7th DAY OF August, 2012.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUL 21 2012

2012 AUG 07 10:00 AM
CLERK OF COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

Replacement 1a.

August 7, 2012

125

Motion Made By Mr. McMahon, Mr. Ryan,
Mrs. Tassone

RESOLUTION NO. _____

AUTHORIZING THE USE OF COUNTY HIGHWAY EQUIPMENT BY THE TOWN OF GEDDES

WHEREAS, the Town of Geddes has requested the use of a County payloador for a period of time not to extend beyond September 1, 2012, while the town payloador is being repaired; and

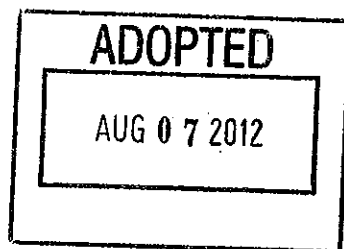
WHEREAS, New York State Highway Law Section 133-a authorizes the County Legislature of any county on the recommendation of the county superintendant of highways to permit the use of any county-owned street or highway machinery, tools or equipment by any municipal corporation; and

WHEREAS, the Onondaga County Commissioner of Transportation has recommended that the County permit the Town of Geddes to use a county payloador; now, therefore be it

RESOLVED, that the Town of Geddes is hereby authorized to use a County-owned payloador at no cost to the Town while the Town payloador is being repaired, for a period of time not to extend beyond September 1, 2012, with each party to have liability for their own actions; and, be it further

RESOLVED, that the County Executive is authorized to enter into agreements to implement the intent of this Resolution.

Geddes - Payloador.doc
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kam



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

7th DAY OF August, 2012.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

Aug 3, 2012
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12 AUG -7 PM 1:10

RECEIVED
LEGISLATURE
ONONDAGA COUNTY
NEW YORK

August 7, 2012

8
126

Motion Made By Mrs. Tassone, Mr. Holmquist,
Mr. Knapp

RESOLUTION NO. _____

AUTHORIZING THE REMOVAL FROM THE COUNTY ROAD SYSTEM OF A COUNTY ROAD KNOWN AS LIMESTONE PLAZA, AND A COUNTY ROAD KNOWN AS NORTH MILL STREET, CR NO. 56, AND TRANSFERRING JURISDICTION TO THE VILLAGE OF FAYETTEVILLE

WHEREAS, the Village of Fayetteville has requested and agreed to the transfer of two County roads known as Limestone Plaza and North Mill Street, CR No. 56, commonly known as Brooklea Drive, located in the Village of Fayetteville, from the County of Onondaga to the Village of Fayetteville; and

WHEREAS, the Onondaga County Commissioner of Transportation has recommended said transfer; and

WHEREAS, an analysis of the potential environmental impacts, if any, for the proposed action has been done under the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that Onondaga County is hereby authorized, directed and designated to act as the lead agency; and, be it further

RESOLVED, that as lead agency, the County hereby determined that the proposed action is an Unlisted Action under SEQRA and an Environmental Assessment Form has been prepared; and, be it further

RESOLVED, that the Environmental Assessment Form filed with the Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County; and, be it further

RESOLVED, that the Onondaga County Legislature does hereby accept and adopt a Negative Declaration for the proposed action, and has determined that the proposed action will not have a significant effect on the environment; and, be it further

RESOLVED, that the County Executive or her designee, is authorized to take such action as she deems necessary or appropriate to comply with the requirements of SEQRA, including without limitation, the execution of documents and filing of the same, and any other actions to implement the intent of this resolution; and, be it further

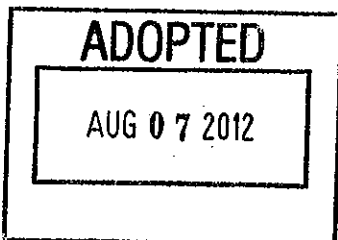
RESOLVED, that the County road known as Limestone Plaza commencing in the northerly boundary of State Highway No. 5660 commonly known as West Genesee Street, at the northerly end of Highbridge Street, CR No. 109, and proceeding easterly along Limestone Plaza a distance of 567 feet, more or less, to North Mill Street, CR No. 56, commonly known as Brooklea Drive, excluding the bridge, BIN 3359070, over Limestone Creek be transferred to the Village of Fayetteville, to be maintained by the Village of Fayetteville in the same manner as other Village roads under their jurisdiction; and, be it further

RESOLVED, that the County road known as North Mill Street, CR No. 56, commonly known as Brooklea Drive located in the Village of Fayetteville, commencing at Limestone Plaza, formerly known as Genesee Street S.H. No. 5660 and proceeding northerly 0.45 miles, more or less, to the intersection

to be maintained by the Village of Fayetteville in the same manner as other Village roads under their jurisdiction; and, be it further

RESOLVED, that the Clerk of this Legislature shall provide a certified copy of this Resolution to the Village of Fayetteville Mayor and Clerk.

Limestone Plaza N Mill St Transfer.doc
MJM/cmb
LHT 06.26.12
clm
kam



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

7th DAY OF August, 2012.
Deborah L. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 JUN 29 PM 2:08

ONONDAGA COUNTY
LEGISLATURE

August 7, 2012

9
127

Motion Made By Mrs. Tassone, Mr. Dougherty

RESOLUTION NO. _____

AMENDING RESOLUTION NO. 189-2007 TO INCREASE THE AUTHORIZATION TO PAY IN THE FIRST INSTANCE 100% OF THE FEDERAL AID ELIGIBLE COSTS BY \$80,000 FOR THE DESIGN (SCOPING I-VI) AND RIGHT OF WAY INCIDENTALS OF MORGAN ROAD (CR 47) / LIVERPOOL BYPASS (CR 88) PAVING PROJECT, PIN 375416

WHEREAS, by Resolution No. 189-2007, this County Legislature approved the project for the Morgan Road (CR 47) / Liverpool Bypass (CR 88) Paving Project, PIN 375416; agreed to pay in the first instance the federal share of the cost of the design (scoping I-VI) and right of way incidentals phase; provided for County participation and to pay the cost of the local share of the project; authorized the County Comptroller to pay in the first instance up to \$240,000 and amended Capital Project Fund 21; and

WHEREAS, subsequent to the adoption of Resolution No. 189-2007, it was determined that additional funds were required to complete the design and right of way incidentals phase of the above mentioned project; and

WHEREAS, the total additional cost for the project is \$100,000, and the additional non-federal share of the costs of the design (scoping I-VI) and right of way incidentals phase is estimated to be \$20,000, such amount being 20 percent of the total additional cost, and the additional federal share is estimated to be \$80,000, such amount being 80 percent of the total additional cost; and

WHEREAS, the total cost for the project is now \$400,000, and the non-federal share of the costs of the design (scoping I-VI) and right of way incidentals phase is estimated to now be \$80,000, such amount being 20 percent of the total cost, and the federal share is estimated to now be \$320,000, such amount being 80 percent of the total cost; and

WHEREAS, the additional local dollars for the County share, now estimated to be \$20,000 and such amount being the non-federal share of the project, are available; now, therefore be it

RESOLVED, that the County Legislature hereby approves the above-mentioned project and agrees to participate by paying in the first instance up to 100 percent of the non-federal share of the design and right of way incidentals phase, and to pay in the first instance the total federal share for the cost of the design (scoping I-VI) and right of way incidentals phase; and, be it further

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

RESOLVED, that the County Comptroller is hereby authorized to pay in the first instance the additional \$80,000 beyond those funds provided in Resolution No. 189-2007; and, be it further

RESOLVED, that the Capital Project Fund 21 be amended as follows:

REVENUES:

H510 Estimated Revenues \$80,000
In Administrative Unit 80-93-10
Highway Division
FAMIS Index 532309
Capital Project 536513
Phase 001-Morgan / Liverpool Bypass Design
In Account 014-0171
Federal Aid Highway Capital Projects \$80,000

APPROPRIATIONS:

H960 Appropriations \$80,000
In Administrative Unit 80-93-10
Highway Division
FAMIS Index 532309
Capital Project 536513 \$80,000
Phase 001-Morgan / Liverpool Bypass Design

RESOLVED, that Resolution No. 189-2007 hereby is amended to reflect the foregoing.

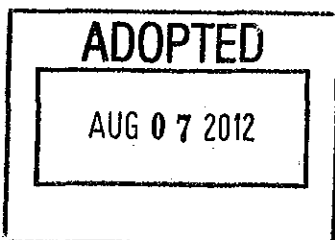
Morgan Liverpool Bypass Design Amend.doc
BJD/ccr
LHT 06.28.12
clm
kam

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

7th DAY OF August, 20 12

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUL -3 10:11:02

LEGISLATURE
ONONDAGA COUNTY
RECEIVED

August 7, 2012

10
128

Motion Made By Mrs. Tassone, Mr. Shepard

RESOLUTION NO. _____

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT TO SELL FUEL TO
THE TOWN OF VAN BUREN

WHEREAS, the Onondaga County Department of Transportation (OCDOT) operates fuel pumps located at its four Maintenance Facilities; and

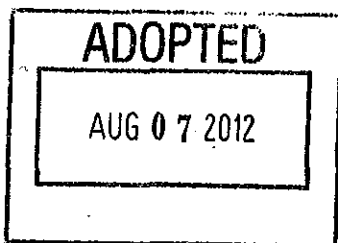
WHEREAS, the Town of Van Buren desires to purchase gasoline and diesel fuel from OCDOT if necessary due to an emergency; and

WHEREAS, the Town of Van Buren has agreed to purchase fuel at a price equal to the current cost to the County plus overhead; and

WHEREAS, this arrangement will benefit the Town of Van Buren at no additional direct cost to OCDOT; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into contracts to implement this resolution.

Van Buren Fuel.doc
TG/tg
LHT 06.26.12
clm
kam



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

7th DAY OF August, 20 12.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

20 JUL -3 11:02

ONONDAGA COUNTY
LEGISLATURE
RECEIVED

August 7, 2012

129

Motion Made By Mrs. Tassone

RESOLUTION NO. _____

AMENDING THE 2012 COUNTY BUDGET TO ACCEPT FUNDS FROM SYRACUSE
UNIVERSITY FOR THE ONONDAGA COUNTY PUBLIC LIBRARY, AND AUTHORIZING THE
COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, the Onondaga County Public Library (OCPL) is partnering with Syracuse University to undertake the *Summer Reading Research Project*; and

WHEREAS, Syracuse University's Graduate School of Library and Information Science and its Center for Digital Literacy are undertaking research that has the potential to make a significant contribution to the library research literature in the areas of youth literacy and information literacy; and

WHEREAS, the focus of this research, entitled "Investigating Self-Determination Variables in Summer Reading Program Participants," is to assess the connections between free voluntary reading (FVR) in public library summer reading programs for youth and the development of information literacy skills, and the research findings have the potential to provide strong support for the importance of such FVR programs in public libraries; and

WHEREAS, OCPL's role in the project will be to collect data for analysis by Syracuse University project participants; and

WHEREAS, this grant will provide funding for substitute librarian staff and modest travel expenses; and

WHEREAS, the available grant funds are \$4,500, and it is necessary to amend the budget to accept such funds for the Summer Reading Research Project; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into contracts to implement this resolution; and, be it further

RESOLVED, that the 2012 County Budget be amended by providing and making available the following:

REVENUES:

In Admin Unit 655000	\$4,500
Onondaga County Public Library	
FAMIS Index 390062	
Project # 767319 SU Summer Reading	
Research Project	
In Acct. 2040 Oth Unclassified Revenue	\$4,500

APPROPRIATIONS:

In Admin Unit 655000

\$4,500

Onondaga County Public Library

FAMIS Index 390062

Project # 767319 SU Summer Reading
Research Project

\$4,500

2012 SU Summer Reading.doc

LHT 5.24.12

clm

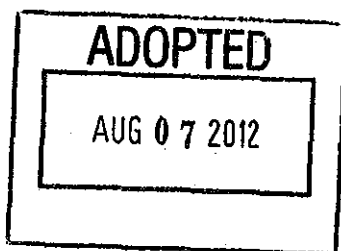
kam

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

7th DAY OF August, 2012.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUN 29 PM 2:09

LEGISLATURE
ONONDAGA COUNTY
RECEIVED

12

August 7, 2012

130

Motion Made By Mrs. Tassone

RESOLUTION NO. _____

AMENDING THE 2012 COUNTY BUDGET TO ENABLE THE ESTABLISHMENT OF A PROJECT
ACCOUNT FOR TOURISM PROMOTIONS

WHEREAS, Onondaga County Parks generate Room Occupancy Tax revenues with the intent of reinvesting those revenues into activity which builds the tourism trade in Onondaga County; and

WHEREAS, Onondaga County Parks' attractions, sports venues, fishing assets, and major special events have been identified as valid contributors to consumer tourism interest in the community; and

WHEREAS, the 2012 County Budget allocates \$68,900 ROT revenues to Onondaga County Parks for tourism promotions; and

WHEREAS, disbursing those monies from a grant account assures maximum investment in tourism projects and facilitates efficient accounting of the expenditures; and

WHEREAS, it is anticipated that the cycle of expenditures will occur on an annual basis; now, therefore be it

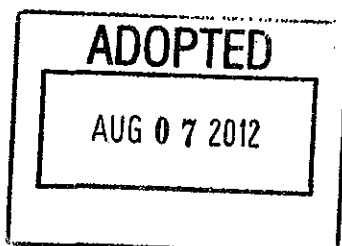
RESOLVED, that the County Executive is authorized to enter into contracts to implement this resolution; and, be it further

RESOLVED, that the 2012 Onondaga County Budget be amended by providing and making available the following:

APPROPRIATIONS:

In Admin. Unit 80-69	
Parks and Recreation	
FAMIS Index 510032	
In Acct. 650-6650	
Contingency	
In Grant Project 770063 001	
Tourism Promotions	
Account 650-6650	
Contingent Account	(\$68,900)
Index 510032	
In Acct. 410-9410 All Other Expenses	+\$49,700
In Acct. 408-9408 Professional Services	+\$16,200
In Acct. 103-4103 Other Employee Wages	+\$ 3,000

Parks ROT funds.doc
WL/ns
LHT 06.27.12
clm/kam



12 JUL -3 AM 11:03

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

August 7, 2012

Motion Made By Mrs. Tassone

13.
RESOLUTION NO. 131

AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO ACCEPT DONATED ITEMS

WHEREAS, the Onondaga County Department of Parks and Recreation is responsible for the operation of the Rosamond Gifford Zoo at Burnet Park; and

WHEREAS, the Onondaga County Department of Parks and Recreation is fortunate to have important relationships with various support groups, including the Friends of the Rosamond Gifford Zoo, among others; and

WHEREAS, these groups have been an integral part of ensuring the successful operation of the Onondaga County Department of Parks and Recreation; and

WHEREAS, these groups from time to time desire to make gifts, contributions, and donations to Onondaga County; and

WHEREAS, the Friends of the Rosamond Gifford Zoo have offered to donate and install a new octopus exhibit; and

WHEREAS, these improvements have a value of up to \$150,000 to construct the exhibit; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby authorize the acceptance of such donations to the Onondaga County Department of Parks and Recreation.

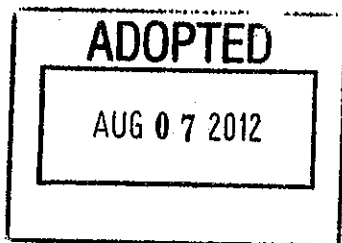
Octopus exhibit.doc
WL/ns
LHT 06.27.12
clm
kam

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

7th DAY OF August, 20 12.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUL 29 2012

ONONDAGA COUNTY
LEGISLATURE
CLERK

August 7, 2012

Motion Made By Mr. Plochocki

15
RESOLUTION NO. 132

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY AND AUTHORIZING EXECUTION OF GRANT
AGREEMENTS TO IMPLEMENT THE INTENT OF THIS RESOLUTION

WHEREAS, the County applied to the United States Environmental Protection Agency (US EPA) for a grant pursuant to storm water infrastructure improvements; and

WHEREAS, the County has been awarded the grant in the amount of \$388,000; and

WHEREAS, the grant includes funding for improvements at the Velasko Road Detention Basin, the Bear Trap-Ley Creek Detention Basin and for the creation of design standards for future improvements to roads and bridges administered by the County Department of Transportation; and

WHEREAS, projects which are undertaken utilizing this funding through the USEPA provide up to 55% federal contribution and 45% local contribution; and

WHEREAS, the County Legislature has already appropriated and authorized the use of County funds which can be applied towards the required local match; and

WHEREAS, pursuant to the grant requirements, the County must submit a resolution approving receipt of grant funds and execution of grant agreements; and

WHEREAS, the review and determination under the State Environmental Quality Review Act (SEQRA) was conducted for the Velasko Road Detention Basin and the Bear Trap-Ley Creek Detention Basin, and they were determined to be a Type 1 and Type 2, respectively; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into a grant agreement with the United States Environmental Protection Agency and to accept funds not to exceed three hundred eighty-eight thousand dollars (\$388,000) as reimbursement for work completed in implementing the project; and be it further

RESOLVED, that any grant proceeds received by the Department of Water Environment Protection for the creation and implementation of green drainage storm water standards will be allocated to the Department of Transportation.

Green drainage grant.doc
MG
LHT 06.26.12
clm/kam

ADOPTED

AUG 07 2012

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

7th DAY OF August, 20 12

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

12 JUL 27 PM 3:57

ONONDAGA COUNTY
LEGISLATURE

August 7, 2012

Motion Made By Mr. Plochocki

RESOLUTION NO. 133

AUTHORIZING ACCEPTANCE OF ADDITIONAL GRANT FUNDS FROM THE NEW YORK
STATE ENVIRONMENTAL FACILITIES CORPORATION GREEN INNOVATIVE GRANTS
PROGRAM AND AUTHORIZING EXECUTION OF GRANT AGREEMENTS TO IMPLEMENT THE
INTENT OF THIS RESOLUTION

WHEREAS, the County applied to the New York State Environmental Facilities Corporation (NYS EFC) for a grant pursuant to the Green Innovative Grants Program (GIGP); and

WHEREAS, the County was awarded a grant in the amount of \$712,500 for installation of a rainwater collection system at the Onondaga County War Memorial Arena and accepted by this Legislature by Resolution No. 473-11; and

WHEREAS, additional grant funding in the amount of \$37,500 was made available, applied for and awarded; and

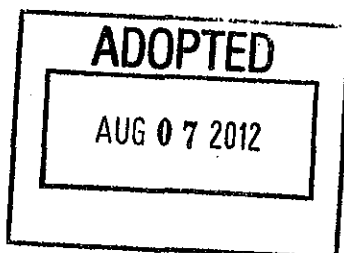
WHEREAS, projects which are undertaken utilizing GIGP funding through the NYS EFC provide up to 90% state contribution and 10% local contribution; and

WHEREAS, the County Legislature has already appropriated and authorized the use of County funds which can be applied towards the required local match; and

WHEREAS, pursuant to the grant requirements, the County must submit a resolution approving receipt of grant funds and execution of grant agreements; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into a grant agreement with the New York State Environmental Facilities Corporation and to accept funds not to exceed seven hundred fifty thousand dollars (\$750,000) as reimbursement for work completed in implementing the project.

GIGP Grant amend.doc
MG
LHT 06.26.12
clm
kam



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

7th DAY OF August, 2012
Deborah L. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 JUL - 3 AM 10:28

LEGISLATURE
ONONDAGA COUNTY
NEW YORK

August 7, 2012

Motion Made By Mr. Plochocki

RESOLUTION NO. _____

17.
134

**AUTHORIZING INTERMUNICIPAL AGREEMENTS TO COMPLY WITH THE AMENDED
CONSENT JUDGMENT CSO AND TMDL REQUIREMENTS AND TO MAXIMIZE GRANT
FUNDS FOR GREEN TECHNOLOGY**

WHEREAS, the 1998 Amended Consent Judgment (ACJ) and the 2009 Stipulation and Order require the County to abate CSO discharges, and to meet the nutrient reduction requirements set forth in the revised Total Maximum Daily Load (TMDL) within the Sanitary District; and

WHEREAS, failure to timely comply with ACJ milestones and performance goals can result in the imposition of substantial stipulated penalties and costly additional mandates, all at taxpayer expense; and

WHEREAS, since entering into the ACJ, the County has changed its focus toward using innovative green technology to capture storm water thereby reducing the footprint and costs of gray infrastructure, which until recently was the sole technology employed to capture sewage and storm water; and

WHEREAS, in addition to incorporating green infrastructure as a strategy to address CSOs, the County is investing in additional green infrastructure initiatives, with anticipated benefits to include reduction of storm water flows and associated contaminants, such as phosphorus; and

WHEREAS, the state and federal governments have shown an increased interest in funding green technology projects, but, as with gray technology, these grantors often require that grantees, like the County, be able to document an approved project and the legal authority to implement the project as a condition precedent to securing grant funds; and

WHEREAS, the Onondaga County Legislature previously approved the Midland, Clinton and Harbor Brook ACJ programs and plans as proposed by the Commissioner, including the incorporation of green infrastructure as a critical component of those programs; and

WHEREAS, to meet the CSO and TMDL requirements of the ACJ, to efficiently and effectively implement the approved programs and plans, and to maximize funding opportunities, it is desired to enter into intermunicipal and other agreements to facilitate the incorporation of green infrastructure technology into public works projects as appropriate for such incorporation based on projected storm water capture; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements, up to a cumulative funding amount (including design and construction) not to exceed \$1.5 million, with the State University of New York Upstate Medical University to fund the design and construction of green infrastructure components of public works projects being undertaken by Upstate Medical University; and, be it further

RESOLVED, that the County Executive is authorized to enter into an intermunicipal agreement(s) with the State University of New York, College of Environmental Science and Forestry, to fund the design and construction of green infrastructure in connection with public works project(s); and, be it further

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements, up to a cumulative funding amount (including design and construction) not to exceed \$1.1 million, that permits the County to provide technical support and funding to the City of Syracuse on projects designed, managed and advanced by the City, within the City's annual road reconstruction program, in which the City has agreed to incorporate green infrastructure in an effort to aide with the County's compliance with the ACJ; and, be it further

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements with the City of Syracuse for the incorporation of Green Infrastructure in the following specific projects advanced by the Syracuse City School District (SCSD) in an amount not to exceed the cost of the combination of an appropriate share of design services and the bid amounts of green infrastructure technologies incorporated and verified by the County's Green Infrastructure Program Manager, which include:

- | | |
|--------------------------------------|---|
| 1. Institute Of Technology | Budget-\$00.00, CSO Capture 2,250,000 gl. |
| 2. Dr. Weeks Elementary Improvements | Est. Budget-\$89,000, CSO Capture 2,177,000 gl. |
| 3. Delaware School Playground | Est. Budget-\$43,985, CSO Capture 177,000 gl. |

and, be it further

RESOLVED, that the County Executive is authorized to enter into intermunicipal agreements with the City of Syracuse for the incorporation of Green Infrastructure in the following specific projects in an amount not to exceed the cost of the combination of an appropriate share of design services and the bid amounts of green infrastructure technologies incorporated and verified by the County's Green Infrastructure Program Manager, which include:

- | | |
|-----------------------------------|---|
| 1. Bank Alley Improvement Project | Est. Budget \$108,000, CSO capture 434,000 gl. |
| 2. Hanover Square Renovation | Est. Budget \$132,000, CSO capture 535,000 gl. |
| 3. Connective Corridor | Est. Budget \$3.825 million, CSO capture 15.3 mil gl. |

and, be it further

RESOLVED, that the Onondaga County Legislature in granting this authority requests that the County Executive include within any intermunicipal agreements executed to further the intent of this resolution a requirement that the signatories to the IMA agree to provide ample notice of an opportunity to participate in any signage, public education, promotion of, or media event regarding a project funded in whole or in part with resources from the County CSO Abatement Program (otherwise referred to as "Save the Rain").

Authorizing Intermunicipal Agreement
kam

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

7th DAY OF August, 2012.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

ADOPTED

AUG 07 2012

12 JUL 12 PM 1:32

ONONDAGA COUNTY
LEGISLATURE
JUL 12 2012

August 7, 2012

Motion Made By Mr. Plochocki

RESOLUTION NO. 135

AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR THE CLINTON CSO STORAGE FACILITY IMPROVEMENT PROJECT

WHEREAS, the County of Onondaga is undertaking the Clinton CSO Storage Facility Project (the "Project") pursuant to the Federal Court Order referred to as the Amended Consent Judgment ("ACJ") dated January 20, 1998 as Amended by the Fourth Stipulation and Order entered with the Court on November 16, 2009; and

WHEREAS, the purpose of the Project is to minimize or eliminate untreated discharges of combined sewage from entering Onondaga Creek and Onondaga Lake and eliminate or substantially decrease the negative impacts of eleven (11) existing combined sewer overflow ("CSO") discharge points along Onondaga Creek; and

WHEREAS, the previously approved bonding and spending authorizations (Resolution No. 386-2011 and No. 387-2011) for the Clinton project contemplated a purchase price for this property of up to \$2 million; and

WHEREAS, the Project consists of constructing an underground storage tank and installing pipelines to transport flow to the storage facility; and

WHEREAS, Onondaga County Department of Water Environment Protection has determined that it will be advantageous for the County to own the entirety of the property on which it is constructing a 6.5 million gallon CSO underground storage tank; and

WHEREAS, adoption of this resolution does not increase the previously approved spending authorization approved in Resolution Nos. 386 and 387 of 2011; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA), the County Legislature adopted Resolution No. 83-2006 which authorized the County to act as the Lead Agency, approved the classification of the action as Type 1, accepted the Environmental Information Document, adopted findings, and authorized publication, circulation, and filing of the Environmental Information Document and Negative Declaration for the Clinton Street CSO Abatement Project; and

WHEREAS, the following properties owned by the City of Syracuse and located in the City of Syracuse, New York must be acquired in fee or easement for the Project ("Property" or "Properties") as a matter of public purpose and the following purchase price is considered fair and reasonable for those Properties:

<u>Owner</u>	<u>Property Address</u>	<u>Project Map No.</u>	<u>Type</u>	<u>Size(sq.ft.)</u>	<u>Amount</u>
City of	102 Dickerson St	Map 10 Par. 33	(Fee)	145,537	
Syracuse	Onondaga Creek Bed	Map 10 Par. 27-R	(P.E.)	5,007	
	Onondaga Creek Bed	Map 10 Par. 31	(P.E.)	2,811	
	Onondaga Creek Bed	Map 10 Par. 32	(P.E.)	6,599	
				159,954	\$1,649,000

now, therefore be it

RESOLVED, that within the spending limits set forth in Resolution Nos. 386 and 387 of 2011 authorizing the issuance of bonds and approving the expenditure of funds within the area designated as the Clinton/Lower MIS Sewershed, the County Executive is hereby authorized to enter into agreements to purchase the aforementioned properties for a total of \$1,649,000; and, be it further

RESOLVED, that the County Comptroller be and hereby is authorized and directed to draw a check payable to the City of Syracuse, said check to be delivered to the County Attorney who shall obtain proper conveyance and approve title before delivery of said check and that said sum be, and hereby is, made a charge upon the proper fund or funds; and, be it further

RESOLVED, that the County Executive be authorized to enter into agreements to implement the intent of this resolution.

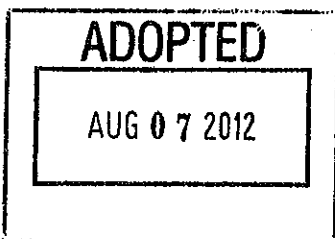
Trolley Lot 2012.doc
MJM/cmb
clm
kam

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

7th DAY OF August, 2012.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUL -6 AM 11:29

ONONDAGA COUNTY
LEGISLATURE
RECEIVED

August 7, 2012

Motion Made By Mr. Liedka, Mr. Knapp,
Mr. Kilmartin

19
RESOLUTION NO. 136

MEMORIALIZING THE NEW YORK STATE AND FEDERAL GOVERNMENTS TO BAN THE
MANUFACTURE, DISTRIBUTION, SALE AND POSSESSION OF DANGEROUS UNREGULATED
SYNTHETIC DRUGS

WHEREAS, the sale and abuse of synthetic "designer" drugs, including "bath salts" and synthetic marijuana, continues to increase among individuals in our communities; and

WHEREAS, these "designer drugs" are specifically synthesized with a similar, but slightly modified structure of a Schedule 1 controlled substance in order to avoid existing drug laws, and can be continually chemically modified to avoid legal repercussions, while maintaining their intended effects and usages; and

WHEREAS, hospitals, health agencies, and poison control centers are experiencing increased emergency room cases, illnesses, deaths, and reports linked to the use and abuse of these substances; and

WHEREAS, law enforcement agencies and courts are seeing increased crime in our local communities associated with the sale and abuse of these substances; and

WHEREAS, manufacturers and retailers of these substances often directly market them through the internet and by colorful packaging designs that include no warnings or adequate descriptions of the ingredients, and are deceptively sold as plant food and other ordinary household goods, and which are not approved for medical use in the United States; and

WHEREAS, individuals obtain the substances either through storefront retailers, indirectly through others, or through internet sales; and

WHEREAS, the availability of these substitute drugs, many of which are not detected by normal drug tests, undermines publicly-funded meaningful and effective substance abuse programs directed toward the treatment and counseling of substance abusers; and

WHEREAS, the internet sale of these substances raises questions and concerns about the distribution of unregulated harmful drugs across state and national boundaries, requiring action at the federal level; and

WHEREAS, the Commissioner of Health in New York State issued an Order for Summary Action to ban the sale and distribution of designer drugs commonly packaged and marketed as bath salts on May 20, 2011, and banning the sale and distribution of products containing for synthetic marijuana on March 28, 2012; and

WHEREAS, the New York State Legislature has legislation before it (S6694-A; A A9781-A) that would amend the State Public Health Law to add classes of substituted cathinones ("bath salts") and classes of cannabinoids ("synthetic marijuana") to the State list of controlled substances, would amend the State Penal Law to provide for criminal sanctions, and would create a statewide substituted Cathinone and Cannabinoid Surrender Program to allow for surrender of these harmful substances to appropriate authorities; and

WHEREAS, federal legislation recently was enacted outlawing two substances commonly used in "bath salts", twenty other substances commonly used in synthetic marijuana, and nine synthetic hallucinogens; and

WHEREAS, it is necessary to go beyond the federal legislation and the State Health Department ban in order to arm local law enforcement with the legislation necessary to combat the rapidly growing abuse of these synthetic drugs; and

WHEREAS, these substances continue to pose a significant and immediate public health threat and danger to public safety, and it is the desire of this County Legislature that legislation be enacted to address this health and safety issue; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes the Governor and Legislature of the State of New York State to immediately pass meaningful and effective legislation criminalizing the manufacture, distribution, sale and possession of these substances and their future derivatives with the intent of protecting the health and safety of all citizens of New York State; and, be it further

RESOLVED, that this Onondaga County Legislature further requests the United States Congress to take enact such further legislation at the federal level as is necessary to ban all such substances, regardless of the chemical makeup, and to fully address this threat to public health and safety; and, be it further

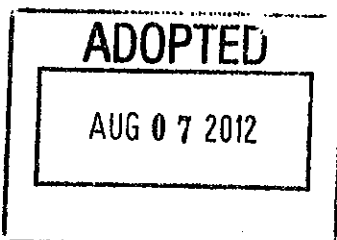
RESOLVED, that the Clerk of this Legislature hereby is directed to forward copies of this resolution to the New York State Governor and to the New York State Legislators representing Onondaga County, and to the United States Senators and Representatives for Onondaga County, urging their action on this resolution.

Memorialize - Bath Salts.doc
kam

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

7th DAY OF August, 2012.
Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK



12 JUL 16 9:48

LEGISLATIVE
ONONDAGA COUNTY
CLERK

A.

LOCAL LAW NO. ____ - 2012

A LOCAL LAW PROHIBITING SALE AND POSSESSION OF SYNTHETIC DRUGS, INCLUDING
THOSE COMMONLY KNOWN AS "BATH SALTS", WITHIN ONONDAGA COUNTY

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

Section 1. Legislative Intent and Findings. Onondaga County finds that the use of Synthetic Drugs, including those commonly referred to as "Bath Salts", poses a distinct risk to the life, health and safety of users and the public at large. These chemicals are being marketed as plant food, glass cleaner, insect repellant, and stain remover and are readily available at storefront retailers, online retailers, and indirectly through other individuals. These products are composed of chemical compounds capable of producing a hallucinogenic effect when ingested or consumed by human beings.

Human consumption of Synthetic Drugs, including "Bath Salts" and such other similar products containing these chemicals, can cause hallucinations, psychosis, increased heart rate, chest pain, agitation, anxiety, extreme paranoia, delusions, suicidal thoughts, violent behavior, nausea and vomiting. Use of these chemicals has also been linked to multiple suicides in the United States.

This Onondaga County Legislature hereby determines that it is necessary to ban within Onondaga County the sale and possession of Synthetic Drugs, including "Bath Salts" and any products containing these chemicals, to protect the life, health, safety and welfare of Onondaga County residents.

Section 2. Definitions. As used in this law, "person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.

Section 3. For purposes of this local law, "Synthetic Drug" shall mean the following:

1. 3,4-Methylenedioxymethcathinone, commonly known as Methylone;
2. 3,4-Methylenedioxypyrovalerone, commonly known as MDPV;
3. 4-Methylmethcathinone, commonly known as Mephedrone;
4. 3-Methoxymethcathinone;
5. 3-Fluoromethcathinone;
6. 4-Fluoromethcathinone
7. 1-Pentyl-3-(1-naphthoyl) indole; some trade or other names: JWH-018;
8. 1-Butyl-3-(1-naphthoyl) indole; some trade or other names: JVVH-073;
9. 1-[2-(4-morpholinyl) ethyl]-3-(1-naphthoyl) indole; some trade or other names: JWH-200;
10. 5-(1,1-dimethyloctyl)-2-[1R,3S]-3-hydroxycyclohexyl]-phenol; some trade or other names: CP47, 497;

11. 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; some trade or other names: cannabicyclohexanol; CP-47, 497 C8 homologue;
12. any products containing the foregoing chemicals, or any salt, isomer or salt of isomer of the substances set forth in paragraphs 1-11 above;
13. any substance prohibited in an Order for Summary Action in the Matter of the Sale and Distribution of Synthetic Cannabinoids issued by the New York State Department of Health dated March 28, 2012 and any similar Order subsequently issued by the State of New York Department of Health;
14. any substance prohibited in the federal "Synthetic Drug Abuse Prevention Act of 2012"; and/or
15. any synthetic drug analog which shall mean a substance:
 - a. The chemical structure of which is substantially similar to the chemical structure of a Synthetic Drug as described above; or
 - b. Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a Synthetic Drug as described above; or
 - c. Which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a synthetic drug as described above.

Section 3. Prohibitions.

- a. No person shall sell or offer to sell, exchange, give or otherwise dispose of to another any Synthetic Drug in Onondaga County. No person shall be in possession of any Synthetic Drug unless said Synthetic Drug is expressly prescribed by a physician or person otherwise licensed to prescribe such medication.
- b. In order to prevent the creation, possession and use of the drug commonly known as "Water" the unauthorized use of Embalming Fluid or similar compounds is hereby prohibited within the County of Onondaga, with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this local law, Embalming Fluid means any chemicals or substances manufactured primarily for use by licensed funeral directors, undertakers or embalmers, or registered residents, to prepare, disinfect or preserve, either hypodermically, arterially or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular, such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

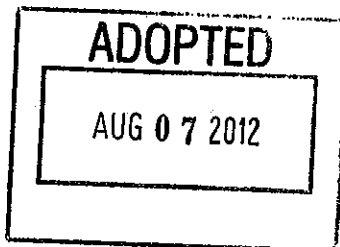
Section 4. Penalties. Any person who violates the provisions of this article shall be guilty of an unclassified misdemeanor punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

Section 5. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its

application to the person, individual corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective Date. This law shall take effect immediately upon filing in the Office of the Secretary of State.

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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

7th DAY OF August, 20 12.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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ONONDAGA COUNTY
LEGISLATURE
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6

LOCAL LAW NO. _____ - 2012

**A LOCAL LAW AMENDING THE ONONDAGA COUNTY CHARTER IN SECTION 207 TO
REVISE THE ONONDAGA COUNTY REAPPORTIONMENT COMMISSION TO ENSURE A NON-
PARTISAN, FAIR AND OBJECTIVE PROCESS BY WHICH THE ONONDAGA COUNTY
LEGISLATURE DISTRICTS ARE REAPPORTIONED**

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

Section 1. The purpose of this law is to provide an objective and fair reapportionment process by establishing a non-partisan Reapportionment Commission.

Section 2. Section 207 of the Onondaga County Charter hereby is amended to add the following final paragraph:

On and after December 1, 2012, the Reapportionment Commission shall be comprised of five members, to be appointed as follows: On or before January 15, 2021, and every ten years thereafter, the League of Women Voters shall submit to the Chair of the Onondaga County Legislature no less than nine names for consideration by the County Legislature for appointment to the Reapportionment Commission. From the nine names recommended, the County Legislature, by resolution duly adopted, shall appoint five appointees to the Reapportionment Commission. At the time of appointment to the Reapportionment Commission, the appointees shall be residents of Onondaga County representing different geographic areas of the County, shall be registered to vote in Onondaga County, and shall not be serving in an elected or appointed governmental position or hold any political party position.

The Reapportionment Commission shall make its recommendation to the County Legislature regarding proposed changes to the boundaries of county legislative districts in the form of a local law, and the County Legislature shall hold at least one public hearing on such recommendation prior to the enactment of a local law, as provided for in this Section 207 of the Onondaga County Charter and the applicable provisions of the Onondaga County Administrative Code.

Section 3. This local law shall apply to all actions related to the enactment of reapportionment plans for the Onondaga County Legislature occurring on and after December 1, 2012.

Section 4. If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Except as specifically amended herein, Section 207 of the Onondaga County Charter, being Local Law No. 1 of 1961, as amended, shall remain in full force and effect.

Section 6. This Local Law shall take effect immediately upon approval of the electors of Onondaga County.

Section 7. This Local Law shall be submitted to the Electors of Onondaga County at the next general election occurring in November, 2012.

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