

Office of the Onondaga County Legislature

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Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE FRENCH
Deputy Clerk

ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – JANUARY 16, 2013 MICHAEL E. PLOCHOCKI, CHAIRMAN

Members Present: Mrs. Rapp, Mr. Meyer, Mrs. Tassone, Ms. Williams

Also Attending: see attached list

Vice Chair Rapp called the meeting to order at 9:10 a.m. ***A motion was made by Ms. Williams, seconded by Mrs. Tassone to waive the reading of the minutes of the proceedings of the previous committee meeting; MOTION CARRIED. A motion was made by Mr. Meyer, seconded by Ms. Williams to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

Mr. Millea:

- Asked to come in and update the committee on the resolution regarding proper disposal of batteries and bulbs
- Meetings with Mr. Rhodes, Mr. Owens and Mr. Coburn - determined a need to do some renewed education with County Employees on how to deal universal waste in a commercial setting
- Suitable to do similar to what is seen at Wegmans - household battery drop offs
- Working to make atrium a community space within Civic Center
- Met with Mark Donnelly from OCCRA – designed receptacles for Wegmans; can order for basement of Civic Center
- Only a household battery drop off; people on floors disposing of batteries in commercial setting - different rules apply
- Mr. Coburn to help with proper disposal on every floor
- Different containers for alkaline verse rechargeable; every floor needs place to dispose both – rechargeable batteries get sent back to recycling facilities; procedures for wrapping; rechargeable has lithium, close contact – could combust

*Chairman Plochocki arrived at the meeting.

- OCCRA – pro-bono pick up household batteries; no schedule on when getting disposal bin
- Light bulbs - different issue; mercury being key element; batteries will be collected - alkaline don't have mercury
- Fluorescent bulbs have micro amounts of mercury - disposal of bulbs, asked Facilities to use best practices; don't encourage household fluorescent bulbs to be brought in
- If someone were to bring in household fluorescents in a box, then trip and fall smashing the bulbs; County would have to close lobby until deemed safe of mercury exposure
- Incident couple days prior (Oak Orchard or Henry Clay) – mercury exposure; had to evacuate building and go through OSHA procedures; wasn't from light bulb but needed procedures for mercury exposure
- Will do an outreach program for employees so they know compact bulbs are recyclable – can return to Home Depot, Lowes, Ace – access to drop off points versus having in lobby of Civic Center
- Will look into proper disposal contracts, and consolidating with (i.e.) OCC; purchasing power for disposal costs
- County has 50 gallon drum with lid; put bulb through, turns into dust; collected by licensed pick up and disposal facility

Mr. Coburn responded to Mr. Meyer that they need a closed container, but you cannot have a bulb sticking out of the top. Mr. Millea replied to Mr. Meyer that he is not sure which size container the County has but they grind them down anyway. Mr. Coburn commented that different departments handle it in different ways. The outside departments send them back in the containers they come in.

Mr. Millea:

- Moving forward on battery collection; Mr. Coburn and Mr. Owens will coordinate to make sure appropriate universal wastes are handled – buckets of batteries need to be dated and disposed of in a year

- Facilities responsibility for collection on regular basis, and will pay for receptacle; OCCRA handles disposal pro-bono
- Can ask Albany to pay as a pilot, and will find out costs – possibly several hundred dollars
- OCCRA gets recycling grants; intend to do signage for OCCRA recycling program and what OCCRA does
- Batteries collected by OCCRA get sorted at Onondaga County ARC which produces jobs; low cost way to sort

1. **WEP:** David Coburn, Director of Office of Environment

a. **A Resolution Amending the 2013 County Budget to Provide for Ongoing County Participation in Honeywell and Onondaga Lake Remediation Issues (\$160,000)**

- Roll referred to Honeywell contingency funds; \$160,000 in account; don't roll then back to fund balance
- 2012 – most of funds expended had to do with lower Ley Creek issue - still alive and facing issues
- Later end of 2012 – more engaged in natural resource damages
- Super Fund or CERCLA law has two parts:
 - Remedial investigation and feasibility study which studies the extent and nature of the contamination, and looking for cleanup measures to implement
 - Natural Resource Damages – to pursue restoration or compensation for lost use of resources
- Trustees in process of assessing damages caused to environment; will develop restoration plan to restore uses or compensate the public; (i.e. can't fish for years is lost use; responsible parties to compensate after restoring use)
- Public is compensated, not County; County notified in 2012 that it could be a responsible party; if alleged charges upheld, then would pay for cost of restoration; who County pays depends on what the restoration plan is
- i.e. If restoration plan is to develop boat landings/fish areas, then responsible parties may pay for creation of these

Mr. Mendez commented the cash pay has to be used for damages or restored resources. The County would want to see that those cash payments get reinvested in Onondaga Lake to benefit the community. The County wants to limit exposure but also wants to make sure the investments that made are investments the community wants. Mr. Coburn commented that they should also be consistent with the projects they are doing.

Mr. Coburn:

- Recently able to convince trustees that it would be beneficial to be at the table as they have discussions, and the trustees agreed; playing more interactive role with trustees
- Ley Creek still on table and Natural Resource Damages involved; expect new info on waste beds 1-6 in terms of remedial investigation and feasibility study
- Honeywell asked to update Human Health Risk Assessment on Murphy's Island property
- Department will be reviewing technical documents on property owned and operated by County
- Under \$30,000 in existing contract w/outside experts; expect to be back to release funds; money already encumbered
- Trustees – Commissioner of Dept of Environmental Conservation, Head of Dept of Interiors and Onondaga Nation
- Don't believe the trustees vote but have a process they will agree to
- Murphy's Island is still park land

Mr. Coburn responded to Chairman Plochocki that the last appropriation was in 2001 for \$2 million. When the suit was settled, some of the money was returned to fund balance, and a contingency account of \$500,000 was established. Instead of releasing it all at once, the account was set up so the department would come to the Legislature to release funds as necessary. Mr. Coburn replied to Chairman Plochocki that the account was established in 2004. The department comes to the Legislature for this account twice a year to release funds.

A motion was made by Mrs. Rapp, seconded by Mrs. Tassone to approve this item. Passed unanimously; MOTION CARRIED.

2. **OCWA:**

a. **Confirming Appointments to the Onondaga County Water Authority (Jeffrey D. Brown)**

A motion was made by Ms. Williams, seconded by Mrs. Tassone to approve this item. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 10:34 a.m.

Respectfully submitted,



Jamie McNamara, Assistant Clerk
Onondaga County Legislature

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COUNTY FACILITIES COMMITTEE MINUTES - JANUARY 16, 2013
JUDITH A. TASSONE, CHAIR

MEMBERS PRESENT: *Mr. Dougherty, Mrs. Rapp, Mr. Ryan, Mr. Shepard

ALSO PRESENT: See attached list

Chair Tassone called the meeting to order at 10:35 a.m. **A motion was made by Mrs. Rapp, seconded by Mr. Shepard to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.**

1. **ONONDAGA COUNTY PUBLIC LIBRARY:** Elizabeth Dailey, Executive Director

a. **Create R.P. 01 406510-1890, Account Clerk I, Grade 4 @ \$30,108-\$33,232; Abolish R.P. 01 406510-5959, Typist II, Grade 5, @ \$32,313-\$35,681**

- Retirement from Library; Typist 2; work changed – asking for Account Clerk 1 to replace not add

*Mr. Dougherty arrived at the meeting.

A motion was made by Mrs. Rapp, seconded by Mr. Shepard, to approve this item. Passed unanimously; MOTION CARRIED.

2. TRANSPORTATION: Robert Petrovich, Deputy Commissioner; Thomas Gottstein, Senior Management Analyst

a. Amending the 2013 County Budget to Provide Additional Funds for the Purchase of Gasoline and Diesel Fuel to be Sold to the Jamesville Fire Department and Authorizing the County Executive to Enter into Contracts (\$15,101)

Mr. Petrovich stated this is a request for fuel at one of the facilities. This is consistent with other fueling agreements.

Chair Tassone asked how often the contract comes up. Mr. Gottstein responded it's every three years, and this is a new agreement with Jamesville Fire Department. Mr. Petrovich replied to Mrs. Rapp that they are projected to do \$15,000, so they will buy up to \$15,000. The \$.03 override will cover the administrative costs. Mr. Petrovich responded to Mrs. Rapp that he believes they are billed monthly. Chair Tassone asked if the \$.03 charge is ever negotiated. Mr. Gottstein responded the cost was determined based on how much additional cost it would take to provide service.

A motion was made by Mr. Shepard, seconded by Mr. Dougherty, to approve this item. Passed unanimously; MOTION CARRIED.

3. PARKS AND RECREATION: David Coburn, Director of Office of Environment

a. Amending the 2013 County Budget to Accept NY State Department of Environmental Conservation Forestry Grant Funds to Expand and Enhance the Inventory of Ash Trees being Carried out on County-Owned Land and Authorizing the County Executive to Enter into Contracts to Implement this Resolution

Mr. Coburn:

- Accept \$25,000 State Forestry Grant – help complete inventory of Ash trees on County owned property
- Agreement with Soil and Water Conservation District to carry out work – completed work on 11 radio tower sites, 17 parks; Van Duyn, Hillbrook, Board of Elections and moved to some highway right-of-ways; making good progress
- GIS database – GIS location point to get back to tree, diameter of breast height, what targets are in vicinity, condition of stem and canopy, and relative risk is; if tree in stress condition, given certain qualification
- All come into play when deciding on removing or inoculating - protecting canopy for shade, habitat, or aesthetics
- Until get inventory, hard to have indication of plan – plan on removing trees; hope to start this year
- Appropriation in budget - start in areas where inventory done
- Important to ascertain what utilization opportunities exist – lumber, mulch, biofuel
- Challenging - not in timber stands; lumber companies are not that interested
- Open grown trees have branches at lower levels; and wood not as valuable; not great revenue but will help offset cost

Mr. Coburn responded to Chair Tassone that the insect is in New York State, and will be here. Once the bug is in an area, the State will quarantine and not allow the movement of wood outside that area. Currently it is in Buffalo, Rochester, the Catskills and Hudson. Mr. Coburn stated the more years the County has to manage this, the more years they can move the cost out. In the Midwest experts found in the first five to seven years they only infest about 10% of the trees, and by year twelve they were in 90% of the trees. Once the bug is in the trees, there is only two to four years before the trees will start falling down. What sets the Ash apart from other trees is that it does not stand well when it dies. It will break up and fall apart.

Mr. Coburn responded to Mrs. Rapp that his understanding is that this has not changed the pricing of lumber. The value has remained relatively high, and a lot of the wood is being shipped to China. The lumber value is not great, but the department may find new markets; like small portable milling operations. Mr. Coburn stated Parks is working to look for opportunities where there are timber stands to get the Ash out before they fall down. The places Mr. Coburn is talking about are not areas of large stands but taking one out from here and one out from there with multiple stems. There are street trees and trees near institutions which are not as convenient. In areas like Onondaga Lake Park, they will not take all of those trees at once but rather stage them so there is replacement while removing.

Mr. Coburn's responses to Mr. Dougherty's questions reference when the Ash trees are gone:

- When the County is out of Ash trees, the bug will move to the next Ash tree
- Currently harvesting seeds to preserve the species; hoping some varieties and genetics to make more resistant
- Bug came from China and Korea; enough predators to keep it under control; they were destroying trees but not devastating areas; don't have same natural predators here
- Sad news – estimated every 10 years there's 30 - 40% chance of a new invasive species; i.e. mussels changing water and ecology, Long Horn Asian beetle less selective and goes for Maple trees

Mr. Coburn responded to Mr. Ryan that the strategy is to do canopy replacement to offset the trees being taken down. Mr. Coburn stated people don't appreciate the value trees provide in terms of heat island effect, shading, habitat, and air purification. Save the Rain is trying to grow canopy. The hope is to create in the replacement strategy enough diversity so another invasive species does not devastate the entire tree population. Part of the challenge is when the Elms left, they were replaced with Ash trees. Mr. Coburn responded to Mrs. Rapp that the replacement is not with one brand of tree but many brands.

Mr. Shepard asked when a tree is inoculated, is it repeated every so often. Mr. Coburn replied the pesticide of choice is called Tree-age. The label says it is good for two years, and sometimes last three years. The cost is \$10 per diameter inch so a two foot diameter tree costs \$240 every two years to preserve it. It can cost half that if there was in-house capability, but that requires a certified pesticide applicator which takes about four years to be certified; plus other costs associated. Mr. Coburn responded to Mr. Shepard that Soil and Water has at least two certified employees.

Mr. Coburn stated Onondaga Lake Park has over 4,400 Ash trees. The grant money allows the department to add in the waste bed 1 – 6 area where the trail is extending to. This was not completed before as there was no trail. It does not take much to do the math for inoculation of 4,400 trees or even only 10% of these trees. The inoculation process requires a tree that will translocate the pesticide readily, so if there is stem or canopy damage, it will not work, and the tree will be gone.

Mr. Coburn's response to Mrs. Rapp's question regarding a private sector opportunity:

- It would be contract; inventory has to be complete to find out how many trees could be inoculated, how many trees the County will want to inoculate, and then figure out if it is cost effective to have someone in-house or on contract
- May be cheaper to contract out; no point in inoculating now because even if bug gets into a tree, it can be inoculated if it is caught early
- If someone tries to sell an inoculation job now, they are trying to take money
- Working with Cooperative Extension to create a steering committee to help develop a community wide strategy for dealing with the bug's arrival
- Will help municipalities, institutions and private property owners make informed decisions; not get taken advantage of
- Fear is that once the bug hits, there will be all sorts of heisters coming out of the woodwork saying they can do certain things that may not be necessary; or they do it wrong; or they will overcharge

Mr. Coburn's response to Mr. Dougherty's question regarding the density of the Ash tree in Onondaga Lake Park:

- Didn't plant; conditions very suitable; won't expect same density in residential area
- State estimated 13% of Onondaga County trees are Ash trees; 1 in 9; other areas not quite as extensive
- Uplands and plateaus won't see as many; over 1,000 in Beaver Lake, over 1,000 in Oneida Shores
- So far shows 8,000 – 9,000 Ash trees on County property
- City has a little over 2,000 that are street trees
- Numbers of trees City anticipates is in vicinity of 18,000 in back yards and side yards
- Other initiative this year is to try and get early detection; slow spread and isolate to buy more years of management
- Detect early enough, know where to concentrate early efforts; attempt to inoculate in vicinity of early infestation
- Possible process to girdle tree to make more scrumptious to the bug, draw them in; attract, then inoculate; will kill the tree but hope to kill that piece of infestation to slow spread, and be able to spread out the cost

Mr. Coburn replied to Chair Tassone that there is a GPS location to mark the tree so there is no painting on the tree. The trees being done for WEP are being painted because WEP has a tree removal crew. They are capable of taking them down as needed, and can see the paint spot.

A motion was made by Mrs. Rapp, seconded by Mr. Dougherty, to approve this item. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 11:00 a.m.

Respectfully submitted,



Jamie M. McNamara, Assistant Clerk
Onondaga County Legislature

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PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MINUTES – JANUARY 17, 2013 KATHLEEN A. RAPP, CHAIR

Members Present: Mr. Liedka, Mr. Knapp, Ms. Ervin, Mr. Plochocki

Also Attending: Mr. Shepard, Mr. Kilmartin, Chairman McMahon and see attached list

Chair Rapp called the meeting to order at 10:37 a.m. **A motion was made by Mr. Knapp, seconded by Mr. Liedka to waive the reading of the minutes from the previous committee meeting. MOTION CARRIED. A motion was made by Mr. Liedka, seconded by Mr. Knapp to approve the minutes of the previous committee meeting. MOTION CARRIED.**

1. ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY:

- a. **Confirming Appointments to the Onondaga County Industrial Development Agency (Janice Herzog, Michael Allen)**

A motion was made by Mr. Knapp, seconded by Mr. Liedka to approve this item. Passed unanimously; MOTION CARRIED.

Chair Rapp took the agenda out of order.

3. Requesting a Study to be Conducted Regarding Broadband Connectivity Issues within Onondaga County (Sponsored by Mr. Shepard)

Mr. Shepard stated town counselors from Elbridge are looking for their assistance; other rural areas would also benefit. Connect NY Broadband grant program requires study in order to apply for funding. Elbridge has been denied once and wants to be prepared, if there is a third round.

Chair Rapp asked if there was a cost for the study and if he was looking for this to go through the Planning department. Mr. Shepard responded he didn't know the details and was asking for assistance. If Planning was to contact the Town of Elbridge, they could provide the details for their area. Chair Rapp added the department needs to be determined and then a motion could be presented.

Mr. Knapp suggesting contacting the state to see what the plan needs to include so that the study is completed correctly the first time. He believes that town supervisors could almost do the survey in their area for us. They get calls from constituents unable to connect, all the time.

Chair Rapp noted this is more than just an Elbridge issue. An economic development study was just completed in the Adirondacks to try and balance the needs of environmentalist with business development. A marriage of the two came down to connectivity. Connectivity is necessary for people to be able to work remotely and offsite.

Mr. Shepard noted the last resolve clause is asking for a report to come back to committee next month; perhaps too soon. Believes this is where we would get answers as to who might complete the study and so on.

Chair Rapp stated that the Regional Planning Board may have already completed a study; suggested calling them to see if this is already in place.

A motion was made by Mr. Liedka, seconded by Mr. Knapp to approve this item. Passed unanimously; MOTION CARRIED.

2. SOCPA: Don Jordan, Director; Megan Costa, Planning Services Manager; Matt Millea, Deputy County Executive/Physical Services

a. Final Update-Sustainable Development Plan

Chair Rapp stated she is concerned as to how the item is listed on the agenda. This was put on the agenda as an opportunity for feedback; what they have heard from the towns and perhaps, find ways to bridge the gaps.

Mr. Millea:

- Draft final from Planning and Steering Committees, not final update
- Asking for consideration, feedback and input
- Recognize further discussion needed for collective fine-tuning, finality down the road
- Press coverage produces increased feedback; negative and positive, benefit from both

Mr. Jordan:

- Draft plan completed June 2012, 1 year+ extensive outreach, 1,000+ participants

1Mr. Plochocki arrived at the meeting.

- Actively seeking feedback, plan presented to 12+ organizations, meet with 29 of 35 municipalities (*map on file with Clerk*), February meetings scheduled for East Syracuse and Assessor's Association
- Positive feedback received:
 - Endorsed by Steering Committee; diverse group of experts, representation from Supervisors and Mayors Associations
 - Necessary for the future of our community; criticisms received aren't specific to the Sustainable Development Plan, planning is important and this is the right plan
 - Most comprehensive plan ever conducted for the county
 - Fiscally conservative plan; conservative infrastructure important with no population growth, last 4 years urban area population nearly doubled, total population declined or stagnant, state comptroller reports \$89B gap in infrastructure needs and funding, must closely consider where infrastructure investments are made, plan provides guidance for decision making
 - Plan critical for economic competitiveness of the region, helps stabilize taxes, contributes to healthy and viable urban core, all contribute to a higher quality of life; attracts talent and businesses
 - Municipality meetings resulted in many supporting the plan, liked being engaged in the plan, useful for local planning, appreciate consistency with local plans, expressed desire to work together to incorporate concepts locally and would welcome any resources the county could provide to assist
- Potential next steps:
 - Legislative public hearing, provides for firsthand feedback
 - Further analysis needed; identify infield development opportunities where infrastructure and services are already in place, priority and included in Action Plan but would require funding; sewage study, determine capacity constraints and opportunities in current system, helpful in making infrastructure decisions, Action Plan tagged item as medium term (3-10 yr. project) due to resources, 1 municipality suggested not approving the plan until the sewer study is completed, county believes plan should go forward while sewer study is being worked on
 - Implement Sustainability Pays Program; municipalities welcome access to resources to update local plans, zoning codes, and complete infrastructure maintenance projects, items incentivized by the plan
- Negative feedback received:
 - Note some municipalities disagreed with the plan, however some of the their board members and citizens support the plan
 - Is plan a mandate or guide, 2010 plan feels like a guide, Sustainability Plan feels like a mandate; only mandates county operations, aligns county departments with plan; Action Plan has host of different activities believed to contribute to a more sustainable community, each item identifies potential partners needed to implement item; could be County, other governments, citizens, businesses, whole host of items, have no ability to mandate any of the items, just suggestions
 - Infringes on property rights, most popular criticism, seeks to take away Home Rule from municipalities, misleading as property rights are dictated by zoning and made at the local level; infrastructure investments are expensive, county must be wise in development support, doesn't mean project approved by municipality can't proceed on private waste and water systems; plan doesn't suggest that property owners can't sell their land to developers, does promote farmland protection
 - Doesn't allow for sanitary district or sewer extensions or clear guidance as to where there will be extensions; plan doesn't say no to future infrastructure extensions, must provide proof that project will be positive for taxpayers; sanitary district boundary initially created with anticipation of 700k population, haven't approached this number, extension to district would take compelling case, not to say that it couldn't be made, must be consistent with sustainability plan, if warranted may want to look for offsets to the district; sewer study and infield development study would help clarify where projects should be supported
 - Plan too focused on city at towns expense; priority to invest in all existing communities over expansion outwards, includes city, suburban and rural communities, many villages and suburban neighborhoods facing same issues as the city, aging housing stock and infrastructure, healthy urban core vital to regions competitiveness
 - Plan affiliated with Agenda 21, United Nations initiative to take away personal freedoms; never heard of Agenda 21 when working on project, not affiliated with group, nothing in plan forces people out of their homes and into the city

Mr. Knapp stated as of last week Onondaga County was still listed on their website; not sure how we got there or how we get ourselves off. Mr. Millea agreed we are still listed on site; not sure why, aren't members any longer. When the Office of Environment was putting together a Climate Action Plan for the county, they contacted the ICLEI organization. The rational for joining the group was to benefit from the greenhouse gas inventory software they provide. Mr. Knapp stated being listed on the site just feeds into the idea that we are part of Agenda 21. Mr. Millea agreed, reiterating planning didn't sign up for this. It started with the Climate Action Plan but he can see where this is a drag on the dialogue. People can point to the website and say you are a part of this; remains to be seen what this is, but it doesn't help.

Mr. Jordan stated they may have made a poor name choice for the plan. Sustainable development is a commonly googled term looking for Agenda 21 conspirators. The newspaper recently called them out on this stating this was a good plan but a terrible name. They are amendable to changing the name; Property Tax Stabilization Plan is one idea.

Mr. Knapp asked about the Sustainability Pays portion of the program; how would this be calculated out, what was the equation, and would the money come from county, state or federal. Mr. Millea responded it was proposed as strictly county dollars for the 2013 budget; doesn't have to be going forward. Unfortunately, federal highway funding and water infrastructure funding has been greatly diminished; doesn't mean that they aren't going to continue to pursue funding through Water Resource Development Act and the federal highway program. The best place to start is with local dollars; hopefully with local investment, state and federal dollars will come.

Mr. Millea stated they are very open to having a detailed discussion, pinpointing the key elements. The key priorities are planning assistance; towns wanting to update their comprehensive plan, send letter asking for assistance, we help fund it. The percentage of funding is something they can debate with the legislature; always nice to have the other parties have a little skin in the game. They should assist with zoning and code updates assistance when asked for. Mr. Knapp stated that Pompey was been helped. Mr. Millea added this was through an EPA Assistance Grant. Mr. Knapp commented it was great.

Mr. Millea continued the other big item is Fix It First. Towns and villages are struggling with infrastructure issues. East Syracuse has a number of storm water issues; inflow and infiltration. This is an existing area where we need to make investments, rather than expanding to a new cul-de-sac someplace else. The question is, can we set aside a pool of money for towns and villages to come to us and ask for assistance with storm water issues. These are three key elements where he thinks we could achieve quick agreement on some fundamental priorities. Going forward they have had some great discussions on agricultural issues; have resources set aside and will have discussion with the ag counsel on where to program these funds.

Chair Rapp stated because of the district she represents, she has heard the gamut, in terms of feedback on this plan. Cicero's biggest concern is not only seeing this as a violation of property rights but a squash of opportunity for economic development and an inability for the towns to grow. If this is not the case, we need to clarify why not. On the other hand, Dewitt loved the plan. Mr. Knapp noted that Dewitt also has its own plan.

Chair Rapp stated Salina is not happy. They are home to Floradale and all the sewer issues. Mr. Millea stated that Salina is under consent to order as well. Mrs. Rapp stated ours sewers are disintegrating and you're paying to put pipes in the Belleview Sewage Treatment plant. We can't flush our toilets or when we do they backup into our basement. We need to be someplace in the middle, need to help this group come up with some answers.

Chair Rapp asked about the economic development portion; what does she say to people in Elbridge or Cicero to let them know that business development is still allowed in their community. Ms. Costa responded that there are a lot of different fiscal arguments for controlling urban sprawl. There are a number of studies that talk about how suburban style, low density residential and commercial development isn't always a positive on the local books, as well as the regional books. She thinks that a lot of the burdens are shared by a broader base. We need to make sure that we are making good fiscal investments, both locally and regionally; need to be getting the most bang for our buck. We have limited ability to accommodate new flow into our wastewater systems. We have limited ability to allow more cars on our roads. This is of particular concern in Cicero. Cicero has a safety project in place that no one knows how to pay for and we are talking about adding more. We need to make sure that we are not giving all of our capacity and infrastructure away for nonstrategic investments. If we really want to attract commercial growth in certain locations, we need to make sure that the other investments we are making aren't compromising our ability to do that. We need to set priorities within county government and encourage municipalities to do the same at the local level, with an understanding of the limited capacity and resources we have. This is not saying we can't support commercial development within the town of Cicero, but we can't make investments that are compromising our abilities.

Mrs. Rapp suggested that they be more specific; what type of development qualifies, what would return need to be, how many jobs would have to be created, and so on. Ms. Costa responded that moving forward there are a couple different ways in which they are trying to elaborate on what is in the plan. One is the infield strategy; identifying places where we think we will get the most bang for our buck, and where we can work with municipalities to make sure local regulations are facilitating this. The sewer and transportation study would also be appropriate; figure out where our priorities lie; where we have capacity and where we don't, how much it will take to make the investments necessary for development in areas where we want it, making sure zoning and planning regulations are in place. Aligning everyone's priorities from the local, county and state level, makes the best use of limited funds.

Mr. Jordan stated some places have proposed a hard growth boundary. We are not proposing to do that with this plan, which makes it a little bit vague. He believes people may be frustrated on the case by case basis. Mrs. Rapp stated the uncertainty is what creates the problem. Mr. Millea noted it is important to tie this back to the non-mandated nature of the plan. The plan doesn't get in front of Home Rule. It is there to backstop the dialogue. Elbridge is a good place to talk about as it is outside of the district. This is where comprehensive planning comes into place; what does their plan say, from the local government prospective, they want their boundaries and economic characteristics to look like. If their plan says there are economic development priorities in certain areas and they target those priorities, he thinks the county in general, could be very supportive of that. Chair Rapp noted this was a great message to send back to the towns. Mr. Millea added this isn't to suggest that if you don't have it now, you're never getting it. It is about being strategic in general. The issue is very different in Elbridge verses Clay; don't have Oak Orchard issue hanging over our head. If we aren't careful in the northern regions, we could trigger a \$90 million upgrade at Oak Orchard; not sure when this might hit. If Target wanted to put a distribution center in the western part of the county, he believes the economic development department would work very closely with them to see if they could make that happen. Chair Rapp reiterated this is part of the message that needs to get out.

Mrs. Ervin stated communication is very important at this point. Because there aren't fixed boundaries, the unknowns are making people think that they will never be able to have a Target in their neighborhood for example. We need to make certain that people understand this is not finite. If you have a plan, we are going to work with you. This is important and not out there, based on all the negative things she has been seeing.

Mr. Knapp stated in his area they aren't generally hooked up to sewers so he doesn't have a lot of experience in this area. He questioned if the developer typically pays for extensions and hookups when creating a new development, and then creates a district which continues to fund the maintenance. Mr. Jordan answered that this is an agreement they have also heard; why do you care when developer pays for upfront infrastructure costs, forms a district and district pays for maintenance. If the development leads to the need for a \$90 million improvement at Oak Orchard or the need to widen a state or county road or a pump station is built and down the road the pump station needs to be replaced and now the district says it can't afford it. These costs now get spread-out over the town, county or state or whoever is going to pay for the improvements. We have found that overtime the district is not really paying for the costs. Part of this contributes to the \$89 billion shortfall that the comptroller is estimating for infrastructure. Mr. Knapp stated another argument he hears, is that by continuing to grow the districts, you are adding additional cash to assist with maintenance.

Mr. Millea stated the County Executive has tasked them on this exact point. They have done some scenario modeling but don't have scientific evidence. He believes the scenario modeling will back up the fact that even in communities where we have had growth, government operations have not become more costs effective; budgets have not dropped, and tax revenues have not dropped on a per capita basis either. They need to back this up with hard facts, show that it is more or less just a creeping growth factor; perhaps gives a little more revenue but is not offsetting the additional costs overtime.

Mr. Knapp stated he understands the roads issue; developer builds the roads, turns them over to the town, county or state and then becomes their burden to maintain. Mr. Millea responded that this is where it gets really interesting; legislature and County Executive dialogue very important. They have debated this internally; say we approve 700 new homes in the northern part of the county in the next few years and then approve 20 more, those 20 homes come on and DEC says you are at 97% of capacity which triggers full facility review and full requirement to upgrade Oak Orchard. Is it the 20 homes that came in last that are responsible or is it 20 years of growth; either way \$20 million gets spread around the entire district. On the highway side, we can't suggest that they build and we will fix anything, because we lose control. When five accidents occur at intersection x, a traffic study is required as a standard operating procedure. The traffic study comes back requiring you to do upgrades to the intersection. If we don't do the upgrades and another accident occurs, we are liable; if we do the upgrades, we have to come before the legislature and ask for \$7 million to do turn lanes, turn signals and road widening. This all happens organically with growth; isn't anything we can say we aren't going to do. This is where we see the Route 31 corridor potentially collapsing in on its self. It was not built for the population there; do we spend \$45 million on Route 81 improves to the on/off ramp cycles and who is going to pay for this.

Mr. Plochocki stated that a lot of people have the idea that it is almost formulaic, in terms of economic development. In other words if you add 100 houses in the county and hook them up to the system, it will costs x amount of tax dollars and you're going to get y amount of development. X and y are constantly changing, not a static formula, depends on where you are. If it is infield development and you build 100 houses with 1 mile of piping, it might be really great economic development but it might be off balance with true dollars coming into the community. If the 100 houses were built in a rural area and you add 1000 miles of pipe, then x & y change and it would be a huge difference. He suggested that it would be helpful to show some comparisons; make it clear economic development can be done, not an anti-economic development plan. Show that there is economic development that could actually be cost effective, depending on where it is located but then there is other economic development that debatably, is not cost effective infrastructure.

Mr. Millea stated Marcellus is a good example of how that decision making can occur at a local level. The village and town of Marcellus are responsible for their own wastewater treatment and therefor are far more cognizant of the connection of those costs. Now, if the village of Marcellus approved 400 new homes, they are already under order from DEC, already effected by requirements to reduce phosphorous load and have an \$8 million potential infrastructure expense solely on the use of that system. The way that we have constructed our system, town planning boards don't have to take into consideration the impact of wastewater treatment. The towns don't own the wastewater treatment, the county does. There is a disconnect; need to connect all those dots. It is incumbent on us to suggest exactly what the impacts are from a treatment prospective. This is why the sewer study is very important; show where capacity exists, where we have great flows, and low costs opportunities to add infrastructure. We do have capacity, particularly dry weather. We have talked a lot about wet weather issues and need to mitigate those as well but this community can absolutely have robust economic development with the systems we have in place; just have to be careful.

Mr. Antonacci stated he is on the Onondaga County Planning Board and they have discussed sewer capacity in their meetings. Completing the sewer study is an important piece of the puzzle; information that has been missing from their meetings. We keep hearing we can't expand because of the sewer; need to put this to rest with some answers, exactly what is our capacity in the current system.

Chairman McMahon stated it is important to note that the real issue is money. In this community there was a sales tax agreement whereby the county took back money that was owed to them. Because of this policy, the only way that towns and villages can grow and maintain their livelihood is through property taxes. We know that people like their villages, they aren't going away, towns can't go away; this is the problem that we need to look at. We can't legislate an outcome that will force some of these municipalities into bankruptcy. We have talked a lot about the city being the center but the Towns of Geddes, Dewitt and Salina are also in the center. The other thing to consider is the reason for the population shift is because this is where people want to live; plan needs to recognize this. If there are public safety and educational issues with the local government, people aren't going to be forced to live there. This plan needs to reflect reality, this is some of the criticism; planners overall are charged with figuring the best path for the future. The county has taken a more utopia view, this isn't a utopia world. The City of Syracuse has major issues; what in this plan addresses those issues, or is it even our responsibility. One of our recommendations to City government should be is this is what we want to see you take action on, if you want us to adopt this. If we don't have a partner that addresses some of these issues, there is going to be sprawl and rightfully so. How can you tell a parent that they should send their kids to schools that fail; they look for schools that succeed. These are the realities; this is all a great concept. We know building more pipes cost counties more money but is it still an economic benefit for that town; mostly likely yes. We just took away the money that they were using to supplement their budgets. These are the new realities of this issue. A lot of balancing needs to be done and people need to look at it this way; do we need to help the City, yes but what is the City doing to address concerns we have, so that this plan can be implemented. What do we do for the towns that this plan could essentially force into bankruptcy; depending on geographic location and pipes currently in place. The infield strategy is a good proactive approach. Coming from someone who lives in the City, sends their children to the schools and deals with the issues day in and day out, he thinks it is still a little too utopian.

Mr. Kilmartin asked if there was a summary of the PowerPoint presentation or handouts presented to towns and villages. Mr. Jordan answered he was not sure if the information presented was added to the project website but it could be. **Mr. Kilmartin asked for distribution of the most recent product summary for the Sustainability Plan and Sustainability Pays.** There were some discussions during budget on the framework but would be helpful to continually educate the legislature on updates that are being done.

Mr. Kilmartin questioned the current county approval process for new development and extension of sewer lines once the project has been approved by the town, zoning and planning boards. Mr. Jordan stated they would typically see the project when it gets to the County Planning Board review; County Planning Board makes a recommendation and then they act on it locally. At this point if the projects moves forward and it is on a county road, they have to seek access from County DOT also. If they are going to be part of the sewer system, they would have to contact WEP in terms of accepting the flow; some permitting required before the project could move forward.

Mr. Kilmartin questioned if it was merely a matter of submitting the application and securing those permits or if there was significant criteria that had to be meet. He is trying to determine if there is there some discretion with the issuance of the permit or simply a rubberstamp. Mr. Millea answered historically the development community has been used to a very quick process; not a rubberstamp but

pretty close to it. Because of the planning process and Sewer Use Ordinance Local Law of 2011 they have evolved into WEP having the authority to have discussions with developers on county use on a case by case basis; based on flow issues. There are 3 scenarios:

1st -trying to attach to the system, flow study conducted, if adequate flow and capacity, go through collection system in their neighborhood, attach to a town owned or district collection system, then connect to county trunk sewer for county treatment, if all of those things are fluid and working well and aren't big I&I issues it is a very quick process.

2nd -trying to attach to system, there are flow issues and capacity constraints. New developments are well done, the plumbing and building code requirements are solid and developers do a nice job with them but in the event that we already have capacity and I&I issues there, we are asking the developers to work with the towns in question. The conversation with municipality would be, where can we find offsets, if adding x gallons where can we find y gallons to help offset the additional flow, because pump stations pike out too much and we have wet weather events, which are violations of the Clean Water Act and could potentially cause fines and penalties. This is not a no, it's let's work together to find some offsets. Mr. Kilmartin stated the parties would work together to try to mitigate the issue and find solutions for the project that has been approved, which would lead to permit issuance.

Mr. Millea continued:

3rd – outside existing district, this is where we really need to work together. He understands that these were relatively easy to get in the past, developers applied directly to legislature, legislative authorization to expand the district occurs. Chair Rapp stated she believes it would go to the County Planning Board and if the County Planning Board came back with a negative declaration the Town Board could override it with a supermajority. Mr. Millea stated the legislature would then vote to expand the district. Chair Rapp stated she doesn't believe the legislature approved this, it was Home Rule; at least back in the days when she was on the town board.

Mr. Millea stated in the discussion of adopting some formal results for this plan they want to get to a place where this is a complex process but not completely banned. There may be good reasons to expand the district in the future but would like to have a very robust process to do so. We talk about offsets but we also don't want to see the sanitary district expanded by 5,000 acres ten years down the road. Even if we do expand, can we say in ten years we have added elements to it but we have also taken back other elements that aren't right for development; for every acre added in, we take away three acres somewhere else, to insure a no growth situation for the district. Mr. Kilmartin questioned where the authority ultimately lies for issuance of these permits. Mr. Millea stated the WEP Commissioner has broad authority but it is not arbitrary; most have a hard case as to why expansion can't happen, per 2011 legislation and probably before. 2011 clarified what the authorities where.

Mr. Kilmartin stated the towns are more concerned about prohibition than any mandates imposed upon them. The concern is that the local municipality would lose control for business opportunities, jobs and their vision. In their mind, the county will have sole discretion on whether or not projects move forward. The veto of this type of application is the prohibition that gives them concern. Mr. Millea stated they need to be very clear that this plan doesn't give the county any extra authority, they can't supersede Home Rule; prohibited by the constitution. The dialogue would be, here is why we think this doesn't work, it would then move forward and we would get to a process with a better outcome.

Mr. Kilmartin asked if additional legislation is contemplated or proposed to work in concert with the Sustainability and Sustainability Pays Plans, something above and beyond the 2011 legislation. Mr. Millea stated it is his understanding that in order for this to be considered a comprehensive plan, under state law the legislature would need to adopt something saying this is in fact, a comprehensive plan. We feel we have gone far enough with the 2011 Sewer Ordinance Local Law to give them the authority they need to protect they system. The only thing they anticipate working with the legislature on is developing the incentive program and tying it into direct assistance. No authorities are being sought in the context of the plan that will require legislative action.

Mr. Kilmartin stating going back to the gap issue that was discussed, the critical issue is demand and priorities. If priorities are set for the Village of East Syracuse, the City of Syracuse, Nedrow or wherever they might be, notwithstanding those priorities, there might be no demand to backfill those. Some people in the community are concerned, they can understand and appreciate the priorities but whether it is schools, current housing stock or business environment, there might not be demand. We could set priorities all day but if there is no demand and we have set priorities on this side of the page but people actually want to go to the other side of the page, fifty years from now there may not be any change in the county because no one wants to live in those targeted areas. Considering schools, public safety and housing stock, is very delicate in terms of analysis and making something work. Mr. Millea agreed this was a good point but stressed the only way a prohibition would ever be in place, in any community, would be if they elected to do so themselves or if it was imposed upon them by DEC. DEC has put moratoriums in place for communities that refuse to address wastewater and I&I issues. This is what pushed the county to create the Sewer Use Ordinance; to avoid losing control of our own destiny. This plan in no way suggests prohibition anywhere. Clay has a plan for north of Route 31 and could impose restrictions on themselves; Onondaga County can't, nor do they wish to.

Mr. Kilmartin stated in terms of the current sewer, he is guessing the degree of concern is not backfilling if we have a gap but extending beyond the current breakpoint. Mr. Millea agreed, adding it is a far different process if you are within the district. In the County Executive's view it is very important to stop the growth of the system, while we address the current system issues. In the last two years the legislature has approved considerable funding for the existing system; fixes need to be in place before further expansions.

Mr. Kilmartin asked if his term for expansion meant creating new districts beyond the current boundaries. Mr. Millea answered yes. Mr. Kilmartin continued, or includes backfilling areas where there is a current gap. Mr. Millea answered this is something where they would need case by case discussion on. The default answer directed by the County Executive is to start at no and go from there; doesn't mean we stay at no; expectation should be it is difficult to get to yes. In answer to Mr. Knapp, Mr. Millea stated if they were geographically within the district it is a different discussion. Expansion references physically expanding the footprint of the district and would require legislative action and approval. Development within the district just requires dialogue about capacity and offsets.

Mr. Shepard stated he sees potential coercion in the Sustainability Pays Plan. While Mr. Millea brought up the fact that prohibition was only part of the plan, if imposed by the municipalities themselves, it might only appear to be self-imposed. Just as states are forced to have a legal drinking age of 21, in order to receive federal highway funds, Sustainability Pays could potentially become something that towns suffering under the 2 percent tax cap become dependent upon. What we would call self-imposed might really be us forcing it upon them with, funding they depend on. This is his biggest concern.

Chair Rapp asked that they put together a 1 or 2 page revision/clarification feedback sheet to be presented next month with their interpretation of what they heard. She would prefer having the revised plan before moving forward with the public hearing; allowing towns, villages and everyone else full opportunity to get the revised plan ahead of time and then come back with additional feedback. Mr.

Millea asked if it would possible to distill some of the key points that they would like to see for revision. He understands economic development load and clear. Chair Rapp stated the sewer study, the fact that there are no prohibitions. Mr. Millea confirmed they would highlight the dialogue and do a responsive summary from today's discussion, bringing it back next month and could then be advised of any gaps. Chair Rapp agreed, adding meanwhile they would be talking with their towns.

Chair Rapp stated Mr. McMahon's point was interesting. She hadn't really thought of the lack of attention to our infrastructures causing sprawl. Chairman McMahon added to that point; the City of Syracuse needs to be a partner in this. We are essentially promoting life within our framework; the pressure for us not to live within our framework is people leaving one part of the framework for the other. The statistics would be staggering from the census data, if we didn't have the refugee population in fluxed from NYC to the City of Syracuse. The City saw the population stabilize because we have 25,000 refugees. He questioned what do we need the City to do as a partner, to help implement this plan. We have talked about Say Yes and Say Yes is great program; he was the initial person to sponsor legislation to fund it but just giving money to Say Yes is not going to fix that problem. What do we need to see from the City, who unlike some of our other local partners, received a fair shake from the sales tax formula; they have resources available at the frontend. There has to be some give and take. If you want us to implement a strategy for the countywide system to live within our own framework, we need our partners within the framework, to be on board. If that is not the case, he does not know how we can do this.

Mr. Millea stated the City is currently debating a development plan and asked if they would like to hear about it in this committee. Chairman McMahon answered, yes that would be important but that is not the issue; who cares about more bike lanes when your house is repeatedly getting broken into. It is the nuts and bolts issue that people care about in their neighborhood. You have to take care of the nuts and bolts issue, then you can think bigger. The current problem with city government is they think big with planning issues but can't get a police car in their neighborhood, can't keep up with parks, and failing schools. Countywide we are ready for a plan but some of our partners aren't ready for a plan. He believes this is the conversation we need to have with the city.

Mr. Kilmartin reiterated this is a demand issue. It might be a fantastic plan for rehabbing and backfilling West Onondaga Street's old Victorian homes, Strathmore, Sedgwick and areas like this but if there is no demand for these areas, they may never be backfilled. Meanwhile by setting priorities in some areas and eliminating priorities in others, we have thrown a wet blanket on development in parts of the county. Mr. Millea stated this was an extremely valid point. They need to do a better job of explaining their scenario model and what they are seeing. To your point, what you see is a population with kids moving away from the inner core and moving out. Using the demographics from the last census what we see in our scenario modeling is an aging population that requires a greater delivery of services and higher density. Moving our elderly population out to the fringes of our community will cost the county a lot of money in delivery of services for the Office of the Aging. We need to do a better job of articulating this point. Loretto is a great example. They are closing the nursing home on University Hill and moving residents to the far reaches of the community. As far away as you can get from the services they are currently getting, off bus lines for employees that will work with them, and far away from fire and rescue infrastructure; know they have been working on this for a while but it raises a lot of policy issues for the county. What does this mean from a cost prospective for the Office of Aging and delivery of services to that population. Currently have a lot of 60 year olds in the county. Twenty years from now we will have a lot of 80 year olds; do they want to live in dense communities. He believes North Syracuse is a great example of where Loretto has it right; day facility for seniors to get services then go back to their homes, saves the county a tremendous amount of money. He believes they need to add this to their response in this summary; why having village cores are important, services in villages and the City are important, and why having all of these things on the fringe end up costing county taxpayers a lot of money in delivery of services.

Chair Rapp asked that we no longer listed on the ICLEI website by next month. Mr. Jordan responded that they have tried but they refused.

Chair Rapp asked that the plan name also be changed by next month to avoid any confusion; something more reflective of what they would like to see.

The meeting was adjourned at 11:47 p.m.

Respectfully submitted,



KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

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PUBLIC SAFETY COMMITTEE MINUTES – JANUARY 16, 2013 KEVIN HOLMQUIST, CHAIRMAN

MEMBERS PRESENT: Mr. Dougherty, 2Mrs. Tassone, Mr. Ryan, 1Mr. May

MEMBERS ABSENT: Mr. Holmquist

ALSO PRESENT: Mr. Shepard, Chairman McMahon, Mr. Kilmartin and see attached list

Vice Chairman Dougherty called the meeting to order at 12:03 p.m. ***A motion was made by Mr. Ryan, seconded by Mrs. Tassone to waive the reading and approve the minutes of proceedings from the previous committee meeting. MOTION CARRIED.***

1. **SHERIFF:** Chief Balloni
Monthly Update on Status of:
 - a. **New Mental Health Unit at Justice Center**

Chief Balloni introduced and congratulated Esteban Gonzalez, newly appointed Custody Chief.

Chief Balloni and Chief Gonzalez:

- Jan. 8-10 meet with National Commission of Corrections (NIC)
- Provided best industry practices and current industry standards; 50 plus years of industry experience
- Invited by us, follow up from earlier visit; no local charge for service, federally funded

In response to Mr. Ryan, Chief Gonzalez stated the NIC has two weeks to report back to us in draft form. If there are things we don't agree with, we go back and forth before the final report is completed. Chief Balloni stated they would share the report with the legislature once received in final form; probably within the month.

Mr. Ryan asked if the state would also be coming in; NIC and state might not agree. Chief Balloni responded that the State Commission dictates to us. They are an independent authority that has jurisdiction over Corrections in NYS. Chief Gonzalez added knowing the state has jurisdiction, they went to their website at the beginning of this process and were directed to contact the NIC for more information and building advice. They called the state and were told they did not want to be involved at this point; wait to see NIC report, further down the road, would come to see the design and give their final approval.

Chairman McMahon stated during budget they discussed contacting surrounding counties to see if there was a reimbursement potential, to assist with cash flow and asked if they had done so. Chief Balloni responded they met internally to discuss what needs to be done but have not reached out to the other counties at this point; will be done before any design work, need to know the number they are designing for.

b. Special Operations Facility

- Held preliminary meetings
- Invited and toured local facility, a little ahead of the game, internally discussing best way to proceed

1Mr. May arrived at the meeting.

- Like to create engineering RFP, determine most cost effective way to proceed, rehabilitate current bldg., use other existing bldg. or build new, most space is low cost warehouse; bringing options and costs back to the legislature for discussion
- Letter sent to all police chiefs asking if they want to be included, received some response; address the Chiefs of Police Association on Thursday
- DA supports 1 facility, one place to go for evidence
- Need to know how many are interested and level of commitment before hiring design firm

Mr. Ryan asked if the DA wanted the facility to be located downtown; proximity is an issue driving records back and forth. Chief Balloni responded that most of the evidence is delivered by us. Ideally, some central location would be good but we need to look at cost effectiveness. Wherever it is located in the county will be convenient for some people and inconvenient for others.

Mr. Ryan stated part of the problem for the DA's office is that a lot of the evidence is located around the county with town and village police departments. He is hopeful that when the Chief presents this idea, they DA's office could deliver the same message, so that they can understand the importance of one facility. Chief Balloni stated he will be conveying this message. At this time five agencies have sent letters of interest; will depend on the details.

Mr. Ryan asked if they had heard from the City of Syracuse; might be building or renovating one of their facilities. Chief Balloni responded to his knowledge, they have not responded. All the letters go to the Sheriff's office, with copies then forwarded onto him. He believes the City Police will be at Thursday's meeting.

Mr. May stated it makes sense to bring town and village police departments into this, provided it works out geographically. As with Air-1, he believes it would be good to make the public aware of this initiative. If constituents are aware of an opportunity to bring efficiency to their own local costs, through this process, it may force the issue to be more prevalent than just having us behind the scenes. As we undertake the engineering process, people should know about. Chief Balloni agreed.

Mr. Kilmartin stated he realizes they are only in the beginning stages but asked if they had a chance to consider different county owned downtown locations or consult with the county executive's office about county space that may be available, especially in light of the space reconfiguration work taking place in the next weeks and months. Chief Balloni responded he meets monthly the county executive's office and this project is discussed at virtually every meeting. They have also met with County Facilities and will assess any and all county owned property that will suit their needs. Need to determine how much area is needed. Some areas might fit our needs if we did this by ourselves; some areas might not fit the needs of a countywide facility. Their preference is a countywide facility. Clearly efficiency in government; may not be a county savings but cheaper than each entity performing the service themselves.

Mr. Kilmartin stated various police agencies collect the evidence but the DA is the end user, which needs to literally and figuratively, walk it into court. He would suspect that having this downtown might create greater efficiencies with transportation to, and from investigators, and the courthouse. Chief Balloni added that he believes a central location would certainly be helpful. The Sheriff's position is the facility is desperately needed, current facility in very bad shape. They are willing to go to any location that is cost effective, if the legislature will build it.

Vice Chairman Dougherty asked if they had a since of the calendar for this project. Chief Balloni answered that the people located in the current facility would like this completed tomorrow; normal practice 2015, if hurried, best they can hope for is late 2014.

2. SHERIFF-CIVIL: Chief Balloni

a. Authorizing the County Executive to Enter Into Contracts to Receive Justice Assistance Grant (JAG) Funds

- Ongoing funds, already part of 2013 budget
- Used for SPO positions at Civic Center and front office of their facility

A motion was made by Mr. Ryan, seconded by Mr. May to approve this item. Passed unanimously; MOTION CARRIED.

b. Amending the 2012 County Budget for Various Personnel Expenses in the Sheriff's Office Budget (\$745,000)

- Number of cost over runs, involves custody and police overtime and regular police salaries
- Lost funding for 13 Clay and 4 Air-1 positions in 2012 budget, none of the work went away
- 2011 prior to 2012 budget authorized strength of 224, currently have 206 personnel with authorized strength of 214; allowed positions to become empty thru attrition, no layoffs, decision of the legislature
- Tried to live within 101 budget, not possible; effectively lost \$975k from Clay grant, \$930k regular salaries and \$45k overtime

- Police overruns regular salaries \$320k, overtime \$600k, by 2nd half of the year were paying overtime just to fill posts; Sheriff choose to do so knowing there wasn't enough money, had immediate public safety needs, some posts were left unfilled at times
- Close to \$290k cut from overtime budget requested; with the anticipation of still having Clay positions
- Holidays paid from overtime line item; currently \$1.2m, \$500k holiday and \$700k overtime

Chief Balloni stated a lot of police overtime costs can't be anticipated. He provided print outs of news stories from Syracuse.com and their costs *(On file with the Clerk)*.

- Man charged in sister-in-law's homicide returns to Onondaga County; OT costs \$20,479.35
- Police involved in standoff on Conklin Street in Solvay; CID OT costs \$10,567.53, SWAT OT costs \$12,627.60

Chairman McMahon questioned how many police departments where at the Solvay incident. Chief Balloni stated there were at least three agencies that would easily have been there. He added that they aren't just concerned with the individual in the house; concerned about the inner and outer perimeters and this is before you get to the SWAT and specialized teams. This was a very labor intensive incident that costs money; don't have this many cops sitting around and waiting for something to happen.

In answer to Chairman McMahon, Chief Balloni stated the village turned the investigation over to us; their call to begin with. At this point, we can utilize them to man the outer perimeter, things we would have to pay for. Our SWAT team is going to handle this but if other police organizations are there, we take advantage of them. There is almost never a time when there too many people involved with a major incident. It may look that way to the outside world, looking at a lot of police cars; one person per car and might need a dozen people for the outer perimeter alone. The point here is, last year we saw an increase in crime.

Chief Balloni continued:

- Some areas don't costs us very much, 15 arrested in cocaine conspiracy; OT costs \$40,490.97 of which \$35,927.96 was reimbursed by DETF, case was countywide
- High profile cases have a tremendous person power impact; costs of not doing a good job are far too high

Mr. Ryan questioned how many officers they started 2012 with. Chief Balloni stated they had already substantially reduced their numbers by 2012 because they already knew they had lost a bunch of positions.

Mr. Ryan stated we are down in numbers yet still covering the Clay positions, turf is the same size, and crimes have increased and are more violent. At the same time, there are other police departments out there; are we doing best practice here. Solvay has a police department, why aren't they handling it or why are they doing our work. He doesn't know if we have enough police officer's in this county; if we do, why we have all this overtime. Next year the dollar amount is going to be astronomical; less police officers and more crime. Unless we do something about this, we are going to be spending millions of dollars on police overtime. He is not sure that this is an acceptable number and asked what we can do about it. Chief Balloni stated the types of things we are discussing are basic public safety needs; must answer these calls, have to staff these posts. They came to a reasonable agreement on the number of officers and the proper proportion of overtime to regular salary. They have asked for the independent staffing study and will be bringing the results to the legislature over the next month or two; where should we be to do this correctly. Hopefully through the budget process, we come to a reasonable number that both we, the legislature and economic times can live; recognizing the economy is a factor. We went to independent verification hoping that it would have some creditability with the legislature; outside people who have gone across the country looking at best practices and what they recommend. They are producing a formula; hope we can agree on the number.

In answer to Mr. Ryan, Chief Balloni confirmed the consultants were from California.

Chief Balloni continued saying we can then works towards getting the number of people we need, to do the job the correctly. Until we have that number, overtime costs are going to be very hard to predict. How many major incidents are going to fall to the City Police and how many will fall to us; impossible to predict, on any given year.

In answer to Vice Chair Dougherty, Chief Balloni stated in the 2011 budget, which included funds from Clay, they substantially cut the overtime numbers on the police side. They received accolades from the legislature at that time for being successful and living with some very tight numbers; actually laying money back down on the table.

Mr. Ryan stated everything else is a tradeoff. If they have 225 officers, they are paying salaries and benefits; if they have 206 officers they are paying salaries, overtime and benefits; not sure what the breakeven number is. We have to go with the lessor number. You have a number in your head, you need x number of officers to do the job. Chief Balloni responded he was correct and is put into their budget request. They actually didn't put everything in the budget request that they believe they should have, in recognition of tight financial times. Politically they have to live with the reality that everyone else is living with; Sheriff's office is not alone, City Police, towns and village forces are not hiring. The State Police are in a similar situation; academies just covering current attrition, down almost 20%.

Chairman McMahon stated it was important for the committee to know that the Sheriff, Mr. Knapp, you and I, had very straight forward conversations, agreeing that you would live within the agreed upon budget for 2013. You asked and received some positions back that we had cut. Chief Balloni responded that they absolutely have committed to live within the 101, the overtime is unpredictable. Chairman McMahon agreed. Chief Balloni stated that he doesn't believe that anyone in this position would want to agree to live within the overtime budget. They have to deal with the major incidents; police them, investigate them, and deploy SWAT teams as needed, all factors in public safety. The Highway department has some sharing of knowledge; can't predict how much snow we will get and how many plows go out.

Chairman McMahon stated in 2012 the Sheriff as an elected official, made the decision that he was going to cover all posts, knowing he did not have money in his budget, based on the need for public safety. He asked if every position was filled to his knowledge; no impact on service as anytime a post was needed, it was filled and this is why you are asking for the overtime. Chief Balloni responded he understood the Chairman's point but it is important to note that they didn't fill all the positions. If they thought leaving the position unfilled wouldn't dramatically impact public safety, they didn't fill the position.

Chairman McMahon stated he understands that there are some positions were you can get away with leaving them unfilled and some you can't. To his point, basically the legislature can take these overages one of two ways. By law there isn't much they can do about it; over budget, have to pay the bill. They could cut positions from the 101 to make sure this doesn't continue or they could look at it and say, you did what you had to do; luckily we have a little bit of fund balance to cover it. He noted the messaging from the Sheriff's department needs to be a little different; Undersheriff is telling people to call their legislator, if they are mad about response times. You just got done

telling me there were some things you could have done but didn't think would impact public safety, yet this is not the messaging that is going out to some of our constituents. We need to be on the same page. You are asking us to give an additional \$2 million for the needs of public safety. We are going to give it to you, we may not like it but we are going to give it to you. We feel that this is pretty good of us. He noted that when he came on the legislature there was a resolution to cut the Clay positions; Majority Leader Lesniak and others saw this coming, was a way the legislature could have handled this situation. However, when we don't take that tactic and we work with you, we can't have the Undersheriff or another representatives from your department saying, response times are the fault of the legislature. This is not a partnership and won't be accepted. He realizes Chief Balloni wasn't the person saying this but he can't let it go; just done at a public meeting. Chief Balloni stated to be fair to the Undersheriff, he can say that the other day while driving his police vehicle he was rear-ended by a citizen, had to call for investigation, waited 41 minutes for a car; it does effect response time. What they are talking about is life and death calls; putting cars in the southern area, though not a lot of calls in this area, need to be able to get there when there is an emergency. They are trying to meet priority one; Chief wasn't injured in accident, he can wait. The same thing goes for the fire departments; would like to respond sooner, sometimes all busy, don't have staff on the road. If you are being assaulted at the fire scene, we are going to get them some help. To be fair, their response time is not what it used to be and it can't be.

Chairman McMahon stated this is reality. Chief Balloni agreed. Chairman McMahon stated in the City if you have a minor accident you could be waiting 3-4 hours. Chief Balloni responded that you can actually wait a day. Chairman McMahon stated if you get your garage broken into you will never see a cop, you are going to get something sent to you in the mail. This is the way of life; Sheriff's department may end up getting to this point with some of these types of events, not disagreeing on this point. The reality is, we are still paying for overtime, to make sure that if there is an incident where someone's life is in danger, we have our people on the street to get the job done. Chief Balloni stated he appreciates and understands exactly what the Chairman is saying and will bring the message back.

Mr. Kilmartin noted for the benefit of the committee that he and the Chief have had a number of discussions over recent years about very difficult budgets, and issues that the legislature and Sheriff's department have to deal with. The context is very important for people to understand. The Sheriff's department has had a number of reductions in overall staff in the recent years. This has affected the department and service. If his memory is correct, at the same time in greater context, the budget for the Sheriff's department has continued to increase in recent years; sometimes by substantial amounts, even when there has been a trend down in terms of overall staffing. There are aberrations with this, in terms of health care costs and so on, but it has been degrees of increase, not a question of whether or not there is an increase or decrease. It is also important to consider the menu of services; topic he brought up at budget time. It is important to appreciate there are critical items in the menu of services provided that are absolutes within the realm of public safety. Some of the discretionary services provided have decreased incrementally overtime but if we analyze the Sheriff's office in the same manner as Probation, where there have been significant cuts to the department in recent years, they were forced to change their menu of services and how they operate. They are no longer doing things they had done in the past. The Sheriff's office has made some changes but this year and years ahead it might have to make other changes in terms of the menu of services; items that might have a level of discretion to them. Otherwise we will have this continuing bust in 101 or overtime lines. He fully appreciates that there are things that need immediate attention and can bust the overtime budget, and can't be predicted on annual basis but he goes back to the menu of services. If there wasn't an opportunity for the Sheriff's office to come back for additional funds that the legislature is obligated to pay, what changes would be made to the menu of services they provide, if they absolutely had to stay within their 101 and overtime line. This is the situation that nearly every other department is. Chief Balloni answered that basically they have already done so; now waiting an extremely long time for non-emergency calls, only get there when the officer isn't committed elsewhere. To a large degree, almost all discretionary items have been reduced or eliminated over the years. They will still go to minor accidents, may wait a lot longer than in the past, don't have to stop going. There is no law requiring investigation of any accident but citizens want us there. If we just eliminated that service and there are times when we could easily investigate, how would you feel about this; do you want it off the menu or on, for times when we can get there. Currently they will investigate when they can, not going to eliminate item from menu of services. Some agencies such as the Syracuse Police may choose to eliminate some of those things. He would argue that they only eliminated them, after not being able to get to them at all; so many higher priority calls were coming in that they just couldn't get there. Fortunately, the nature of crime isn't this way all of the time in the county. This is some of the reason why there has been such a population loss in the city and increase in the county. Crime is up for both the city and county; trend reversal had been down for many years.

Mr. May stated at some point you have look at best practice and we need to know that this being done. The menu and level of service are going to be issues we face, as the dollars keep getting tighter. He accepts Chief Balloni's relational for why they are over but would like an opportunity to really look at last year's budget, what the numbers mean in relationship to that budget, gaining a full prospective. This is our one and only time to deal with this issue this year. In eight months we will be dealing with the budget process again. This is an opportunity for all of us to have a greater understanding of what is going on, so that we can be on the same page as we approach the budget. From a business standpoint, he hopes we can find a way to do better. We can't change the amount of money that we have to approve, how we do that is always a question. He spoke with Mr. Knapp and is asking that we don't approve this today. He would like an opportunity to talk amongst themselves and look internally at the numbers, making sure there is a great understanding of this before approving it at Ways and Means. Chief Balloni stated he and Mr. Schuster would also like to sit down with them so that there is no misinterpretation of the numbers; everyone on the same page. Mr. May stated this is an operating expense. The \$745,000 from the fund balance is 10% of tax levy reduction we created; this is a big number and we owe it to ourselves to be as thrall as we can when approving this.

Vice Chairman Dougherty stated he was satisfied with the questions asked and the answers given. He agrees that Ways and Means needs to really take a close look at this. No vote will be taken today; will pass over to Ways and Means for their approval.

3. SHERIFF-CUSTODY: Chief Balloni

a. Amending the 2012 County Budget to Appropriate Funds for the Correctional Health Contract (\$1,330,634)

- Contractual cost for medical and mental healthcare for inmates
- Minor areas where contract was adjusted, services weren't at level needed
- Largest portion of cost overrun for outside medical and mental health services, responsible for costs charged back to us even prior to contract; \$476k for outside medical reimbursement from top 5 prisoners, 1 individual responsible for \$368k of this

In response to Mrs. Tassone, Chief Balloni stated these were inmates that stayed in custody care but had to be taken out to the hospital; example needed heart surgery, we get the bill. Most of the overrun costs fall into the Health and Mental health outside service category.

Chief Balloni stated he brought a number of people with him; the contract coordinator, Mr. Long from Mental Health and others experts to answer questions.

In response to Mrs. Tassone, Chief Balloni stated that the county is and has always been responsible to cover these costs. If there is Medicaid reimbursement, they take advantage of it but often times we are receiving a population of individuals that may not have been to see a doctor in years. They get arrested and we discover they have all kinds of issues. They don't have insurance, a job, haven't signed up for anything, are drug and alcohol abusers; we are working with medically needy clientele. A good percentage of our population has not seen a dentist or doctor in years.

Vice Chairman Dougherty stated Chief Balloni had a list that was several pages long; he was guessing it was a comprehensive list of prisoners receiving care this year. Chief Balloni answered it was a list of outside care, not the inside care.

Vice Chairman Dougherty stated the population they have been dealing with has been about the same since the beginning of time; constantly dealing with drug and alcohol users, mentally ill and people that are medically needy. He can't believe that the amount has changed year after year by this much and questioned why. Chief Balloni stated some of this was cut out of the budget this year, so next year could be even worse. They put in about \$250,000 for this exact type of costs; it was then moved in the budget process. The amount goes up and down; single person can drive the costs up \$400,000 for one incident.

Vice Chairman Dougherty asked if there were people this year that had abnormally expensive needs, causing this number to spike. Ms. Haney stated they had a 40% increase in persons entering the system with chronic care needs. Most of this can't be provided in house, it would drive the costs of the contract so that we could not manage it; have to go to outside source, some are hospitalized for a long period of time. Mr. May stated kidney dialysis patients and things of this nature, are extremely expensive. You also have to consider the costs of health care insurance over the last ten years. Vice Chairman Dougherty stated he wouldn't expect it to increase like this. Mr. May stated that double digit increases are relative to health care costs also. We are going to have this shock claims with the number of people we deal with, no matter what. Vice Chairman Dougherty stated the total sum is not what surprises him; it is amount of change since last year. If there is a 40% change from last year, that certainly for some or all of it but it is still surprising.

Mr. Ryan stated to Chairman Dougherty's point, he would like to see a trend, how much have we have spent the in last 5 or 6 years; is it relative to insurance costs increases, wants to see data. Where were we a few years ago, if 40% increase why, is it an anomaly, are we treating more diabetics, are we identifying more people and what did we do before going to the contract; what did we spend in house, perhaps there is a problem there. Chief Balloni answered he could not speak to how it was before CMC. This was not in their budget at that time. The Sheriff's office has very limited experience in managing correctional care. This used to be in the Health department budget because they provided those service; hired doctors and nurses and we provided it directly. For a number of reasons, they decided to contract for that service and then it was rolled over to the Sheriff's office budget.

Mr. Long:

- Variable from year to year, easily see swings of \$300k, about \$1m in costs-some years \$700k and others \$1.2m
- Largely depends on inmates coming into the jail, how many illnesses they have, whether or not it can be managed in house; dealing with 12k bookings per year
- Mental Health program cuts has resulted in increased mentally ill jail population; costs shift when services are reduced, one concern they are monitoring very closely with state managed care
- State managed care is aggressively monitoring mental health care, as taxpayer this is a good thing, as someone concerned about people on the streets not entering the jail it's not necessarily a good thing, whether or not this is managed well will have a large impact; department is actively meeting with the state and monitoring costs to see if this will save Medicaid money but drive up mental health costs when this takes effect in 2014; complicated the economy gets bad, more people commit crimes, drives more people into the system and then we are responsible for the bill

Chairman McMahon stated most of these costs aren't mental health costs; we are talking about specific health related illnesses. Chief Balloni responded that they are both. Mr. Long stated they knew years ago that this was coming. He was on Project 2015 and worked with Department of Aging and Youth and the Sheriff's office. They knew that as the baby boomer generation was aging out, this was going to spike geriatric care and mental health needs. The good news is that we knew this was coming; bad news is that next year we might be talking about 50% or more. The population is needy and is going to continue to become more so. He travels around the country with the American Jail Association; there are wings being built with wheelchair ramps and fulltime nursing coming in to do home health aide work in jails because of the needs of the aging population.

Chairman McMahon asked what the contract covered; Hillbrook isn't here asking for additional funds and they were covered on this contract. Chief Balloni stated they manage the entire contract; interdepartmental costs allocations. **Mr. May asked that they characterize what the contract is.**

Chairman McMahon asked if there was a way that we could have better coverage; how is it structured, what does it do. Mr. Long stated they have tried to structure the contract to give incentives for the contractor to reduce outside medical costs. Both on the health and mental health side there is a window where the contractor loses money, a risk quota, if they don't reduce the costs or keep the cost of health care down. In reality, we have gone through that risk quota; it is limited.

Chair McMahon questioned what would happen if they have an inmate that needs a liver transplant. Chief Gonzalez responded that at first they attempt to stop everyone at the door if there is any presentation of any type of issue. The Syracuse Police will take them out; unless they are transferred into mandatory custody, then they become our responsibility. If they are already in custody and need a liver transplant, we are obligated to provide this; just as hospitals are required to provide care for persons without insurance.

In answer to Mrs. Tassone, Chief Gonzalez stated once they are done with their sentence and no longer in our custody, our responsibility ends.

Vice Chairman Dougherty asked if hospitals were seeing this type of expense; realizing there probably wasn't an expert on this in the room. The same people you are arresting, when not in custody, must be going to hospitals to get this care. Chief Gonzalez stated if they go to the hospital; many of them will admit to committing minor offences to get medical care. Most of these people don't take care of themselves. Mr. Long stated that hospital emergency rooms are required to treat and stabilize anyone that comes to their door; they do absorb these costs. They try to offset these costs by overcharging those with health insurance and disproportionate share costs funds. The disproportionate share costs go away, when insurance coverage comes in because the federal government says you don't need both and we are going to cover more people with insurance; ultimately all the costs come back to shareholders, ratepayers or taxpayers.

Chief Balloni stated that this falls into the category of it is what it is; they don't have any choice. Mr. May added for the same reason, he would like to table this until Ways and Means.

Mr. May asked to be provided with a copy of the CMC contract.

Mr. Ryan stated that the mental health side is more subjective and asked if they could track data. He questioned if more people were being identified as mental health patients over the past decade, if so we can't stop this, doesn't want people to be denied care but perhaps we are identifying more. To Legislator May's point, we have worked really hard to reduce the tax levy and now we are going to but it right back on. This is a problem for him; have to do something about it. Mr. Long answered that we have mental health staff in the jail and provide in house care. This is not a matter of identifying mental health issues. In fact, the better they are at identifying issues, the more likely we are to avoid outside costs. There are two ways that a person ends up in a state hospital for mental health issues; if someone is psychotic they have to be sent to the hospital, can't do the necessary treatments in jail. The other way is via the courts; if a person is ruled incompetent they are sent to a state hospital. Another problem that the contractor is trying to work on is, once they are in the hospital, we lose complete control over how long they stay. The state hospital determines when they are fit to return to the jail or return to stand trial. The last time they reviewed the data, the number of sick prisoners increased but the length of stay decreased slightly, number incompetent to stand trial remained steady but the length of stay increased dramatically and we pay by the day.

Mr. May stated that he is starting to infer that this is a participating self-funded medical plan specializing in inmate care. If this is the case, there is claim data available. He is guessing a huge chunk of this data will also represent prescription drug costs, which we haven't even been discussed. He is simply identifying some of our costs and the fact that we could look at what some of our cost drivers are at a very high level. It would be helpful to have a general understanding of where the health care dollars are going and what it is costing us. On the mental health side, we are staffing a percentage of that care, not sure what that is. Is there any effort or ability to subsidize our costs with respect to mental health care; either billing the insurance contractor or whatever. If it is a static cost it would be interesting to roll that into our total costs, just to understand it. Ultimately, we have to be able to deal with reality.

Mr. May requested basic claim data to understand where the money is going inside the plan.

Vice Chairman Dougherty asked for a copy of the medical list of expenses Chief Balloni had without names. Chief Balloni responded that it was just a list of numbers without the names; doesn't tell you what the cause was. Vice Chairman Dougherty stated it would show them what was typical. Chief Balloni stated he would provide the information, noting many of them are fairly small.

Mr. May guessed that the overtime was in part to support the transportation process for outside health care. Chief Balloni agreed, adding that transport is a major issue. Mr. May stated that some of the care people need can be accomplished through telemedicine as he has mentioned this several times, in Ways and Means. He asked if this has been explored; looking at cost benefits. Chief Gonzalez responded that they are working on a new phone contract. As part of that contract, they will provide video and telemedicine soon. This is a long project; need to determine position for monitors, what they would be able to do, and where.

Vice Chairman Dougherty stated he would like to take a vote on this item and asked for a motion. Mrs. Tassone and Mr. May stated they were going to abstain. No motion was made. Mr. May stated we are going to have to approve this but he wants a little better understanding before doing so.

2Mrs. Tassone left meeting.

4. CORRECTIONS: Daniel Boyle, Assistant Commissioner Management and Administrative Services

a. Amending the 2012 County Budget to Appropriate Additional Federal Revenues for the Department of Correction and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$375,000)

A motion was made by Mr. May, seconded by Mr. Ryan to approve this item. Passed unanimously; MOTION CARRIED.

5. Memorializing the Governor and the Legislature of the State of New York to Amend State Law to Protect Individual Pistol Permit License Information from Freedom of Information Law Disclosure (Sponsored by Mr. Shepard)

Mr. Shepard:

- Resolution revised based on state legislation passed earlier this week
- Inspired from downstate story; published identifying information for all pistol permit holders in 3 county area
- Information is vulnerable to a foil request; new law states certain categories of people can request an exemption from exposure of their information to foil, goes on to say anyone can ask for exemption upon giving a reason; feels the law is unclear, judges will have discretion and may never find a reason good enough to grant the exemption
- Resolution asks the state to protect this information

Mr. May stated fundamentally you are exposing people who have guns, which creates a dangerous situation and conversely you are exposing people who don't. Purely from a public safety standpoint its crazy to share this kind of information. Mr. Shepard stated he has heard the argument, which way do you want it; does someone knowing you have a gun protect you, does someone knowing you don't have a gun create a vulnerability for you. To him there isn't an inconsistency here; it does tell the criminal how to plan for that particular house. There is antidotal evidence that a 70 year old pistol permit holder was target within the three county area and it appears that all they attempted to do gain access to his gun safe.

In answer to Mr. Ryan, Mr. Shepard stated that this resolution is asking that the state goes all the way and this information becomes something that is not subject to foil. Realistically if they stop short of that and just gave everyone the right to ask for an exemption, without discretion on issuance, we would be getting somewhere. Currently it is not clear that if you ask for the exemption, your reason will be good enough and the exemption will be granted.

Mr. Ryan stated for the record, this puts a lot of people in harm's way that are sheriff deputies and police officers. At the same time there is also a secondary part of the argument. He believes what was printed downstate was in reaction to what happened in Connecticut or was politicizing just how many guns are out there. He doesn't think that this is right, but at the same time, people want to know if there neighbor has a gun. He can't speak to their intent but knows that for every person that doesn't want to see this, there might be another person that wants this information. He noted that this resolution was only for pistol permits, not assault rifles. Mr. Shepard state that guns are incidental to this; not about gun control, it is about your privacy.

Vice Chairman Dougherty stated that an assault rifle is not registered and doesn't require a permit. Mr. Shepard stated noted that he wasn't certain but believes the new legislation would require registration of all firearms. Registrations are different from permits; not sure if

people would be able to make the foil request, look at the list and determine whether or not there is a long gun in the house. This even further supports the need for this resolution; creates more certainty as to whether or not a house is armed or unarmed.

Mr. May stated if all of this follows suit, there would basically be a statewide public gun registry to peruse and strategize. Mr. Shepard stated that if the mother of the person who committed the Newtown massacre hadn't had guns, and he lived in West Chester County, he could have gone online and figured out where to obtain them. Mr. Ryan noted this was assuming he wanted to commit a robbery; we can't profess to know what he was thinking.

Mr. Ryan reiterated that there is also the other side of the story; there are people worried out there and it is not just because of the Newton shooting, it is because of what happened in Arizona and Columbine and so on.

A motion was made by Mr. May, seconded by Mr. Ryan to approve this item. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 1:42 p.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

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WAYS AND MEANS COMMITTEE MINUTES – January 28, 2013 DAVID KNAPP, CHAIRMAN

IN ATTENDANCE: Mr. Holmquist, 2Mr. Kilmartin, Mr. Jordan, Mrs. Ervin, 1Mr. May

ABSENT: Mr. Stanczyk

ALSO ATTENDING: Chairman McMahon, Mr. Ryan, Ms. Williams, *see also attached list*

Chairman Knapp called the meeting to order at 8:50. ***A motion was made by Mr. Kilmartin, seconded by Mr. Jordan to waive the reading of the minutes of the proceedings of the previous committee meeting. MOTION CARRIED. A motion was made by Mr. Kilmartin, seconded by Mr. Jordan to approve the minutes of the proceedings of the previous committee. MOTION CARRIED.***

CONSENT AGENDA

1. **WEP:**
 - a. **A Resolution Amending the 2013 County Budget to Provide for Ongoing County Participation in Honeywell and Onondaga Lake Remediation Issues (\$160,000)**
2. **OCPL:**
 - a. **Create R.P. 01 406510-1890 Account Clerk I, Grade 4 @ \$30,108-\$33,232; Abolish R.P. 01 406510-5959 Typist II, Grade 5 @ \$32,313-\$35,681**
3. **TRANSPORTATION:**
 - a. **Amending the 2013 County Budget to Provide Additional Funds for the Purchase of Gasoline and Diesel Fuel to be Sold to the Jamesville Fire Department and Authorizing the County Executive to Enter Into Contracts (\$15,101)**
4. **PARKS AND RECREATION:**
 - a. **Amending the 2013 County Budget to Accept NYS DEC Forestry Grant Funds to Expand and Enhance the Inventory of Ash Trees being Carried out on County-Owned Land and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$25,000)**
5. **CORRECTION:**
 - a. **Amending the 2012 Co. Budget to Appropriate Additional Federal Revenues for the Dept. of Correction and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$375,000)**
6. **SHERIFF:**
 - a. **Authorize Co. Exec. to Enter Into Contracts to Receive Justice Assistance Grants (JAG) Funds (\$57,534)**

A motion was made by Mr. Holmquist, seconded by Mrs. Ervin to approve the items on the consent agenda. AYES: 5; NOES: 0; ABSENT: 2 (Stanczyk, May). MOTION CARRIED.

REGULAR AGENDA

1. **COUNTY CLERK:** Rory Sweeney, Principal Deputy County Clerk
 - a. **Authorizing NYS Reimbursement for 2013 Expenses of the Recording Officer for the County of Onondaga for Administration of Mortgage Taxes**

A motion was made by Mr. Kilmartin, seconded by Mr. Jordan to approve this item. AYES: 5; NOES: 0; ABSENT: 2 (Stanczyk, May). MOTION CARRIED.

2. **HEALTH:** Linda Karmen, Deputy Commissioner
 - a. **Amend 2013 Budget to Provide for the Transfer of Funds from Fund Balance for the Purchase of a Server Blade Center and Storage Area Network for the Center for Forensic Sciences (\$133,345)**

Ms. Karmen:

- Purchase server blade center and storage area network for Center for Forensic Sciences
- Item mentioned in 2013 budget presentation--was part of a fund balance resolution previously, but not approved
- Server blade center and storage area network is needed to keep operations running
- Currently 7 services at the forensic center that provide back up for home and shared drives, printers, latent print data base, imaging functions, security control, and information management system

- All servers are over 5 years old; out of warranty, difficult to get parts and repairs
- In Nov. 2012 evidence tracking system on one server went down and stopped operations for a couple of days
- Server blade & storage area network is more consolidated, more efficient; provides a lot of needed data storage for medical examiner's office and lab-- digital imaging is used for a lot of the evidence and photos at MEO
- Would like one comprehensive unit
- With the exception of one other server that may need to be purchased in 2015 or 2016, this system is consistent -- requiring an annual maintenance cost of approx. \$18k for the next 10 years
- IT is also starting to use blade servers
- Cost: \$133,345 initially and \$18,000 yearly for maintenance

In answer to Mrs. Ervin, Mrs. Karmen said that it should remain in service for more than 10 years, but would solidly predict it for 10 years.

In answer to Mr. Holmquist, Mrs. Karmen said that this was proposed in the Health Departments budget, and then made part of a fund balance resolution, and it was not approved in the fund balance resolution. Mr. Holmquist asked what the urgency is to do this now as opposed to bringing it up in next year's budget. Mrs. Karmen said that 5 of the 7 servers are out of warranty now. Since one went down last fall, they are concerned. Mr. Holmquist asked if there has been any event or something different that has happened since the last budget. Mr. Fisher said that the Senior Management Steering Committee (Ken Beam, Anne Rooney, Matt Millea) strongly supports this.

1Mr. May arrived.

Mr. Holmquist noted that the resolution indicates that the money would come from fund balance and asked if the points mentioned are important enough to find the money from within the existing budget. Mr. Fisher said "yes"; this is evidence and case management used on a daily basis and can't afford having those cases not processed on time. Mr. Holmquist questioned why it isn't being taken out of existing budget. Mr. Fisher said it is a 10 year investment; in general they don't like to take a nonrecurring expenditure and finance it out of a recurring income. The principal being that when there is a single, one time investment, taking the funding from fund balance rather than borrowing. Mr. Holmquist said that there should have been a one-time expense backed out of the existing budget, which should have been done before, it should have been supplanted, not be added on top or taken from fund balance. Apparently everything else in the budget was more important than this at the time, something else was given up so this could replace it. Mr. Morgan noted that it was originally part of the budget; if it was part of the budget that was passed, in essence it would have been funded with fund balance, fund balance is used to balance the budget. Mr. Holmquist said that if it is truly a priority, it should have been ahead of the line of something else. Mr. Morgan said that the funding that is there is to fund core services, and doesn't know what else would have fallen off the radar to support this.

Mr. May asked about the total expense. Ms. Karmen said that \$133,345 is the whole expense. Chairman Knapp said that started in year two there will be and \$18,000 maintenance costs. Ms. Karmen said that there is a one-year warranty. Mr. May asked what the cost was to fix the one server that failed. Ms. Karmen said just to replace the server costs \$12,000; Mr. Kinder said that the repair cost several hundred dollars. Ms. Karmen said that the whole system interacts with law enforcement, as it is an evidence based system. Time and effort is lost; information is not available readily.

Dr. Corrado said the failover redundancy is the most critical; the system does a lot of things. Onondaga County is the only county in the state that has an evidence tracking system that ties evidence from when police collect it in the field, to the police department, to the laboratory, to the DA's office, to the ME's office. It is one database. It relies on information going back and forth. Also the lab in the medical examiner's office is a laboratory information system. When the server was down, they were unable to looking up a case, couldn't transfer evidence, couldn't do work on it, couldn't write a report or get a report. The best thing about the new server is redundancy. If there is a problem with the server, it doesn't go down, it flips to another RAID in the system. Having the system would make it so there wouldn't be any downtime.

Mr. Jordan questioned why an extra server or two isn't being purchased so that if one goes down, the redundancy is there without having to spend \$133,000--have a bandaid to keep the system operable without going to the Cadillac at this point in time.

Mr. May asked if there is a way to ensure the vulnerability financially--making sure there is money available without having to come to Ways & Means to fix and solve any issues encountered through the course of this calendar or budget year. Then, be able to move on with a good plan going into 2014 for an upgrade. If it is determined that we can't go all the way with a solution, an alternative is to make sure the department has flexibility to solve any problems that come up. He does not want a major financial situation to impede daily operations. Ms. Karmen said to repair or replace a server if one goes down; it is a cobbling together effort. It is spending money to get to a point to purchase a system that is much more effective and efficient for their needs. If 5 servers are out of warranty that can't be repaired or replaced, then each one would have to be purchased separately. It wouldn't get them the failover redundancy. Mr. May said that he isn't suggesting that it would. He said that there is a mission critical operation that can't afford to be stopped or delayed, but if you can't come to Ways & Means to buy a new server or move fast to solve the problem as moving through the budget year; maybe the solution is to take a baby step to get to where you have to go. He is inclined to figure out what can be done to make sure the department's goals are being met and approach it financially. A budget was made; he is not hearing that it is broken yet, but there is a serious problem. Dr. Corrado said that they know they have an issue with the servers, it has been a year working on it. IT believes it is the way to go also. If it is put off, there is a risk of not only the evidence server going down, but also anyone of the 5 could go down at any moment's time. If they had to replace each one, it comes close to what could be done now, to make sure they don't have that problem. Mr. Kinder said that one server is 8 years old; 1 is 6 years old; and 3 others are 5 years old. Mr. Fisher said that whatever would be spent on a new server, \$8,000 - \$10,000, would be lost whenever it is replaced with a new system that doesn't work that way anymore.

In answer to Mr. Kilmartin, Mr. Kinder said that they have 7 or 8 servers now; there is a need to purchase an additional one for another operation -- adding image vault. All of the images taken at the forensic center are stored now at the Civic Center and they can't get access to them very well. In a couple of years they will need to replace the latent print image server, which is 3 years old now. Dr. Corrado said that they are actually hoping to replace nine servers with the SAN. Mr. Kilmartin asked if it had been contemplated in the past purchasing a server solely for the image vault or was it always contemplated that the new server would encompass the 7th, 8th, and 9th servers. Mr. Kinder said that a server runs about \$12,000 for a bare bones server. Dr. Corrado said that the new SAN will have a much larger capacity; image vaults take up a lot of space. Also the SAN can continually be increased to hold more data.

In answer to Mr. Kilmartin, Mr. Fisher said that if the hard drive was physically pulled out, the SAN would keep on going. There is no risk that a failure or single component can be affected. If more storage is needed, a cheap hard drive bought to add more storage. It is cheaper over the long run. **He said they can come back and show the alternatives that were considered and show why this is superior to other choices.**

Mr. Kilmartin asked how much value is placed on the 10 year projection for useful life of this system. Mr. Fisher said that they could last 3 years, 8 years, or 6 years. With a SAN, the whole system won't fail; the broken component is taken out and a new one put in. That is the way they are trying to do IT systems throughout the whole county.

Mr. Kilmartin said that there is resistance towards use of the fund balance. It is coming on the heels of the budget process. After crafting the budget for fund balance purposed for many different departments, there is resistance to dip into it so early. **He asked to be provided with a snapshot of the anticipated uses for fund balance over the next 6 – 9 months for elected and non-elected departments.** Mr. Morgan said that they will get another look at it with the 3rd quarter forecast and when yearend is done. It will show projected fund balance and they can show the place markers put on it. The books close in February, the Comptroller comes over in May with the CAFR, but they may be able to have final numbers before that.

Mrs. Ervin noted for clarification that if we don't do this, we are facing the cost of two \$12,000 servers. Dr. Corrado said "at least, unless the others fail". Mrs. Ervin said this would be hoping that the others don't fail until the next budget cycle. She realizes that this would be circumventing the budget, but fund balance is for emergencies and this is an emergency.

Mr. May asked what the time frame is for a purchase order to be cut to implementation of the system. Mr. Kinder said that it would be about 3 months.

Mr. Jordan said that during the budget process legislators spend a great deal of time talking to departments, coming up with a budgets, and making decisions as to what will be funded in a particular year and what won't be funded. He is hearing that nothing has really changed significantly from when the budget was presented. The idea is that if something comes up, then fund balance is kept for emergencies. There is a game plan for everything, not only operating budget, but also fund balance. He is confident that the department's analysis is accurate and that this system is the most productive way to go, but is not sure if now is the right time. The ink is barely dry on the budget, and the department is coming back asking for what they did before. He is not seeing the justification for reconsidering a decision that was already made. He believes there are interim steps that can be utilized that are much less costly to develop some redundancy in the system. Ms. Karmen said that this was part of the Health Department's budget proposal in June of last year – it was very well thought through. The item was removed from their budget, not by their choice, with the idea that it would be part of a fund balance resolution.

Mr. Holmquist suggested that if were found in the existing budget, he does not think there would be as much opposition.

Chairman Knapp tabled the item for one month. He would like to find another way to do it, without it coming from fund balance.

4. MANAGEMENT & BUDGET: Steve Morgan, CFO

a. Authorizing the County Executive to Execute and Agreement with the City of Syracuse and the Syracuse City School District for the Issuance of a Joint Request for Proposals for Procurement of Pharmacy Benefit Management Services

Mr. Morgan explained that County's contract for management services for prescriptions for employees ended at the end of 2012; there is a 6 month extension in place. The City and School Districts' contract expires also; City approached the County to consider going out together to pool buying power. It does not tie the County to choosing the same provider; this is pooling the lives of the School District, City and County. It is buying separately and with separate agreements.

Mrs. Ervin asked if there are any down sides to this. Mr. Morgan said "no", the more lives out there, the more competitive pricing. It is pooling 35,000 lives to get pricing on.

Mr. May asked if the experience drives the pricing with this plan. Mr. Stasko said that it really doesn't; it is a matter of what is out there on the market and what the different pharmacy packages are.

In answer to Mr. Jordan, Mr. Morgan said that it would be separate plans; they would enter into two separate contracts with the County, City and School District. The pricing would be the same for each. It is merely a way to get better pricing with the higher number of lives. For a provider to get potentially that many lives, they will give a more competitive price.

In answer to Mr. May, Mr. Morgan said the currently the County contract is with ProAct.

A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin to approve this item. AYES: 5; NOES: 0; OUT OF ROOM: 1 (Knapp); ABSENT: 1 (Stanczyk). MOTION CARRIED.

5. FINANCE, REAL PROPERTY TAX: Don Weber, Director, Real Property Tax Services

a. Approving and Directing the Correction of Certain Errors on Tax Bills

Mr. Weber:

- Two properties
- 1st - property acquired by US government, which they don't pay taxes
- 2nd – property that was to be corrected at school tax time, but tax collector didn't make the correction in time

A motion was made by Mr. May, seconded by Mrs. Ervin to approve this item. AYES: 5; NOES: 0; OUT OF ROOM: 1 (Knapp); ABSENT: 1 (Stanczyk). MOTION CARRIED.

6. WAYS AND MEANS MISCELLANEOUS:

a. Amending the 2013 County Budget to Provide Surplus Room Occupancy Funding for the Syracuse St. Patrick's Parade (Sponsored by Mr. McMahon)

Chairman McMahon:

- Put in 2013 ROT budget, placed \$20,000 in contingency
- Need to allocate the funds for March event

A motion was made by Mr. Kilmartin to approve this item.

Mr. May said that he will abstain; would rather not use ROT funds; prefers to see the event sponsored by Onondaga County Parks.

Mr. Jordan asked if there is an estimate of the ROT generated from this event. Chairman McMahon said ROT taxes are generated, but doubts it is enough to cover the bill.

Mr. Kilmartin said that the event also generates a significant amount of sales tax. This is a substantially lower amount than prior requests from this entity.

Mr. Holmquist seconded the motion. AYES: 3 (Holmquist, Kilmartin, Jordan); NOES: 0; ABSTENTIONS: 2 (May, Ervin); OUT OF ROOM: 1 (Knapp); ABSENT: 1 (Stanczyk). MOTION CARRIED.

b. Confirming Appointment of Patrick Mocete as Legislative Analyst (Sponsored by Mr. McMahon)

Chairman McMahon:

- Position was in 2013 budget
- Mr. Mocete's range of duties will be to help existing staff, reach out to organizations that the legislature appoints board members to – engage as to what is going on – i.e. Ag. Council, Soil & Water Preservation, OCIDA, OCDC, OCWA, MWB, Landbank, new initiatives going on in agricultural community, etc

Mr. Kilmartin made a motion to approve this item.

Mrs. Ervin asked if Mr. Mocete will staff all of these boards and help legislators understand what is going on with them. Chairman McMahon said "correct". Mrs. Ervin asked to see a copy of Mr. Mocete's resume. Chairman McMahon said that one would argue that the Legislature is the most powerful branch in county government. If compared to the Executive or Comptroller's office staffing levels, the Legislature is grossly understaffed. Additionally, legislators are part time employees, and are structurally more dependent on staff. There has been a clear lack of engagement with some of the outside organizations. Additionally, when there are community meetings that legislators can't get to them because of other obligations, it is right to be out there when there are serious issues going on. During lean times, every year the legislature has come in under its budget, and numerous other departments are coming in over their budgets.

A motion was made by Mr. Kilmartin, seconded by Mr. Holmquist to approve this item. AYES: 4 (Jordan, May, Holmquist, Kilmartin); NOES: 1 (Ervin); OUT OF ROOM: 1 (KNAPP); ABSENT: 1 (Stanczyk). MOTION CARRIED.

7. CNY ARTS: Stephen Butler, Executive Director
a. 3rd Quarter Report ([attachment #1](#))

Mr. Butler:

- Everyone is doing their job, fulfilling performances, submitting zip code data to be analyzed for out of town/overnight guests
- In the next month, he will have a full 4th quarter report from each agency, as well as the 3 month financial break down for the new symphony
- Symphony did all 20 performances; opened offices provided by Syracuse University; Alliance Bank has provided them with furnishings; in the black and can hire a full time staff

In answer to Mr. Jordan, Mr. Butler said that the breakdown of attendance is for all cultural events funded through County funds. Mr. Jordan noted that roughly three-fourths attendance is local and one quarter is out of county. Mr. Butler said that it pretty much mirrors the study done by LeMoyne College with American's for the Arts, 25%-28% of attendance is either regional or day trippers who spend a little bit more than a local guest, or overnight, which spend the greatest amount.

8. PURCHASE: Mr. Carroll
a. Revenue Contract Report – Sean Carroll, Director

Mr. Carroll was not present to report.

3. SHERIFF: John Balloni, Chief
a. Amending the 2012 County Budget for Various Personnel Expenses in the Sheriff's Office Budget (\$745,000)

Chief Balloni distributed information (*copy on file with Clerk*).

Chief Balloni:

- Biggest impact was loss of Clay contract and subsequent loss of funding of those positions – loss of positions, loss of enforcement, did not lose any of the work
- As year progressed, overtime went up - reported monthly to Public Safety Committee
- Largely spent filling holes in budget – putting people on road to maintain staffing for safety
- Overtime is very unpredictable from year to year – impact from level of crime
- Crime increase resulting in more cases; arrests were down slightly - reason for overall decrease in arrests is because as number of people on road goes down, investigations are done and arrests are made through criminal investigation
- Arrests from CID are up substantially
- Less and less proactive policing because of person power, and more and more reactive policing – looking at the crime after the fact and dealing with it
- Personnel costs running high; in budget legislature left some positions unfunded. Allowed reducing size of Sheriff's office through attrition - currently 7 under actual budgeted level, which were needed to make the salary savings. Last year it wasn't possible.
- Felt that what they did was for the safety and welfare of community – don't know how it could have been done differently.
- Staffing study, done by an outside agency, will be presented to the legislature in the next month or two
- If at the proper number of staffing, overtime and personnel costs would be very reasonable.
- Personnel budget on the police side over 10 years: 10 years ago \$27 million; 10 years later \$29 million
- Salaries over 10 years: growth has been substantial

Mr. May said that there is a long way to go to understand this, based on information that is going to be imminently available – staffing study and Comptroller's review over overtime. The legislature is tasked with a responsibility, these numbers are what they are and have to be approved as the money is spent, but the legislature needs to understand this and doesn't think it is quite there yet. He asked that this item be kept open until session to vet it out a little bit more; a lot of information came in on Friday and more time is needed to digest

it. Together, he would like to come out of this with some kind of incremental step to get a handle on it. Chief Balloni said that when looking at just numbers, it may seem like it can be understood, but asked that legislators come and talk to the Sheriff's Department, as there may be very good explanations based on the perspective of the actual job day to day.

Mr. Jordan referred to the Clay contract and recollected that the office of the Clay Police Department became Sheriff's deputies, and they or a comparable number of deputies were dedicated to two cars patrolling the Town of Clay. The money was specifically to fund that enhanced coverage. Subsequently the town decided they didn't need the enhanced coverage and removed the \$1.2 million from their budget, previously paid for the enhanced coverage. Now the Sheriff's Department no longer has the two dedicated cars in the Town of Clay. The additional personnel that moved to the Sheriff's Dept., even though essentially unfunded, did not lose their jobs, they are still being employed within the Sheriff's Dept. The dedicated force is no longer dedicated to the Town of Clay. The money paid to the Sheriff's Dept. and lost, was specifically for the dedicated officers. Now those officers are now able to plug the holes of officers that have since retired. He is not sure how one thing led to another. Chief Balloni said there are 58,000 people and roughly 19,000 calls in the Town of Clay. At one point there were two Clay officers, a sergeant, and a Sheriff's deputy already assigned there, as well as some State police. There were basically 5 people to answer those calls. The sheriff's cars were called out periodically and not available, as were the State police, as they have bigger areas to cover. The bulk of the calls were taken by the 3 Clay cars that were there all the time; they also had their own investigator. The Sheriff's Dept. absorbed the people, but all of the positions went away, which reduced the staff. There is still all of the work to do – somebody has to go to those calls. They can't do it with the one car that they used to have there; it is not humanly possible. They need to adjust staffing to answer those calls – to a minimum level to get to emergencies.

Mr. Jordan asked how many funded positions the Sheriff's Dept. had at the time the Clay contract was entered into. Chief Balloni said that in 2009 the police side had 249; in 2012 there were 214, a 35 officer decrease from the time they took on Clay. From 2008 to 2009 they went from 227 to 249. Mr. Jordan asked if they are deputy positions. Chief Balloni said that they are the actual filled; in 2009 there was 242 filled by 2012 there was 217 filled; right now there are 205 filled—all deputy positions.

Mr. Holmquist said there are a lot of issues and it is complicated, but it is disappointing. This can't be done anymore; it is a lot of money and a direct hit on fund balance. The Sheriff knew in advance all of these factors, even with the perfect storm of the events that happened, he is struggling with how far the Sheriff went – how much worse would this have been if he had not taken the proactive steps that were mentioned. It is encouraging that the Comptroller is working on this and the personnel study is coming. Chief Balloni said that overtime wages in 2004 was \$1.675 million; 2012 adopted was \$1.2 million. Accounting for inflation, it is 100% less in 10 years' time. The number kept getting cut with the number of personnel, and he understands the budget crunch at that time, the Sheriff did his best to make it work and just couldn't. They have to respond to the calls—have to investigate the crimes. He noted that in the \$1.2 million, over \$500,000 was holiday pay; the real overtime is about \$600,000. Mr. Holmquist referred to menu of service; he understands the southern car can't be cut, but asked if all of the other menu items. Chief Balloni pointed out that when they put the budget together, which was subsequently cut even further, Clay was still negotiating with the Sheriff's Department. It was learned at the budget presentation that Clay wasn't going to do any of it. The proposal to the County Legislature didn't take into account the total loss of the Clay positions. If the Legislature approved the overtime as requested, it was vastly underestimated. If Clay would have kept at least half of their positions in place, they might have been able to do this without substantially impacting overtime.

Mr. Kilmartin noted that since 2004 there are about 90 persons less on the police civil/side. He is hearing that because of the shortages in staffing, it has given rise to the high levels of funding requests presently. Police/civil operating budget in 2012 there was estimated about \$1.3 million in regular overtime expenses with 259 people on police civil side. In 2004 there was 351 persons in police/civil; about \$1.2 million in regular overtime. It seems like the overtime has remained at a very constant level despite the reduction in personnel. If the reason there is such a big overtime allocation this year is because of a reduction in staff, and in dialing back 10 years there was nearly 100 more positions with the same level of overtime. He asked if this was a bad year or if the last 10 years have been bad years. Chief Balloni said that some of the numbers they provided are budget numbers and not the actual amount spent. Overtime was much higher in some past years. In looking at the overall personnel, he noted that 10 people were transferred to the courts; 6 positions were NYSPIN positions which were transferred to 911. Some of the decreases from the 350 high point were more decreases in where the people were budgeted, than actual decreases in personnel. The critical factor is the substantial decrease in policing officers on the street—boots on the ground have decreased significantly in the last 3 years. Mr. Kilmartin said that he would think that if staffing is going down, he could understand the rationale for overtime going up in trying to keep the same level of service; would think that most recently there would be a huge spike in overtime. Looking at the trend, the overtime stayed flat, which undercuts the argument that understaffing is the reason why there is such high overtime presently. Chief Balloni said that when they had 100 more people, they did not have the controls on overtime like they have today. The Sheriff's office strives to remain within the budget that the legislature gives them. Substantial control was put on overtime and they have tried to dial it down and have been successful in doing so. He referenced 2004 when the police/civil overtime budget numbers was \$1.675 million; 2009 it was \$1.8 million; 2012 it was \$1.2 million. He can provide the actual numbers.

Mrs. Ervin said that the budget numbers don't mean much, as it doesn't show what was spent. Chief Balloni referenced actual numbers and noted that a lot of time was spent instituting controls and deciding when positions got filled. He noted that the issue this year was largely the police side.

Mrs. Ervin said that she is not prepared to act on this item today with all of the questions that still exist. **Chairman Knapp agreed and noted that the item has been considered and could be taken up at session.**

2Mr. Kilmartin left the meeting.

b. Amending the 2012 County Budget to Appropriate Funds for the Correctional Health Contract (\$1,330,634)

Chief Balloni:

- This became part of the Sheriff's budget/responsibility in 2008 - \$8 million rolled into Sheriff's budget
- Biggest factor was outside medical – per HIPA can only share publically the data points; can't identify individuals, can identify cost; can identify procedure/treatment ; have discussed with the Law Department what can be shared
- Some costs are unpredictable

Mr. Dean distributed a graph (*copy on file with Clerk*).

- This was a first time contract; service was previously provided in-house where doctors, nurse, mental health personnel were hired by the Health Department
- Anticipated in contract that there might be cost overruns

- County has to pay fees no matter what – responsibly for them in Justice Center; responsible for health and wellbeing in the justice center
- A lot of the people seen on a daily basis probably haven't seen a doctor or mental health worker since the last time that they were in custody
- By and large this is a high risk population and more costly than average population

Mrs. Ervin said she doesn't understand how the legislature can make a decision on something so vague – can't get a handle on a cost for one person because of HIPA laws. There has to be a way of knowing something about these costs. Ms. Tarolli said that diagnosis and treatment is protected health information and can't be disclosed publically or privately per HIPA.

Chief Balloni said that there is a contract for these services and are obligated to pay it; the legislature authorized the execution of it. They are in the process of re-doing an RFP. He would be glad to share the RFP, it is a public document, as they look to get the best number and service.

Mr. May said that members are just starting to learn what the contract entails. He inferred that this was an insurance contract during the Public Safety Committee meeting, but after reading the contract, realized that it is not. It is like a HMO for the inmate population. Amongst it is a turnkey health maintenance organization. They came in; county laid off staff; they brought in staff – it is a dynamic contract with a lot of moving parts, which generates more questions – who crafted the contract, who approved the contract; was Risk Management involved, etc. Some of the thresholds in terms of the 75% return to the county as part of a deal, is a phantom benefits – it is nothing that should ever guide business decisions. Going forward those thresholds need to be looked at.

Mr. May asked if Risk Management was involved in the crafting this deal – did they have a heavy hand in what the number should be for polling points and things of that nature based on performance. Mr. Dean said that every department that had some piece of this was involved. Mr. May said that in some of the backup received, there was a statement that intimated that 15%-25% of all inmates are either treated for mental health issues. Mr. Long said that he is not sure that is accurate; probably safe to say that 15%- 25% have mental health issues. In answer to Mr. May, Mr. Long said that the County cut all of the health and mental health staff.

Chief Balloni said that he would like to have Mr. May help review the RFP and invited him to do so.

Mr. May said that within the contract CMC specifies a list of canned reports on the performance of the plan. He is sure that most are HIPA compliant; he thinks that a more insightful breakdown of the types of services can be obtained without violating HIPA, as it is done pretty routinely. Based on the contract, there will probably be a cost – might be outside of the canned reports. Chief Balloni said that they have been challenged to even get the canned reports. Mr. May asked if any kind of monthly data is being received to help us make good management business decisions about the performance of the plan. Mr. Dean said that they are getting claims data. Mr. May said it may be hard to put this into perspective if not getting the right kinds of reports. Chief Balloni said that it has been an ongoing source of frustration that they have been working with the contractor on.

Mr. May asked if the structure of the arrangement where CMC was paying first dollar up to \$650k on mental health side, were there any alternative arrangements from the market offered. In the consumer world, it is cheaper for the policy owner to ensure the first dollar of coverage to a point – almost like a deductible. It takes a lot of the risk away from the insurer. Mr. Long said that this was a novel proposal to them. He doesn't know of any other cost sharing arrangement like this – it was put in there based on looking at historical costs--all 5 companies that bid on this promised they would reduce our outside costs. The County wanted to create a risk so that the contractor had some skin in the game, but not too much – trying to find a balance. All companies promised they would reduce outside medical care by bringing more services into the justice center by doing other sorts of things. He feels they were over promised by all 5 of the companies. Mr. May said that this deal is by no means an industry standard; Mr. Long agreed. Mr. Dean added that it is abnormal to have mental health hospitalization rolled into a contract like this. A lot of counties continue to pay that rate. It was rolled into the contract because the County was promised things such as they would watch offsite utilization and try to curb it as best they could.

Chairman Knapp asked if the triage, or initial assessment is done by County personnel. Karen Haney, Contract Compliance Administrator, said that all health services are provided by CMC. Chairman Knapp asked if an inmate complained of something, and nothing is done, the situation is ignored and then becomes life-threatening costing hundreds of thousands of dollars, is the County on the hook for that even though CMC made a bad assessment upfront. Mrs. Tarolli said a contract claim would be considered; there are standards that they have to abide by.

Chairman Knapp asked if there is any problem with folks that need medical care intentionally, i.e. creating a low level crime just to get into the system. Chief Balloni said that anecdotally that happens. Mr. Long said on the mental health side, people aren't making rational decisions; people with mental illness aren't looking for mental illness care – more often they are not behaving rationally and are getting arrested. Chief Gonzalez said every winter there are homeless individuals in the in-take process. Officers have the most interaction with this population. At intake are not only nurses and mental health workers there, there is also a classification officer who talks to them. Over the years some of them have commented that it is better to come to the justice center, get some food, have a roof over their head, than to live under the bridge on Rt. 81. They have said they do what they have to do, short of having a long stint or a Jamesville stint, to ensure that they are not going to die.

Mrs. Ervin said that health care was handed over to CMC; now the cost is more than was anticipated. Chief Balloni said that the County has always eaten the risk of outside medical and mental health care. In some years it has been very expensive and in others not as expensive. It can be impacted by a couple of major issues. Mr. May noted that the several hundred thousand dollar shock claims are always going to be there and there is nothing that can be done to control that. The real issue is the ability to go into a good contract and manage it. The biggest concern he is hearing today is the inability to get good information to help make great decisions.

Mr. Jordan asked for the actual gross costs for outside medical and mental health. Mr. May said it is about \$7.5 million this year for the contract. Mr. Dean will provide the numbers.

Chairman Knapp said that he will not call for a vote on this item; it has been considered today and therefore could be considered by the full legislature on Tuesday. He asked that the communication be kept open on this issue.

Mr. May asked if there is any time jeopardy -- does not want to put County in a position of breach. Chief Balloni said that CMC is looking go get paid; Mr. Dean said that it is close.

The meeting was adjourned at 11:03 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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