

Office of the Onondaga County Legislature
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DEBORAH L. MATURO
Clerk

JAMES M. RHINEHART
Chairman

JOHANNA H. ROBB
Deputy Clerk

COUNTY FACILITIES COMMITTEE MINUTES - January 11, 2010
KATHLEEN A. RAPP, CHAIRMAN

MEMBERS PRESENT: Mr. Masterpole, Mr. Dougherty, Mrs. Tassone, *Mr. DeMore, Mr. Kinne

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: see attached list (*Attachment 1*)

Chair Rapp called the meeting to order at 9:07 a.m. ***A motion was made by Mr. Masterpole, seconded by Mr. Dougherty to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

1. VETERANS SERVICE AGENCY: Mr. Robert McLean

a. Transfer of Funds from Regular Employees Account 101 to All Other Expenses Account 410 (\$12,490)

The indigent burial account exceeded their 2009 projections. For the past few years they have had 45 – 47 burials per year, budgeted 54 for 2009, but had 59. Mr. McLean said they are diligent when receiving requests for burials, they look at resources of family members who are legally responsible to pay those debts, and they also try to recoup funds by working through the Public Administrator.

A motion was made by Mr. Kinne, seconded by Mr. Masterpole to approve this item.

In answer to Mrs. Rapp, Mr. McLean said this transfer would cover the rest of 2009. Mr. Kinne asked how many they are budgeting for 2010. Mr. McLean said "59". Mr. Dougherty asked if they should be budgeting more since the population is getting older. Mr. McLean said he didn't think it prudent to budget more, given the parameters during the 2010 budget process. Mr. McLean said when they recoup revenues, it doesn't come back into their budget to offset the expenses right away. From time to time they are able to find a family member who is able and willing to pay for the service. Occasionally, if the person is completely alone, they do find an insurance policy that is applied towards the debt.

A vote was taken on this item and passed unanimously; MOTION CARRIED.

2. PARKS: William Lansley, Commissioner; Jon Cooley, Dir. Recreation and Public Programs

a. Amending the 2010 County Budget to Accept a Grant from the New York State Environmental Facilities Corporation and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$9,000)

Grant will be used to replace a 20-year-old sewer pump system at the marina. Grant requires a \$3,000 in-kind match which would be installation by their own employees. Along with this item, the local law (2.b) would reduce the cost of transient pump-out service from \$6.50 to \$5.00. The grant requires that they can't charge over \$5.00 and that the fee would remain at \$5.00 for the life of the equipment.

*Mr. DeMore arrived at the meeting.

Mr. Kinne asked why they are replacing the pump. Mr. Lansley said the pump is pretty old and the grant money is available. Mr. Cooley said they would like to keep the good water quality of the lake as the marina capacity grows. Ms. Hann said currently, the transient fees only bring in about \$30 in revenue per year. Mr. Kinne noted that it seems they are replacing a pump that doesn't need to be replaced just because there is money available. Mr. Cooley said they have averaged 80 tenants per season and will be up to 100 with the expansion, this will ensure that the tenants who are there about six months per year are pumping out per DEC code. **Mr. Kinne requested specifications on the pump, its projected life and how much the replacement cost would be if they didn't have the grant.** In answer to Mr. Masterpole, Mr. Cooley said the tenant price was raised 10% this year.

A motion was made by Mr. Masterpole, seconded by Mr. Dougherty to approve this item; Ayes: 5; Abstentions: 1 (Kinne); MOTION CARRIED.

b. A Local Law Relating to Fees Collected by the Department of Parks and Recreation, and Amending Local Law 22 – 2002, as Amended

A motion was made by Mr. Masterpole, seconded by Mr. Dougherty to approve this item; Ayes: 5; Abstentions: 1 (Kinne); MOTION CARRIED.

c. Amending the 2010 County Budget to Appropriate Funds from the Trust and Agency Account for an Expansion of the Onondaga County Veterans Memorial Cemetery and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$30,000)

Have grave space for about 18 more months, would like to clear about another acre, this should give them adequate space for next five years. Mr. Cooley said they bury about 230 to 250 people a year. In answer to Mrs. Rapp, Mr. Cooley said the cemetery is at about 40% capacity.

In answer to Mr. Kinne, Mr. Lansley said they would clear rocks, trees, level the property, it will go out to bid. **Mr. Kinne would like to know who gets the contract.** Mr. Kinne asked about doing two acres rather than one. Mr. Lansley said it is a lot more involved when you go over an acre. Mr. Cooley said when the cemetery is expanded it also needs to be maintained. **Mr. Kinne requested information on what the additional cost would be.**

Mr. DeMore noted the Veterans Cemetery Advisory Committee has not reviewed this, the 6th whereas clause should be deleted from the resolution. Ms. Stanczyk clarified that the appointments to that committee have been made, but it has never been called to order.

A motion was made by Mr. Masterpole to approve this item with the removal of that whereas clause, seconded by Mr. Kinne; passed unanimously; MOTION CARRIED.

d. A Local Law Amending Local Law No. 20 – 2007, as Amended, to Provide for a Two Month Special Fee for Rosamond Gifford Zoo at Burnett Park

Mr. Cooley noted that the resolution needs to be amended to say group pricing.

A motion was made by Mr. Masterpole, seconded by Mr. Kinne to approve this item; passed unanimously; MOTION CARRIED.

e. A Local Law Amending Local Law No 14 – 2006, as Amended to Provide for a Season Pass Fee at Highland Forest

- To establish a seasonal individual pass fee of \$10 per person.
- Adult per person fee is \$1 per day (children under 21 are free), \$3 per day for cross-country skiing.
- \$10 charge would give unlimited general use other than cross-country skiing.
- The seasonal pass for cross-country skiing is \$15.

In answer to Mr. Kinne, Mr. Cooley said the price per day used to be a donation of \$2 per car. Mr. Kinne said he would not support the resolution because they are feeing people to death and they are not consistent. The park that could produce the most revenue – Onondaga Lake Park – gets a free pass; Highland Forest, Jamesville Beach, Beaver Lake and Oneida Shores don't bring in anywhere near the amount that Onondaga Lake Park could. Mr. Cooley said Onondaga Lake is their central park; the County parks are diverse, driven by variables including the accessibility issue at Onondaga Lake Park. Mr. Cooley said for those who go to Highland Forest numerous times per winter, it would cost less with a season pass, feels the number is practical and the fairest way to charge is per person; they want to be consistent.

Mr. Cooley said the feedback from cross country skiers is that they want to buy a season pass because they understand the value they are getting. The norm at other cross-country areas is \$15 per day. In answer to Mr. Kinne, Mr. Cooley said they employ 7 people at Highland Forest in the winter, would need less if they didn't have cross-country skiing.

In answer to Mrs. Rapp, Mr. Cooley said this revenue would go into their general operating budget in the Parks Department.

A motion was made by Mrs. Rapp, seconded by Mr. Masterpole to approve this item; Ayes: 5; Opposed 1 (Kinne); MOTION CARRIED.

The meeting was adjourned at 9:37 a.m.

Respectfully submitted,

Johanna H. Robb
Deputy Clerk

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**PLANNING & ECONOMIC DEVELOPMENT COMMITTEE - JANUARY 11, 2010
KATHLEEN A. RAPP, CHAIR**

**MEMBERS PRESENT: Mr. DeMore, Mr. Stanczyk, Ms. Williams, Mr. Dougherty
ALSO PRESENT: see attached list**

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

1. Confirming Reappointment and Appointment to the Cooperative Extension Association of Onondaga County Board of Directors (Monica Williams, Judith A Tassone)

A motion by Mr. DeMore, seconded by Mr. Stanczyk, to approve this item. Passed unanimously; CARRIED.

2. ECONOMIC DEVELOPMENT: Mary Beth Primo, Director; Peter Greveling, Senior Vice President O'Brien & Gere
a. A Local Law designating a Regionally Significant Project within the Onondaga County Empire Zone (Empire Tissue)
(project description on file with Clerk)

Ms. Primo stated projects must reach a ratio of 10 benefits to 1 cost for this program. Empire Tissue's ratio is 13 to 1.

Mr. Greveling stated that Empire Tissue is purchasing the property from Honeywell. The company will produce recycled tissue, towels and napkins. This project will recycle a brownfield site, putting it back on the tax rolls and create 82 well paid positions. This is a 24/7 green operation, even the sludge created in this process will be recycled into animal bedding. When the bedding is soiled it gets put onto fields. The remediation of this site is capping by pavement. This pavement will be used for roads, parking and foundations. Contaminates remain in place under the capped area.

In response to Mr. Dougherty, Mr. Greveling stated that 20 acres are lightly contaminated with chlorobenzene. The DEC has agreed that remediation can be made by capping the site to keep everything contained.

Mr. Stanczyk asked for a timeline.

- Erosion and sanitation control beginning March or April 2010
- Foundation construction beginning July 2010
- Operational mid 2012

In response to Mr. Stanczyk, Mr. Greveling stated that Honeywell pays O'Brien and Gere. They are working with Honeywell and Empire Tissue. Honeywell has the liability to pay for the capping. Empire Tissue will pay for and install the foundations. Both will receive tax credits for expenditures related to capping and closure of the brownfield site.

Mr. Greveling confirmed that Honeywell is responsible for capping this site with or without the sale of this property.

Mr. Stanczyk questioned how the site is closed if it is just capped. Mr. Greveling replied a relatively impermeable cover is placed over the site so that water cannot get through. By capping the site, the contaminants are contained. This is an acceptable means of remediation. In response to Mr. Stanczyk, Mr. Greveling stated that where there are erosion and sedimentation control ponds, an impermeable liner will be used so that collected water cannot percolate through.

A motion by Ms. Williams, seconded by Mr. DeMore, to approve this item. Passed unanimously; CARRIED.

In response to Chair Rapp, Ms. Primo stated that the project has not received Empire Zone designation from the State. They are working on getting the necessary paperwork from the towns for submittal.

In response to Chair Rapp, Ms. Primo stated that Empire Tissue was counting on Empire Zone Designation for this project. Mr. Greveling added they are pursuing the financing concurrently, but are counting on Empire Zone benefits.

c. Discussion: 2010 Marketing Plan (2010 Economic Development Marketing Plan on file with Clerk)

2010 Economic Development Marketing Plan Budget

Dollars % %

<u>Business Attraction</u>		37%	
Tradeshows and Events	\$32,000	21%	
Memberships	\$11,000	7%	
Hosting Events (site selectors, corporate executives, SESAME)	\$2,500	2%	
*Print and electronic marketing material	\$6,500	4%	
*Research	\$3,500	2%	
<u>Local Business Development</u>		34%	
Local marketing/events/meetings/trade shows	\$20,500	14%	
Outreach and fulfillment program	\$15,000	10%	
Global competitiveness (SESAME)	\$6,000	4%	
*Print and electronic marketing materials	\$6,500	4%	
*Research	\$3,500	2%	
<u>Website</u>		29%	
**Redesign of the website	\$40,000	27%	
Hosting/Maintenance	\$3,000	2%	
	\$150,000	100%	100%

* Marketing and Research Collateral is used for both Local Business Development and Business Attraction

** \$20,000 for website redesign from 2009 Marketing Budget

Ms. Primo reviewed highlights of the Marketing Plan

- \$15,500 dedicated to retention
- \$11,000 dedicated to improving global marketing
- New event targeting Agriculture

- New event targeting Manufactures and Supplies
- Increased marketing for the Road Show
- Limit participation in trade shows to those well suited for Onondaga County
- Increased funding to electronic development marketing tools

Chair Rapp asked how the success of this plan is measured. Ms. Primo stated they have not tracked their success in the past. It is very difficult to measure.

Ms. Smiley stated that the current website has very little tracking. The new website will provide this information.

Chair Rapp asked if they were working and pooling funds with the City on these projects. Ms. Primo replied, they were and thought there would be good news coming out soon about their joint efforts.

Mr. Stanczyk asked if there is a link to their site from the City's website. Ms. Primo stated they are the host website for more than 20 organizations. www.syracusecentral.com

In response to Chair Rapp, Ms. Primo stated that the participating partners of the website do not put funds into development of the site. The County has control over the website which is one of the reasons for incurring the cost.

Mr. Dougherty asked how often the website would be redesigned. Ms. Smiley stated that one of the reasons the current website is not "user friendly" and up-to-date is the cost for changes. With the new site, they will be able to edit and update the site themselves, without having to pay an outside source for each change made to the site.

Mr. Dougherty asked if the County had a web designer. Ms. Primo stated that the County has an IT Department, but she does not believe they have the expertise or the time to design a website. Mr. Dougherty stated it might be cost effective for the County to have someone on staff. Mr. Stanczyk agreed.

In response to Mr. Dougherty, Ms. Primo stated that she did not know how trade shows were tracked in the past, as the Development Manager Position was abolished at the end of 2009. Mr. Dougherty stated that it would be easier to agree with these numbers if there was tracking to back them up.

Mr. Dougherty asked if there was tracking on companies expressing interest. **Ms. Primo stated they could look back at last year and provide the numbers.**

Mr. Dougherty stated that his focus on tracking is to see which of these budgeted items is most successful.

b. Amending the 2010 Onondaga County Budget to Provide Funding for the Economic Development Marketing Plan (\$82,500)

A motion by Chair Rapp, seconded by Mr. Stanczyk, to approve this item.

Mr. Stanczyk stated that 95% - 98% of the job creation comes from businesses already in Onondaga County. He believes other organizations are focused on bringing in new business and that our Economic Development Department should focus on local employers.

Passed unanimously; CARRIED.

The meeting was adjourned at 11:15 a.m.

Respectfully submitted,

Katherine M. French
Assistant Clerk

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**PUBLIC SAFETY COMMITTEE MINUTES – JANUARY 12, 2010
CHAIRMAN PATRICK KILMARTIN**

MEMBERS PRESENT: Mr. Dougherty, Mr. Meyer, Mr. Masterpole, Ms. Williams

ALSO PRESENT: *see attached list*

Chairman Kilmartin called the meeting to order at 9:00 a.m. ***A motion was made by Mr. Masterpole, seconded by Mr. Meyer to waive the reading and approve the minutes of proceedings of the previous committee. MOTION CARRIED.***

1. EMERGENCY COMMUNICATIONS: John Balloni, Commissioner

a. Transfer of Funds from Overtime Account 102 (\$20,000) and Travel Account 402 (\$5,000) to Maintenance, Utilities & Rent Account 413 (\$25,000)

- Overtime account has surplus of \$30,000 due to a program to hire to fill all vacancies
- Travel account surplus \$10,000 - closely related to overtime. Employees that work more than 3 hrs. beyond their shift get a \$7 meal allowance per contract.
- Hole created in maint., util. & rents accounts due to an error. When radio consoles (main console used to dispatch everyone) were bought 5 years ago, maintenance was included. At the end of 5 years the maintenance stopped. He and the contractor didn't realize it had expired; \$25,000 covers the cost of the contract through '09.
- In process of getting a new maintenance contract for 2010; bid going out this month

- Contract will pay for repairs needed if something breaks; need 24/7 response on radio consoles – contract calls for minimum 2 hr. response, but they respond usually within a half hour
- Pay as it breaks is not an option – need service 7 days a weeks, with minimum call up time

In answer to Mr. Meyer, Mr. Balloni said that the contract expired in June 2009, cost about \$11,000 per month. The contractor carried them for a while, and there was some leeway in the maintenance, utilities and rents account to carry it forward. A contract is budgeted for 2010.

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

Chairman Kilmartin asked about the work done to try to backfill positions to minimize overtime. Mr. Balloni explained that DMB assisted them – did a staffing study. They filled all openings, implemented overfilling (hired people over allotted positions) knowing that while people they are in training others will retire, get another job, and 50% of people don't make it through the training. They filled all gaps, and at times throughout the year had 150 positions and 150 people on payroll. It has taken nearly a year to hire the people because of the training process, which takes 6 – 8 months. In answer to Mr. Kilmartin regarding impact to the budget; Mr. Petrela explained that it started to get lower in 2008, even lower in 2009, and is projected to be lower in 2010. The overall impact is substantial.

Mr. Masterpole seconded the motion. Passed unanimously; MOTION CARRIED.

In answer to Mr. Masterpole, Mr. Balloni explained that the contract extension for 2009 contract was done as an emergency extension.

b. Authorizing an Agreement between the County of Onondaga and Madison County for the Replacement of a Communications Tower at Highland Forest

- Madison Co. will build a tower at Highland Forest; they need a higher tower than what is currently there.
- Onondaga Co. cooperatively has shared equipment with other municipalities for years--never a cost. If there is extra space on towers, other municipalities are allowed to use that space for emergency service.
- Madison Co. is building a new radio system which will link to Onondaga Co.'s system and share the master site
- Onondaga Co. will have a new tower built in place of the current tower; will last a long time and County won't have to put significant money into it
- Onondaga Co. will allow Madison Co. use of the tower. There is a permit agreement and SEQR.
- It is a stand-alone tower, 160' (under the 200' requirement for lighting); about 40' taller than current tower
- Tower will be built in basically the same area; equipment transferred from old to new tower and the old tower will be taken down
- Counties will have joint ownership

In answer to Mr. Masterpole, Mr. Balloni explained that the tower will go through County building requirements. It will be painted green and will be unobtrusive in the forest.

Mr. Dougherty asked about towers being used for commercial purposes, Mr. Balloni explained that if there is available structural strength in the tower, capable of handling it, beyond the County's emergency needs, it is rented out. There are several existing agreements. Highland tower will never have commercial, as a lease on a tower on park land triggers and alienation of park land. State legislation would have to be passed to allow any commercial users.

Chairman Kilmartin asked about the agreement between the two parties; Mr. Balloni said it is a permit and provided copies of it to the committee members (*on file with Clerk*). Mr. Meyer questioned why the resolution refers to an "agreement" while Mr. Balloni references as "permit". Mr. Balloni explained that it is an agreement between the two parties. Mr. Meyer stated that the resolution and permit are conflicting regarding maintenance responsibility. Chairman Kilmartin reviewed the agreement and noted that Onondaga Co. owns the real estate and present tower; Madison Co. will build a new tower, take down the older tower at their cost and expense. Mr. Balloni said that Madison Co. will transfer equipment and install equipment; they will build a new shelter to house their equipment. The old shelter will remain and be maintained to house Onondaga Co.'s equipment. Per the agreement, Madison Co.'s equipment is their responsibility and Onondaga Co.'s is its responsibility. Maintenance on the tower itself is Onondaga Co.'s responsibility, as it is today (i.e. painting, inspections, safety precautions) for the duration of the agreement. Chairman Kilmartin asked what happens if there becomes a requirement for replacement, i.e. because of a windstorm. Mr. Balloni said that both counties own the tower equally and will equally share responsibility. In answer to Chairman Kilmartin, Mr. Murphy stated that the Onondaga Co. is self insured up to \$2 million and has casualty insurance.

Regarding indemnification language, Mr. Murphy referred to paragraph no. 4, page 3, of the agreement.

In answer to Chairman Kilmartin regarding any other similar agreements in place with Madison Co. Mr. Balloni said that Onondaga Co. is working on an agreement with Madison Co., where they will share Onondaga County's master site to run their radio system. It is part of a 5-county regional radio system.

Mr. Lesniak asked what the major modification is from the proposal that was brought forward previously. Mr. Balloni said that this is a permit, which is revocable, rather than a lease. A lease triggers the alienation of parklands. Mr. Lesniak asked about conversations with the State, and this proposal was going to be presented a few months ago. It was realized that it would take 2 years to go through, as the State had to take actions for Madison Co. to build this on parkland. He asked if there will be a question of "who's right"--- NYS or Dept. of Parks and Historic Preservation. Mr. Balloni said that they could run into "who's right"; this is the moral thing to do rather than build 2 communications towers very near each other. Mr. Lesniak said that he would hope that Madison Co. would take most of the point on this, as Onondaga Co. is doing this for them. Mr. Murphy explained that it started out as a 50 year lease. Any court cases on alienation refer to a sale or long-term lease. There aren't any cases that say that a revocable permit is alienation.

Mr. Meyer asked about the cost. Mr. Balloni estimated it to be about \$150,000, but it hasn't been bid yet. Mr. Meyer questioned why a depreciation schedule it wasn't included in the permit. Mr. Murphy referred to paying the appraised value at the time, which he believes considers the depreciation. Mr. Balloni said that he doesn't ever see Madison Co. not wanting to utilize this tower.

A motion by Mr. Meyer, seconded by Mr. Dougherty to approve this item. Passed unanimously; CARRIED.

2. **PROBATION:** Andrew Sicherman, Deputy Commissioner

a. **Authorize Probation Dept. to Apply for Grant Funds to Provide for Alternatives to Incarceration and Authorizing the County Executive to Enter into Contracts to Implement this Resolution**

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

- \$336,000 allocated by NYS Probation Dept. for Onondaga Co.
- Programs have existed since 1983
- 3 programs:
- ATIP 1--48 probationers - work with City Treatment Court, Drug Court
- ATIP 2--32 probationers - halfway house or supported living program
- ATIP 3--73 probationers - second chances, intensive treatment--huge impact on keeping numbers down in jails. Works with a lot of individuals with dual diagnosis, i.e. mentally ill and chemically dependant
- Funds allocated by program -- ATIP 1: funding for probation officer's salary & fringes, case managers services, interdepartmental charges; ATIP 2: does not work with case manager, 60% of probation officer's salary & fringes, interdepartmental charges
- All programs receive 50% reimbursement of expenses from the State

Chairman Kilmartin asked that in the future departments provide detail of what the grants can and can't be used for and provide a break out of what the department plans to use the funds for. The detail should be provided with submission of the resolution in advance of the committee meetings.

In answer to Chairman Kilmartin, Mr. Sicherman explained that for the 2010 budget, the exact amount of the grant was presented.

In answer to Mr. Masterpole, Mr. Sicherman said that the success rate is about 50% of the cases they take in. In answer to Mr. Masterpole, Mr. Sicherman said that daily incarceration is about \$110/day locally and \$70-\$80/day on the State level. Mr. Masterpole agreed that the program is good but was also concerned about safety if someone were not incarcerated. Chairman Kilmartin noted that in the court system, if ATIP is proposed, there is usually discussion amongst the parties as to whether the person would be a good candidate. The Probation Dept. is drawn in to do an evaluation. It is based on severity of crime, prior conviction or lack thereof, circumstances, family structure, etc. Mr. Sicherman said that for the most part, these probationers have not committed additional crimes -- it is often a continued struggle with sobriety. Mr. Masterpole asked about the other 50%--the unsuccessful cases. Mr. Sicherman said that they are cases where they were given an opportunity at the halfway house or supported living, with inpatient, or support through case managers, and they did not respond, or they committed another crime.

Mr. Dougherty seconded the motion. Passed unanimously; MOTION CARRIED.

3. **SHERIFF:** Capt. Roy Graiten

a. **Authorize the Co. Exec. to Enter into an Agreement with the State of NY Unified Court System**

Reimbursement from NYS for funding court attendants for court security.

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

- State took over court security function 3 years ago; State does use court attendant title
- At the time of transition there was an agreement that no one would lose a job.
- Court attendants remained in positions; positions are eliminated through attrition. Currently 11 fulltime and 7 per diem part time
- As someone leaves, they are not replaced by the County; State decides if they will fill the position with their employee

In answer to Mr. Masterpole, Mr. Graiten said that they are strictly court attendants, not police officers. In answer to Chair Kilmartin, Mr. Graiten said believes that most are closer in age to retirement than mid career.

Mr. Masterpole seconded the motion. Passed unanimously. MOTION CARRIED.

4. **Confirming Reappointment to the Onondaga County Jury Board (Robert D. Warner)**

A motion was made by Mr. Masterpole, seconded by Ms. Williams to approve this item. Passed unanimously. CARRIED.

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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HEALTH COMMITTEE MINUTES - JANUARY 12, 2010
ROBERT D. WARNER, CHAIRMAN

MEMBERS PRESENT: Mr. Laguzza, Mr. Meyer, Mr. Holmquist, Mrs. Ervin

ALSO PRESENT: Mr. Lesniak and see attached list (*Attachment 1*)

Chairman Warner called the meeting to order at 10:15 a.m.

A motion was made by Mr. Laguzza, seconded by Mr. Meyer to waive the reading of the minutes and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.

1. **HEALTH:** Linda Karmen, Deputy Commissioner

a. **Amending the 2009 County Budget to Accept State Grant Funding for the Healthy Mom – Healthy Baby Prenatal and Postpartum Home Visiting Program Grant, and Authorizing the County Executive to Execute Agreements to Implement this Resolution (\$535,172)**

- Grant awarded by the New York State Health Department
- Grant comes in two parts:
- Planning - \$267,506
- Implementation - \$267,666
 - Use of funds targeted towards:
- Early identification of Medicaid eligible moms and babies who are at risk for poor health outcomes
- Infrastructure
- Improving coordination of referrals to services in the community
- Improving outreach services and home visiting services.

Ms. Karmen said this grant is targeted to Medicaid eligible moms and babies. Ms. Serrao, Director of Maternal & Child Health Services, said they receive about 3,200 referrals per year; there are about 2,200 Medicaid births annually. Dr. Morrow said these grants were awarded to the six counties in the state with the highest rates of poor birth outcomes.

In answer to Mr. Laguzza, Dr. Morrow said the County's poor birth rate is much better than twelve years ago. Poor birth rate for black infants in the city is 2.5 to 3 times that of white infants in the suburbs. Ms. Karmen said they will make the standardized state health department referral form more widely available to referral agencies through the perinatal website and will make the network wider. Ms. Serrao said the majority of referrals come through primary providers, they are trying to strengthen referral from WIC (97% of women on Medicaid are utilizing WIC). Dr. Morrow said the infrastructure they have had for the last decade has eroded due to other programs in the community getting less support, this grant will provide them with the opportunity to keep the infrastructure whole and improve it. **Mr. Laguzza requested a report on the progress with this grant in three months.**

In answer to Mr. Meyer, Ms. Karmen said they would not be hiring personnel, this will enable them to continue to cover a nurse position that was unfunded in the 2009 budget when the PCAP program was eliminated; the administrative clerical staff will provide support. Dr. Morrow noted that the State requires that some of the funds go to their subcontract agencies, it is meant to be a partnership. Mr. Meyer asked if the implementation portion of the grant application has been broken down. Ms. Wilson said the State gave the award recently and told them to come up with a budget. Mr. Meyer asked if they feel the numbers are reasonable to accomplish the mission. Dr. Morrow said "yes". Dr. Morrow said if they can demonstrate results, the intention is that this will be a multi-year grant.

A motion was made by Mr. Laguzza, seconded by Mrs. Ervin to approve this item; passed unanimously; MOTION CARRIED.

2. **MENTAL HEALTH:** Barry Beck, Director of Contract Service

a. **Amending the 2010 County Budget to Accept Additional Funds from the New York State Office of Mental Health for the Promise Zone Initiative, and Authorizing the County Executive to Enter into Contracts to Implement the Intent of this Resolution (\$634,000)**

- One of three municipalities awarded funds as part of the "Promise Zone" initiative – three urban areas are Erie and Onondaga counties and New York City
- To assess, organize and partner with other entities to improve the mental health services for students in the Syracuse City School District
- Partnering with the Syracuse School District, Say Yes To Education and certain local mental health providers
- Annual funding
- No local dollars

Ms. Parmalee said data indicates anywhere between 5% and 10% of children have a serious emotional disturbance. Grant will support them in understanding how the schools and the community address the needs of these children relating to behavioral health issues, drug and alcohol issues along with mental health – looking at the whole child more than they have in the past, State funding is usually very targeted and specific. Assessment should be completed by April or May.

Mr. Laguzza expressed concern about the kids during the summer months, mentioned the cuts to the Student Assistance Program that is funded only through June. Mr. Beck said they could probably look at some programming during the summer if the assessment is done early enough. **Mr. Laguzza requested them to come back to committee before school lets out concerning their plans for the summer months.** Ms. Parmalee said one step would be to see that the children are linked up with one of their local clinics or other agency providers that can support them through the summer. The assessment is across the district – will be looking at the role of the social worker, and how the social worker in the school is supported to do crisis intervention and offer the types of services most necessary for kids with behavioral challenges, to make sure the social workers have the skill sets.

Mr. Warner requested that a letter be sent to each committee member regarding the results of the assessment and what they plan to do.

Mr. Lesniak asked who would do the assessment of the children once Student Assistance is gone. Ms. Parmalee said that is one of the main reasons why they are going through this review – to make sure that in every school the appropriate people are assessing with the appropriate tools; they will be assessing the services that are provided to the children, they will be looking at gaps and how to address them.

Mr. Holmquist noted that Student Assistance counselors are not necessarily going away; schools could find alternative sources of funding. Mr. Beck said there is nothing to stop a Student Assistance counselor from applying for a position that might become available due to this grant. Mr. Holmquist asked if they received the funding and then were told to come up with a budget. Mr. Beck said "yes", unlike a grant that they would apply for; they were approached by the State as one of the counties in need.

Mr. Meyer asked if they are looking to fill County positions with any of the money. Mr. Beck replied "no". In answer to Mr. Meyer, Ms. Parmalee said they have already provided trauma training for all social workers, psychologists in the district, will be providing mental health first aid training, baseline training for individuals who are mental health commissioned within the schools. Mr. Meyer asked if there were any guidelines, will it be cookie cutter to Erie County and New York City. Mr. Beck said there will be discretion between the three municipalities; they are not looking at identical programs. Mr. Beck said there is no indication of a time limit with this funding or that it would end with a certain year. The funding is good through this fiscal year which ends March 31, does not have any information on the next fiscal year. **Mr. Meyer requested to be provided with a breakdown of the \$204,000 startup and \$430,000 annual when available.**

Mr. Lesniak noted that when the final assessment is done and recommendations are made, we need to know the cost of the services that are needed.

A motion was made by Mr. Laguzza, seconded by Mr. Meyer to approve this item, passed unanimously; MOTION CARRIED.

The meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Johanna H. Robb
Deputy Clerk

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**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – JANUARY 13, 2010
CHAIRMAN JAMES A. CORBETT**

MEMBERS PRESENT: Mrs. Tassone, Mr. Buckel, Mrs. Rapp, Ms. Ervin

ALSO PRESENT: *see attached list*

Chairman Corbett called the meeting to order at 10:00 a.m. ***A motion was made by Ms. Ervin, seconded by Mrs. Tassone to waive the reading and approve the minutes of the proceedings of the previous committee. Passed unanimously; MOTION CARRIED.***

1. **LAKE IMPROVEMENT:** Patty Pastella, Commissioner
 - a. **ACJ Update**

Harbor Brook Interceptor Sewer Replacement:

- No construction schedule yet
- Bids received Nov. 2nd; J.J. Lane low bidder \$12 million; notice issued on Nov. 25th

Revisions to ACJ

- Issuing RFPs for work required under revised ACJ
- Green initiative proceeding; participating in presentations for public education & outreach program; promoting Save the Rain Campaign (billboards)

Projects Under Construction:

- Harbor Brook Interceptor – completed CSO 051

In answer to Chairman Corbett, Ms. Pastella noted that the skimmer boat starts in May.

2. **Confirm Appointment to the Onondaga Co. Soil & Water Conservation Dist. Bd. (C. Thomas Trinder)**

A motion by Chair Corbett, seconded by Mrs. Rapp to approve this item. Passed unanimously; CARRIED.

3. **Confirming Reappointment and Appointment to the Onondaga County Soil and Water Conservation District Board (James M. Rhinehart, Martin D. Masterpole)**

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

4. **Confirming Appointment to the Onondaga County Resource Recovery Agency (Lee Klosowski)**

Mr. Klosowski is the energy person in the County; this is a recommendation of the County Executive.

A motion by Mrs. Rapp, seconded by Ms. Ervin to approve this item. Passed unanimously; CARRIED.

5. **Confirming Appointment to the Region 7 Forest Practice Board (Robert DeMore)**

A motion by Chair Corbett, seconded by Mrs. Rapp to approve this item. Passed unanimously; CARRIED.

6. **Confirming Reappointment to the Region 7 Fish and Wildlife Management Board (James A. Corbett)**

Chairman Corbett noted that he has been on the board for 12 years; served as the State representative, Deputy State representative, Chair and Vice Chair. The appointment keeps him abreast of environmental issues that parallel with Environmental Protection Committee. In answer to Mrs. Rapp, Mr. Corbett said that his involvement with the ESF collaboration with Carpenters Brook will be through the Sportsmen representative, Onondaga Co. Sportsman Federation, Steve Wolenko--part of Onondaga County's report to Region 7 Fish and Wildlife Management. The Sportsmen Federation does not feel that if the State took it over, they would be able to supply the type of services that are there now. They are putting forth in-kind and monetary input to make the transition from Onondaga Co. to a partnership between themselves, Onondaga Co. and ESF. Mrs. Smiley said that Chairman Rhinehart has asked to be part of the

committee meetings.

A motion by Mrs. Rapp, seconded by Mr. Buckel to approve this item. Passed unanimously; CARRIED.

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

a. Amending the 2010 County Budget to Accept Funds in Relation to a Project to Develop a Mechanistic Water Quality Model of Onondaga Lake and Authorizing the County Executive to Enter into Agreements to Implement the Project (\$835,800)

- ACJ requires the Co. to develop a sophisticated water quality model for Onondaga Lake
- DEC and EPA can make scientifically valid conclusions about management decisions on the lake
- Co. has worked on the model for a number of years
- Recent changes to ACJ called for additional process studies
- Timeframe to get studies done is short; have to get them integrated in the model by 2010
- State develops TMDL (total max. daily load) used to allocate contributions of various pollutants from sources
- Onon. Lake Partnership passed a resolution to grant County the funds to do the studies, as well as additional study work to be recommended by an independent scientific peer review panel in support of the model
- Work will be done by Anchor QEA, who is doing the lake monitoring work and will collaborate with UFI
- Independent Scientific peer review panel – supported by Lake Partnership, a panel of independent scientists, funded by EPA grant to Onondaga Environmental Institute who contracted with independent scientists from across the country to oversee model development and make recommendations

Chairman Corbett pointed out that the County is partnering with some of the entities that 10 years ago were on either side of line. It shows what great strides have been made with what has to be done around Onondaga Lake and is moving forward.

- Studies on environmental viability have been done before; new technology can now be used
- 70% Army Corp grant; match 30% with Pepsi Bottling settlement funds (earmarked to match fed. grant funds and Lake Partnership for these kinds of studies. After this match, the Pepsi balance will be approx. \$500,000
- Total projected project cost is approximately \$2.8 - \$2.9 million on water quality model; did know how much has been spent to date – estimated to be in the last 4th of 5th of funds in validation stage
- Sees no downsides--model will go into make decisions that will cost from \$100 - \$150,000,000—spending money upfront to make sure that the decisions to be made are scientifically defensible are worthwhile investments

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

b. Resolution Calling a Public Hearing in Connection with the Proposed Metropolitan Wastewater Treatment Plant Digester Cleaning and Improvement Project for the Onon. Co. Sanitary Dist.

Ms. Pastella explained:

- Clean digesters at Metro Wastewater Treatment Plant – anaerobic 3 primary, 1 secondary
- Wastewater is separated to liquid portion which is treated along the liquid stream; solids are generated through that process and go to anaerobic digesters. Total volume of solids is reduced, digested down by anaerobic bacteria; it produces digester gas, which is reused for building heat and co-generation unit
- During the process grit gets in the tanks which reduces volume and efficiency--periodically need to be cleaned
- Last cleaning done in 2000/2001
- Retrofits being made so that WEP personnel can clean them on more regular basis; won't have to issue large contract every 8 - 10 years
- Original allocation was \$2 million; increase allocation by \$3 million for total of \$5 million
- The original cost was a ballpark estimate several years ago; cost for dewatering solid has increased the unit cost and volume in tanks is different than anticipated

In answer to Mr. Buckel, Mr. Petrela said that this was part of the capital project. In answer to Mrs. Rapp, Mr. Petrela said that it is paid for by sewer unit charge. Mrs. Rapp asked about alternatives. Ms. Pastella said that the cleaning will be done by WEP personnel going forward, piping and valving modifications will be made to allow it to be done in house. In answer to Mr. Buckel, Ms. Pastella said that if the digesters are not put on a regular maintenance schedule to be done by WEP, then every 5 or 6 years they would need to be done by contract. Chairman Corbett said that by putting it on a maintenance schedule there should not need to be complete shutdown. Ms. Pastella said that they will have another project to include grit removal, which will also help the situation. The plan is to do it every 1 or 2 years by WEP personnel, take one tank down at a time, keep volume and efficiency up in tank. In answer to Ms. Ervin, Mr. Petrela said that \$2 million will be cash; \$3 million will be borrowed. The PPU will likely exceed 20 years.

A motion by Chair Corbett, seconded by Mrs. Rapp to approve this item. Passed unanimously; CARRIED.

c. Resolution Calling a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District of the County of Onondaga

- Improvements for Midland CSO abatement project
- Modify the project to include a green/gray combination to address CSOs required by new ACJ stipulation
- No new allocation of funds

Ms. Pastella provided a brief summary:

- Previous project was strictly gray
- In sewer sheds (Midland, Harbor Brook and Clinton) will combine existing gray infrastructure with additional green infrastructures – i.e. green roofs, porous pavement, bio retention basins, tree plantings, rain gardens, rain barrels, cisterns - capture rain before it enters combined sewer system—reduces flow to combined sanitary system and reduces overflow

Ms. Ervin asked about impact to community around the Midland area. Ms. Pastella said, for example, if porous paving is put in for sidewalks, there will be disruption of sidewalks. If there is a sewer separation project, there will be excavation in the streets separating storm sewer from sanitary sewer. Ms. Smiley said that they are working with City administration so that as projects are done in various

neighborhoods, they meet with various groups and get out information early so people understand the impact and timeframe. There will be many things that neighborhoods will be happy to see—a lot of greening of the city.

In answer to Chairman Corbett, Mrs. Smiley said that they are working with the City regarding the requirement that each sidewalk currently has to have its own permit approved by the City. The County wants to get past ordinances related to pavements; there could be a lot of water capture in parking lots.

Ms. Pastella explained that gray will still continue in Midland, but not as significant as originally planned. There will be a short section of pipeline; there will be floatable control facilities at CSO locations. In answer to Ms. Ervin, Chairman Corbett said that a benefit is the area that received \$3 million, with the community groups determining how the money best be spent. Mrs. Smiley said that they are paying out the mitigation money for various projects. Mr. Buckel said that as projects go forward, it should be ensured that residents who live there are in jobs for the projects. Mrs. Smiley said that there are provisions within the contracts for minority and women businesses and the amounts that have to be met. They are working with various entities regarding green as to what the green jobs will be down the road. They recently worked with ESF to write a grant to train businesses, look at jobs that can develop, and give opportunities to people in the neighborhoods. If the money is given to a business for green infrastructure, they have to maintain it and they get extra points for jobs related to it. A number of agencies are working on proposals to provide training and mentoring for people for the green jobs component. Mrs. Rapp asked if there will be tracking reports. Mrs. Smiley explained that not all will be done by the County, but over time data can be captured. She will work on something within the policy group to provide feedback.

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

d. A Resolution Calling a Public Hearing in Connection with Proposed Improvements for the Onondaga County Harbor Brook CSO Improvements of the County of Onondaga, New York

- No additional allocation
- Utilizing authorized \$31.5 million for Harbor Brook; revise resolution to allow for a combination of green and gray

In answer to Mrs. Rapp, Ms. Pastella reported the green to gray proportion: Midland \$70 million gray, \$9 million green; Harbor Brook \$53 million gray, \$12 million green; Clinton \$50 million gray, \$29 million green.

A motion by Chair Corbett, seconded by Mr. Buckel to approve this item. Passed unanimously; MOTION CARRIED.

e. A Resolution Approving the Revised Project Plan relating to the Clinton Street Conveyances and Regional Treatment Facility in and for the Onondaga County Sanitary District

- Public hearing was held
- Approving revised plan allowing use of combination of green and gray to address the ACJ

A motion by Chair Corbett, seconded by Mrs. Rapp to approve this item. Passed unanimously; MOTION CARRIED.

f. BOND RESOLUTION - Amending the Authorized Purposes for which Bonds of the County of Onondaga have been Authorized to Pay the Cost of Certain Improvements for the Clinton Street Conveyances and Regional Treatment Facility in and for the Onondaga County Sanitary District

- Authorizes payment for the cost of the improvements for Clinton St. conveyances
- No revised allocation; going from green to gray; \$79 million original amount
- Change in scope of work

Mr. Buckel asked if this is an extra caution; Mrs. Tarolli said that Bond Counsel said that it needed to be done. Mr. Lesniak asked if the number is flexible for either green or gray under bonding. Mrs. Tarolli said that the cap is \$79 million, but doesn't believe there is a limit on percentage of how much green and how much gray.

In answer to Mr. Buckel, Mrs. Smiley stated that the revised ACJ included specific projects that were spelled out that we will do and won't do. There is a commitment by percentage of volume capture and how much green has to be utilized to get that capture; they are specific by dates. The green projects may ebb and flow based on how well we are doing and what opportunities present themselves. If by chance more volume capture is made by green, may be able to do less in terms of gray; intent is to do as much as possible with green, as it never would need to be pumped, treated, and is environmentally friendly.

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

g. INFORMATIONAL: Enact Local Law No. 2010, a Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes

Chairman Corbett stated that this is strictly informational; it has been worked on for at least 6 months and he has had some input.

Louis Mendez, Deputy County Attorney, explained that a year ago a group was convened with representatives from WEP, Executive Office, and Law Dept. to look at approaches to address the capacity issues and limitations on wastewater capacity events that result from extraneous flow, inflow infiltration (storm water & groundwater that come into the sewer system that use up available transportation capacity and treatment capacity at the treatment plant). A number of problems could result from those kinds of conditions. The impetus for this is efforts at federal and state levels to try to get municipalities who own wastewater treatment plants and collector systems to reduce the number of sanitary sewer overflows and related problems. After many meetings, review of ordinances and local laws from other communities, and looking at current regulatory structure, a determination was made that the most effective approach to address the capacity concerns would be to put together a local law. It would leverage the WEP Commissioner's existing authority into a mechanism that allows for a comprehensive scheme based on consultation with other municipalities during the course of approval authority of the projects. It provides for structure in an orderly way; removes sources of inflow, and infiltration from the system on a quarterly basis, within a period of 5 years after enactment of the legislation.

Mr. Buckel asked what the big picture concept is that the homeowner and business owner needs to be aware of; is the intent to phase out any connections anywhere into this system in some orderly fashion. Mr. Mendez said that it is.

In answer to Mrs. Rapp, Chairman Corbett explained that during a certain period of building, the storm water was allowed by code to go into CSOs. He advised all legislators to look at this; down the road it will impact development. To sell a house, it will be required by law to make sure it is inspected, and corrections made before it is sold.

Mrs. Smiley said that this is a program that will not occur overnight; there are provisions for hardships and waivers; things that can be done to mitigate. There is a provision for a program – work with towns and homeowners and look at possibilities in terms of sharing. It is public funding, so there has to be a public benefit to the system. They will have other informational sessions, reach out to towns, work with the City, get feedback, and make any necessary modifications. They hope to pass this at the May session. Towns often build pumping stations, or sewage treatment type facilities. They turn them over to the County and they are often not built to the specifications that the County uses; the County takes on problems. In working with the towns and villages, this gives the County more of a seat at the table. In working with homeowners, as houses are turned over at point of sale, it corrects some of the issues before the next individual moves in.

Mrs. Rapp asked if this will encompass all development. Mrs. Smiley said “yes” and explained that many of the older housing stock are not currently up to NYS code, 1990 and before. Mr. Mendez said that much is before 1980, but 1990 was chosen because the first local law dealing with this issue came into effect in 1990. For homes built before 1990, and where the Commissioner felt there was a problem, they could be eligible, subject to legislative approval, for financial participation and other forms of public programs to assist with the problems. Any house built after 1990 should not have any of the connection issues. Multiple residents are excluded because they are basically commercial operations.

Mrs. Rapp asked if the goal is to have county-wide zoning and planning parameters. Mr. Mendez said “zoning/planning would exceed jurisdiction. Wherever there is planning and approval, the goal would be to make it crystal clear that wastewater concerns have to be addressed at the planning and approval phase, not down the line after a project is constructed or well on its way.

Mrs. Smiley said that it can be discussed again at February committee; they will be reaching out to towns. There will be some people that won't want to change; she reminded the committee of all of the issues that the County has been dealing with. They are still open to comments and suggestions. Other cities have been very successful and more aggressive. Mrs. Rapp asked if this will add to the cost of construction. Chairman Corbett said that it shouldn't affect any new construction. If someone wanted to build a small plant and their process involved a large amount of water, they may have to construct their own treatment plant for discharge. Mrs. Smiley said that they will work with realtors on certifications to make sure there are no illegal connections.

Mr. Lesniak asked about enforcement or inspection. Mr. Mendez said that for residential property, at point of sale, the seller would be obligated by affidavit to attest to illegal hookups. A form will have to be created; they are working with the realty industry. Currently for property sold within the district, but outside the city, that requirement is already in place; this would be strengthening it to make sure it was enforced. For new construction, the municipality or construction inspector would be the certifying entity. Mr. Lesniak was concerned with at the sale of property, how the homeowner gets verification or an affidavit to say that there is no hookup to the sewer or storm water system. Mr. Mendez said that it will have to come up when the owner and buyer have the property inspector do the inspection. Mrs. Pastella explained that the home inspector will provide that service. Mr. Buckel noted that most likely lenders would start acquiring this type of affidavit as part of their closing, as they would not want to take a mortgage on a property that doesn't comply. Mr. Mendez said that the affidavit would be filed in two places: County Clerk and Div. of Plumbing; over time an inventory of properties could be matched against affidavits received.

8. Declaring the Policy of this Onondaga County Legislature Not to Allow Hydrofracking on Property Owned by Onondaga Co. Until Such Time as Potential Impacts are Identified and Addressed (Sponsored by Mr. Corbett)

Chairman Corbett explained that hydrofracking is short for High Volume Hydraulic Fracturing, a technology used in places (i.e. Marcellus Shale and Utica Shale) to draw gas. It has been a topic at the Region 7 Fish & Wildlife Board meetings. In December the Board put forward a request to extend the comment period from December 31st for 60 days. The request was denied. In the past month and a half there has been a lot of discussion on the topic and he has done a lot of work on it. He has heard comments that this may take away people's rights. The resolution addresses only County-owned property and has nothing to do with what an individual wants to do with his/her property. There may be other means of addressing that down the road. There is no doubt that this technology brings positive economic impact. At the same time, the NYS Water Quality, EPA, has stated strongly that DEC needs to place greater emphasis on the potential health impacts that may be associated with hydrofracking and further mitigation of potential adverse environmental impacts.

A month ago the County accepted a donation of land at Spafford Forest; he asked that research be done to see if there were any leases on it. In fact there was a 3-year lease on the property that had run out. There is a large amount of land currently leased in Onondaga County. Spafford Forest is dead in the middle of the vein of Marcellus Shale. The County has a lot of property that could very easily be used for hydrofracking. He has conferenced with the Office of Environment and the County Executive's Office.

He referred to a 12-page comment from Tompkins Co. He noted that it refers to the taxpayers not required to bear the financial cost of monitoring and tracking the wells; questions if the County health resources should be used to monitor; it looks at all groundwater, not just drinking water. He noted that the City of Syracuse came out strongly through their water commissioner, with concern for certain aquifers that provide drinking water. The DEC's permitting uses the terms “proposed” or “suggested”; there is concerns from environmental groups that the language be tightened up to ensure the protection of public health.

Hydrofracking uses millions of gallons of water along with certain chemicals to push and form shafts. The byproduct is all of the water coming back and the waste. The question is where does it go. It was found through the DEC Committee, that any places that have waste treatment plants are starting to be asked consider taking the waste, probably at a cost. He questions if Onondaga County wants to allow drilling and also have the waste go into its system.

Chairman Corbett referred to language in his resolution.... *balance environmental health concerns with the desire for adequate energy resources and economic development*. He said that as a County we need to ensure that it doesn't happen on County land. He referred to

a RESOLVED clause ...policy that hyrdofracking shall not be allowed on property owned by Onondaga County until potential environmental and economic impacts are identified and addressed -- until such time that the EPA or DEC can provide the community the correct assurances that this has been studied and reported on what the impacts are.

Horizontal drilling can occur on someone else's property; they are allowed to through so many feet of your property and actually draw the gas from your property. They can legally give you a check, even though you didn't OK it, and legally satisfy the requirement that they inadvertently had taken the gas from your property. The water needed for the process is taken from ponds or streams and transported to another area. It takes whatever bacteria are in that water and introduces it to another area. When Onondaga Lake first became polluted, it was all done legally--permits and discharges were in place. Over the years certain things happened that weren't within the permits and the lake started to become polluted. Nobody stopped to look at what the cumulative long-term effects would be on the lake. With hyrdofracking, there may be a rush to free ourselves with certain other types of energy; but we may not be looking at the cumulative effects to the land. He would hate to say that 40 years from now we have to address brown fields because of the residue left after the mines.

Mr. Buckel recommended strengthening some of the language. As he looks at the number of wells and leases granted for the potential areas around Skaneateles Lake, he is horrified. It is a danger to the water system. He would ban hyrdofracking in all of Onondaga County until we have an independent, verifiable scientific analysis. The single, most important, strength our nation has is water. To tread lightly because of economic interests and gas, without doing everything to protect the watersheds throughout the northeast, is irresponsible. A message should be sent to the State and Federal governments to slow down, as the northeast quadrant has the single, most important, fresh water resource in the entire world. Chairman Corbett said that he didn't disagree. When he put the resolution together originally, it included some very stringent language. He conferred with legal and other environmental groups and found that this step has to be taken, as he is not certain that the County can ban hyrdofracking on private land. As Onondaga County, we can pass this and not allow it on County land vs. a memorializing resolution that would go to the State. This will show EPA that Onondaga County agrees it should be stopped for that lands it processes.

Mr. Buckel said that right now there is a massive push by the energy industries to blindly accept their scientific data and there are problems with that. Regarding the extent of the County's ordinance authority, there is larger county-wide authority, particularly when tied to water. If larger forces are going to ramrod this type of hyrdofracking on us, despite our concerns, he feels we do have the authority. Chairman Corbett stated that there are a few concerned citizens in the room that have expertise on this; they are giving seminars and can provide input at a later date.

Ms. Ervin feels that the County should go strong on this. Her constituents in Dewitt do not want to see hydrofracking accepted anywhere. She questioned how lines of distinctions can be draw. Chairman Corbett said that he doesn't believe we can stop someone else from doing something that is legal on their own property. He feels a lot of action will be seen over the next month that will hopefully bring hyrdofracking to a halt until a review is done.

Mrs. Rapp asked if there is a way to extract the gas other than hydrofracking. Chairman Corbett said that there is no other way to get the volumes obtained that is financially feasible. One thing being looked at now is to make every single well head permitted and monitored. In answer to Mrs. Tassone, Chairman Corbett said that studies will be done--doesn't think it will take years, but does not know how long they will take. Mr. Lesniak asked if at this point DEC has authorized any hydrofracking. Chairman Corbett said it is being done in other areas of the State, he does not believe it has been done around here.

Chairman Rhinehart said that the resolution is a good first step. There is a lot more at stake than just Skaneateles Lake watershed; Otisco Lake watershed is in there also. Recently the City of Syracuse has invested extensively to protect Skaneateles Lake watershed. Also, millions of dollars from NYS and Feds have been invested into both watersheds through Onondaga County Soil and Water. There is a big investment and a lot is at stake. Mr. Buckel clarified that he is not only concerned with Skaneateles Lake watershed; he is concerned with the entire region.

Tom Law addressed the committee; he doesn't think the comment period being closed off was legal. The closest meeting sites to Onondaga County were Chenango Forks or Ithaca. He feels that we were forgotten even though we have Marcellus Shale and Utica Shale. He feels DEC didn't give us a venue. He feels that the legislature should provide a resolution to the DEC. Chairman Corbett said that the 9 counties that make up Region 7 tried to do that. They were told it would be extended, and then later told that it would not be.

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

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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WAYS AND MEANS COMMITTEE MINUTES - JANUARY 26, 2010 CHAIRMAN CASEY JORDAN

MEMBERS PRESENT: Mr. Corbett, Mr. Lesniak, Mr. Holmquist, Mr. Kilmartin, Mr. Buckel, *Mr. Warner, **Mr. Kinne

MEMBERS: ABSENT: Mr. Stanczyk

ALSO PRESENT: *see attached list*

Chairman Jordan called the meeting to order at 9:35 a.m. ***A motion was made by Mr. Corbett, seconded by Mr. Lesniak to waive the reading and approve the minutes of proceedings of the previous committee. MOTION CARRIED.***

1. **COUNTY CLERK:** Jackie Norfolk, Principal Deputy County Clerk, Malcolm Merrill, Deputy County Clerk
 - a. **Amending the 2010 County Budget to Appropriate Funds from the Local Government Records Management**

Improvement Fund (\$150,000)

Records management money collected through mortgage taxes--to be used to scan records and store them.

A motion by Mr. Corbett, seconded by Mr. Kilmartin to approve this item. Passed unanimously; MOTION CARRIED.

*Mr. Warner arrived at the meeting.

b. Authorizing NYS Reimbursement for 2010 Expenses of the Recording Officer for the County of Onondaga for Administration of Mortgage Taxes (\$412,798)

Reimbursed annually from State for salaries for the mortgage tax collected

A motion by Mr. Corbett, seconded by Mr. Lesniak to approve this item.

Mr. Kilmartin asked for an update on paper files and transitioning to digital files. Mr. Merrill explained that there are no books for mortgage and deed documents anymore; all imaged on computer; moving toward doing that on the civil side. Will be imaging records that have a low retrieval rate, which will free up more space for current records. There has been some back scanning of land records, but not all have been scanned. Mr. Kilmartin asked if the counties that have gone digital have the records available online. Mr. Merrill stated that Oswego County has online records and it is very impressive.

**Mr. Kinne arrived at meeting.

Mr. Buckel asked if the State reimbursement was anticipated in the budget. Mr. Seitz said that the funds are budgeted; State requires a resolution be passed to authorize reimbursement. In answer to Chairman Jordan, Mr. Merrill indicated that a long term goal is to have access of records on-line.

Passed unanimously; MOTION CARRIED.

2. FINANCE, Div. of Real Property Tax Svcs. – Karen Carney, Director

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

Two corrections to 2010 tax roll – incorrect County sanitary units placed on two vacant pieces of property in Dewitt. The programs that the assessors use have a feature where when one parcel is subdivided into multiple parcels, it automatically copies all information from one parcel to the other. The parcel for Carrier Corp. has 166 units on it and it inadvertently got copied onto two vacant parcels. There have been discussions on how the County can assist in reconciling the units in the future.

A motion by Mr. Lesniak, seconded by Mr. Warner to approve this item. Passed unanimously; MOTION CARRIED.

3. BOARD OF ELECTIONS: Kathy Olszewski, Henry Vercillo

a. Transfer from 300 Supplies/Matls. to 972 Transfer to Grant, \$30,000

NYS is requiring that BOE provide street finders for inspectors. The Governor signed a new bill on October 28, 2009, so it was not budgeted for 2010. It is a listing of all streets in Onondaga County to be printed and bound. It can be printed in the department and copied in the print shop. There will either one per location or one per district, about 203 books, cost of at least \$21,000. In answer to Mr. Kilmartin, Ms. Olszewski said that the surplus is available because they budget for a full rollout of the voting system in 2009 and it didn't happen.

A motion by Mr. Corbett, seconded by Mr. Kinne to approve this item. Passed unanimously; MOTION CARRIED.

b. Amend 2010 Budget to Accept an Allocation of Fed. Grant Funds from NYS for Voting Access for Individuals with Disabilities and Authorize Co. Exec. to Enter into Contract to Implement this Res. (\$20,803)

This is State money to improve polling places to accommodate individuals with disabilities and set up a federal grant fund--unsure how the money will be used at this point. Mr. Lesniak asked if it has been determined what location need improvements. Ms. Olszewski said that they are temporary fixes, but knows that there are voters that had issues with privacy. Mr. Lesniak stated that privacy was an issue that was expressed to him even from non-disabled people and wonders if something could be uniformly used for both. Ms. Olszewski said that a lot of different things are being looked at. He said that there were inspectors observing the scanning in process. Ms. Olszewski said that training will be done to keep them away from the machines and holders will be provided for voters to put their ballots in.

A motion by Mr. Lesniak, seconded by Mr. Warner to approve this item. Passed unanimously; MOTION CARRIED.

4. ECONOMIC DEVELOPMENT: Mary Beth Primo, Director

a. Amend 2010 Budget to Provide Funding for the Economic Development Marketing Plan (\$82,500)

A request to transfer out of contingency account; \$150k was appropriated for marketing fund, a portion comes from OCIDA.

- Marketing fund attracts business to Onondaga County and the other portion is dedicated to the retention and growth of local businesses
- Emphasis shifted towards retention and growth of businesses \$51,500 (\$34%), \$55,500 attraction marketing (37%); \$43,000 redesign of 10 yr. old website (29%) .
- Metrics – looking at activities in market place to promote the County; look at results hoping to achieve
- Operational: Quality of leads received, cost per lead, target industry penetration, service utilization (local), leverage resources, track on website
- Outcome based: jobs created, retained
- Hope to put together a focus group with market professionals and legislators

Chairman Jordan asked about plans to make the business community more aware of resources available to them. Ms. Primo said that website resign will provide bulletins and newsletters; road show to continue; other initiation will supply chain issues, reaching out to

businesses with agriculture and food processing. Chairman Jordan suggested contacting businesses to make them aware of what is available. Ms. Primo said that they will be able to reach out more than in the past through the website. They have a huge email list that they send information out to. Last year they talked to Chambers of Commerce, Rotary clubs, information sent to other partners; reached out to over 50 companies--hope to make it bigger this year. In answer to Chairman Jordan, Ms. Primo stated that advertisements in trade magazines are part of the plan.

In answer to Mr. Lesniak, Ms. Primo said that the total marketing plan is \$150k; in the past it was split evenly with OCIDA. This year OCIDA's contribution is 45%. The \$82,500 represents 55% of the marketing plan. Mr. Lesniak asked if it is known where the \$82,500 will be going in the marketing plan; Ms. Primo said "no."

A motion was made by Mr. Kilmartin, seconded by Mr. Holmquist to approve this item. AYES: 7; NOES: 0; ABSTENTIONS: 1 (Kinne). MOTION CARRIED.

5. VETERANS SERVICE AGENCY: Robert McLean, Director

a. Transfer of Funds from Regular Employees Account 101 to All Other Expenses Account 410 (\$12,490)

Budgeted for 54 burials and had 59 burials; no affect on budget as there was a surplus in 101 funds in 2009.

A motion by Mr. Warner, seconded by Mr. Corbett to approve this item. Passed unanimously; MOTION CARRIED.

6. PARKS: Bill Lansley, Commissioner

a. Amend 2010 Budget to Accept a Grant from the New York State Environmental Facilities Corporation and Authorize the County Executive to Enter into Contracts to Implement this Resolution (\$9,000)

For a marina pump out system for sewage for the boating community; \$9,000 grant with \$3,000 in-kind match to install equipment by Parks personnel. It is a 12 year old system in need of replacement of equipment.

Mr. Warner asked about the cost. Mr. Lansley said it is included in the slip rental fee, up to \$1,000 per slip.

A motion by Mr. Corbett, seconded by Mr. Lesniak to approve this item. Passed unanimously; MOTION CARRIED.

b. Amend '10 Budget to Appropriate Funds from the Trust and Agency Acct. for an Expansion of the Vet. Mem. Cemetery and Authorize the Co. Exec. to Enter into Contracts to Implement this Res. (\$30,000)

Expand the Veteran's Memorial Cemetery by approx. 1 acre; current grave sites will get them through 2010 and then have to expand. Having it be an acre or less requires a lot less paperwork, storm waters, engineering, reports. etc., as well as a lot less to maintain. Mr. Cooley said that there are about 52 acres at the cemetery; about 20 are developed; enough space for about 2 more generations. In answer to Mr. Lesniak, Mr. Seitz said that after the \$30k is taken out, the estimated balance in the trust is about \$90,000.

A motion by Mr. Warner, seconded by Mr. Kilmartin to approve this item. Passed unanimously; MOTION CARRIED.

7. EMERGENCY COMMUNICATIONS: John Balloni, Commissioner

a. Transfer of Funds from Overtime Account 102 (\$20,000) and Travel Account 402 (\$5,000) to Maintenance, Utilities & Rent Account 413 (\$25,000)

A motion by Mr. Kinne, seconded by Mr. Kilmartin to approve this item.

There is extra money in overtime and travel accounts largely due to a program implemented to increase staffing at authorized levels, which has cut overtime expenses. Travel account is directly related to overtime, as when overtime is paid for 3 or more hours beyond an employee's shift, they are entitled to a \$7 meal allowance by contract. The meal allowance makes up the majority of the travel account. The utilities account is short, as there was an oversight regarding radio console maintenance. It had been included 5 years ago when the new radio consoles were purchased. It ran out in mid-June; a temporary contract was implemented (month to month), while it the contract was being put out to bid. It left a \$25,000 shortfall in 2009 maintenance account. It was budgeted for 2010. Mr. Kinne questioned if something will be put in place so that it doesn't happen and it is known when contracts run out. Mr. Balloni said that it will be.

Passed unanimously; MOTION CARRIED.

b. Authorizing an Agreement between the County of Onondaga and Madison County for the Replacement of a Communications Tower at Highland Forest

A motion was made by Mr. Kinne, seconded by Mr. Lesniak to approve this item.

This will replace Onondaga County's existing tower at Highland Forest; will be 40' taller, still under 200' which would then require lighting; painted green; paid for by Madison Co. Tower will serve emergency communications needs of Madison Co. and Onondaga Co. The first link in regional communication system is with Madison Co. There will be no increase in maintenance cost; a permit will be issued for Madison Co's use of tower; ownership will be 50/50; Onondaga Co. will pay maintenance.

Chairman Jordan expressed concern that Onondaga Co. will maintain the tower; if the agreement is terminated, the County has to purchase the tower from Madison Co. Mr. Balloni said that it would just be the half that the County doesn't own; the permit has been updated to reflect that language. Regarding maintenance, Madison Co. has to maintain their equipment that is on the tower. As the regional system builds, there may be a sort of regional maintenance agreement. Historically the County likes to keep control of its emergency communication towers and how well they are maintained. Mr. Jordan questioned why Madison Co. isn't reimbursing Onondaga Co. for half of the maintenance costs. Ms. Smiley said Madison Co. is paying the full cost of the tower; Mr. Jordan said that it is also building a tower that doesn't need to be replaced right now to accommodate Madison Co.

Mr. Kinne questioned the amount of maintenance on a brand new tower. Mr. Balloni said that it is minimal. In answer to Mr. Warner, Mr.

Balloni said that an addition can't be put on the existing tower, as it was not structurally built to handle it. In answer to Mr. Corbett, Mr. Balloni said that there will be fencing around it; the existing electrical will be good to get electricity to the site; Madison Co. will be providing their own generator.

AYES: 7; NOES: 0; ABSTENTIONS: 1 (Jordan). MOTION CARRIED.

8. PROBATION:

a. Authorize Probation Department to Apply for Grant Funds to Provide for Alternatives to Incarceration and Authorize the County Executive to Enter into Contracts to Implement this Resolution

A motion by Mr. Kinne, seconded by Mr. Warner to approve this item.

This would continue funding ATIP; \$336K is received from the State with a 50% match; total program operation is \$672K. Grant pays for five probation officers, who are current employees; program has existed since 1983. Typical funding for probation officers is down to 15% now; for this program the State reimburses the County at 50%. Chairman Jordan asked if the County has ever received less than expected; Mr. Sicherman did not know, but will report back with the information.

Mr. Warner asked how much is being saved with this program. Mr. Sicherman said that a lot is saved; the jail is constantly on the verge of being full and these programs address jail overcrowding; he will report back with a figure. Mr. Buckel asked about identifying and tracking to monitor the success. Mr. Sicherman said that they don't have the ability to track it within the department. Mr. Lesniak said that he would like the program committee to review the impact from the Rockefeller Drug Laws on the program. Mr. Sicherman said that it will have an affect. Mr. Kilmartin said that a measure would be beneficial but will likely be a challenge to measure the program, as it is very nuanced as it is used--will be tough to judge if someone hadn't gone to alternatives to incarceration if they would have been sentenced to jail, probation, conditional discharge, etc. Mr. Sicherman explained that this is a performance based program; certain milestones have to be met to get the funding -- have information on how many they take in, success, programs, etc. In answer to Chair Jordan, Mr. Sicherman said that 50% success rate in a program like this is pretty good, especially in ATIP 3 as many have multiple problems, i.e. mental health, alcohol and substance abuse issues.

Mr. Buckel asked about snap shots quarterly or annually on prison population by category of crime as on way to look at who we are locking up going forward. Mr. Kinne noted that there have been numerous studies done proving that probation is much cheaper in the long run than putting people in jail; it also reduces recidivism rate.

Passed unanimously; MOTION CARRIED.

9. SHERIFF: Captain Roy Graiten

a. Authorize Co. Executive to Enter into an Agreement with the State of New York Unified Court System

A motion by Mr. Lesniak, seconded by Mr. Kilmartin

A 5 year agreement March 2009 – March 2014; each year with the term there are reimbursement levels based on anticipated costs. Court security was turned over to the State a few years ago; leaving only court attendants – there are 11 on staff and 7 per diem, that the State reimburses the County for. Reimbursement includes uniform costs, salary and fringe, but not retirement health. In answer to Mr. Lesniak, Mr. Graiten said that the County staff has reduced over the years--as people retire, they are not replaced. Mr. Kilmartin said that OCS fills the positions if desired; eventually all positions would be OCA staff. Mr. Graiten agreed. In answer to Chairman Jordan, Mr. Graiten said that the remaining court attendants are probably closer to retirement age than the start of career.

Out of room: 1 (Lesniak) Passed unanimously; MOTION CARRIED.

b. Transfer from 102 Overtime Wages to 410 All Other Expenses, \$74,000

Covers the cost of housing forensic inmates. Since 2006 the housing of inmates outside the county has doubled. The majority of inmates are housed in Oneida County. Mr. Graiten said that they do not have the mental health services necessary. The Mental Health Dept. evaluates the inmates and decides who needs greater care than provided in county; there aren't any facilities that provide the services in the County. In answer to Mr. Kinne, Mr. Graiten said that it has gone from 700 inmate days in 2006 to 1600 in 2009; from a cost of \$84,000 to \$169,000 in 2009. In answer to Mr. Warner, as to when the State steps in (i.e. if state parole violators), Mr. Graiten said that if an inmate has local charges and parole, the County has to cover the cost of the incarceration. If the local charges are taken care of, then they become reimbursable by the State or Feds. Mr. Warner referred to an occurrence a few years ago where the State released several patients from mental institutions to go back to the County; the State was supposed to pay for their costs for upkeep and they did not. The State would not release the names back to the counties; an attorney in Utica was involved in trying to get the counties to pay her to give the names of those released. Several legislators were involved and got State Senators to assist in getting the names. It was several hundred thousand dollars.

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

Mr. Kilmartin asked if the cost was projected into 2010 budget. Mr. Graiten said it was increased by \$20,000, a total of \$55,000, and the remainder comes from the telephone account. Mr. Lesniak asked if the Sheriff's Dept. has looked at creating its own unit; Mr. Graiten said that they haven't. Mr. Lesniak questioned if something could be worked out with Hutchings. Mr. Kilmartin said that Hillbrook is also secure, questioned if it could be secure enough for mental health purposes for inmates.

Mr. Kilmartin seconded the motion. Passed unanimously; MOTION CARRIED.

10. HEALTH: Linda Karmen, Deputy Commissioner

a. Amend 2009 Budget to Accept State Grant Funds for Healthy Mom–Healthy Baby Prenatal and Postpartum Home Visiting Prog. Grant & Authorize the Co. Exec. to Execute Agreements to Implement this Res. (\$535,172)

A motion was made by Mr. Warner, seconded by Mr. Corbett, to approve this item.

A new grant – one of 6 counties designated to receive this funding based on infant mortality rate. Over the last 12 years the Healthy Start Program has been working to reduce the infant mortality rate; it is getting better, but still has room for improvement. There are a lot of poor parental outcomes, low birth weight, sudden unexpected infant death; looking to enhance the program.

Mr. Kinne said that the program doesn't seem to be all that effective; has a long way to go; questioned if the program will be changed. Ms. Karmen said it will be in a lot of different ways based on funding that they get: use community agency feedback; sponsor forum for teens. A program exists within high schools now—nurses work with pregnant teens and do home visiting services for prenatal and postpartum. Mr. Kinne stated that he wasn't confident that there will be more success. Ms. Karmen said that the funding will enable continuance of some services that are already in existence that would otherwise be lost.

Mr. Buckel said that data shows that infant mortality from teenagers isn't as high as rates for other age groups. Ms. Karmen said that the program will not focus solely on teenagers. They will try to improve referrals through a unified form through the website, expand access to care by enabling more partners in the community to provide prenatal care as soon as possible to achieve better outcomes. Dr. Morrow said that the funds will allow them to provide additional services and maintain critical services that have allowed them to decrease infant mortality rates dramatically over the last 12 years. Infant mortality is an incredibly complex, social problem that doesn't get fixed over night; it needs a continuous, multifaceted approach. Mr. Buckel said that the County still has a disproportionately higher rate than in other counties; there are medical and social services resources available; there seems to be a disconnect.

In answer to Mr. Warner, Ms. Karmen explained that the grant allows for 1.5 FTEs for county staff; it will supplement individuals who were previously operating under a previous grant; no additional employees. The grant could be renewable up to five years. In answer to Chairman Jordan, Ms. Karmen said that a lot of education takes place within the family life teams in schools; made aware of options with birth control. In answer to Mr. Holmquist, Ms. Karmen said that about 2 yrs. ago it started as a competitive grant process, then the State did not award anything and changed how they would award the funds.

Passed unanimously; MOTION CARRIED.

11. MENTAL HEALTH: Bob Long, Commissioner

a. Amend '10 Budget to Accept Addl. Funds from NYS Office of Mental Health for Promise Zone Initiative, and Authorize the Co. Exec. to Enter into Contracts to Implement the Intent of this Res. (\$634,000)

Aid has been awarded to 3 jurisdictions: Erie Co., Onondaga Co., and NYC; the goal is to improve mental health services to children in distressed urban schools. This is targeted specifically to Syracuse City School District.

A motion was made by Mr. Kinne, seconded by Mr. Corbett to approve this item.

Mr. Holmquist asked if any of the funds could be used for the Student Assistance Program. Mr. Long said that this funding is specifically targeted to developing capacity; a 3 yr. grant; it could create opportunities for counselors in the schools, but have to find sustainable funding for it. It will be used for identifying structural problems; skill deficits, provide training, getting people to work more effectively together; not oriented to providing counseling on an ongoing basis. Mr. Lesniak asked if there has been any follow up on getting grant funds from St. Joseph's Hospital for Student Assistance Program. Mr. Long said that they have; but there has been no progress. **Mr. Lesniak asked that a report on the St. Joseph's Hospital grants be provided to Health Committee.** In answer to Mr. Warner, Mr. Long explained that the SAP counselors are funded through June; there are 11 in the schools, 1 floater, and 1 supervisor.

Mr. Buckel asked why the County is better suited to administer this program. Mr. Long said that the County is the single mental health oversight in the County; it is because of the expertise they bring in that the school districts lack. Mr. Buckel asked if the school psychologist works with the Mental Health Dept.; Mr. Long said most of them do.

Passed unanimously; MOTION CARRIED.

12. WEP: David Coburn, Director, Office of Environment

a. Amend '10 Budget to Accept Funds in Relation to a Proj. to Develop a Mechanistic Water Quality Model of Onon. Lake and Authorize the Co. Exec. to Enter into Agreements to Implement the Project (\$835,800)

ACJ requires that the County develop a water quality model to allow EPA and DEC to draw scientifically defensible conclusion for management decisions in the future, as well as developing TMDL. Recent changes in ACJ requires that County undertake additional studies in support of this model and requires the work be done and incorporated into the model before the end of 2010. Onondaga Lake Partnership passed a resolution to provide the grant funds for the County to undertake these studies as well as other studies that are anticipated to be recommended by the Independent Scientific Peer Panel. The local will be paid out of the Pepsi Bottling settlement; no new appropriation of local dollars. This is part of the contract with Anchor QEU to develop the model, expect that they will collaborate with Upstate Freshwater Institute

A motion was made by Mr. Corbett, seconded by Mr. Buckel to approve this item.

In answer to Mr. Warner, the Pepsi settlement was in 2005 with several components, this particular element was \$1 million allocated to match Partnership projects to leverage federal dollars to the Lake Partnership, another \$800k for the lake trail; another \$150k to other ACJ projects.

Passed unanimously; MOTION CARRIED.

b. A Resolution Approving the Revised Project Plan relating to the Clinton Street Conveyances and Regional Treatment Facility in and for the Onondaga County Sanitary District

This will revise to project to provide for combination green and grey technologies.

A motion by Mr. Kinne, seconded by Mr. Corbett to approve this item. Passed unanimously; MOTION CARRIED.

c. BOND RESOLUTION - A Resolution Amending the Authorized Purposes for which Bonds of the County of Onondaga, New York, have been Authorized to Pay the Cost of Certain Improvements for the Clinton Street Conveyances and Regional Treatment Facility in and for the Onondaga County Sanitary District

Authorization to pay for the improvements of the project.

A motion by Mr. Kinne, seconded by Mr. Corbett to approve this item. Passed unanimously; MOTION CARRIED.

13. WAYS & MEANS MISC.

a. Confirming Appointments to the CNY Works Board of Directors (Dennis R. Donahue, Michael J. Benn) Mr. Meyer and Mr. Lesniak asked to be listed as cosponsors.

A motion by Mr. Lesniak, seconded by Chair Jordan to approve this item. Passed unanimously; MOTION CARRIED.

b. Reappointing and Appointing Two Directors to the Onondaga County Tobacco Asset Securitization Corporation (Casey Jordan, Robert Warner)

A motion by Mr. Lesniak, seconded by Mr. Corbett to approve this item. AYES: 6; NOES: 0; ABSTENTIONS: 2 (Jordan, Warner). MOTION CARRIED.

c. Appointing Costello, Cooney & Fearon as Legislative Counsel for the Onondaga County Legislature (Sponsored by Mr. Rhinehart)

A motion was made by Mr. Lesniak, seconded by Mr. Warner to approve this item.

Mr. Buckel asked if counsel was used in the last term; Mr. Meyer said that they were for a number of issues. Mr. Buckel noted that he would like to see the reports. There is \$12,000 in the contract. Mr. Warner said that the legislature used to have its own attorney on staff and may be something to consider for the future.

Passed unanimously; MOTION CARRIED.

d. Amending Resolution No. 231-2000, as Amended, to Eliminate the Authority to Hire Management Confidential Employees Up to Grade G (Sponsored by Mr. Meyer)

Mr. Meyer referred to the economic challenges currently and more on the way. The entire issue of hiring personnel has been addressed; it is a sensitive item with new hires; there was an effort to address this during the budget, but other items knocked the advance hiring issue to the bottom of the pile. There is a job to do here; he has been almost criticized from people on the outside who have seen this practice continue on. This legislature has the responsibility to approve these advance step hires. He reviewed the history -- the former County Executive needed some emergency positions for the forensic lab and the legislature authorized him to make the advance step hires so that he didn't have to wait until the end of the month. It seems that it has gone way beyond that. There have been around 30 advance step hires in the past two years; 2 have been approved by the Legislature. It seems irresponsible to allow the practice to continue without having someone come to the legislature and explain why the position is needed. This is not saying that there will be no more advance step hires; it is saying that the legislature wants a hand in what is going on with it due to the thousands of dollars spent on advance step hires. In these tough economic times he feels there would be several people lining up to come through the door for some of these jobs that we are paying advances steps for. With the hundreds of people out of jobs, he certainly thinks there would be people wanting to take these positions at the entry level. It leaves the impression to the public that there are dollars to burn here.

Mrs. Walter stated the history and provided the following:

- 1995 MC plan came to the legislature; language put into the resolution to authorize the Co. Exec. to authorize advance step hires up to step 3 (out of a 7-step salary schedule), equivalent to a 10% adjustment over the entry rate
- 2000 – Condrey study was implemented, salary schedule modified to a 27 step schedule; language was modified to keep the same 10% adjustment from entry level to the County Executive's authority (step "G")
- In most private industry it is common that hiring is done anywhere from the entry level up to the midpoint; hiring up to a mid point is considered normal for anyone with experience.
- MC schedule hasn't kept pace with CSEA for many years. There have been a variety of years where the percentage increase put on the MC schedule was much less than that on the CSEA schedule.
- Over many years the value of the MC schedule was reduced by comparison to the counterpart in CSEA
- A lot of MCs are not department heads, are not deputies; they are secretaries, entry level professionals; entry level salary rates are no longer keeping pace.
- Steps themselves in MC schedule are very small, 1.25%; CSEA steps increase are at 3.5% - they stop quicker, but the immediate impact is that over the first 4 or 5 years of employment, a MC is far behind a CSEA counterpart and getting farther and farther behind because the cost of living percentage put on is getting smaller and smaller

Ms. Smiley said that over the years there have been a lot of requests to come for the advance step from an "A" to a "B" or "C"; that is why the language was changed because the legislature didn't want to deal with every request for a step. It is very difficult to recruit people and not be able to tell them how much they will make. Within WEP, she has made request for advance steps because when someone is moving from CSEA to a MC title, they would make tens of thousands of dollars less than their counterpart in CSEA. They are hampered by the situation of insurance because of the waiting period, and also when people are brought in with 5–10 yrs. of experience they don't want to start with 11 vacation days.

Mr. Meyer said the committee is seeing an example of the tactics used over the last few years-- trying to make it a complex issue, rather than trying to solve on part of an issue. His resolution attempts to address one part of the situation. This it is a new economic time; going forward would like to have decisions for exceptional conditions are done in the full light of day and then everyone has a chance to help make those decisions.

Chairman Jordan asked if there are hiring plans in the foreseeable future; Mr. Fisher indicated that there are and referenced the Commissioner of Personnel position as an example. Chairman Jordan asked what the expectations are of hiring in the next year. Mr. Fisher said that they have a budget and will stay within the budget. He feels this whole thing has been rushed, received notice of it being on agenda on Thursday afternoon. Personnel Dept. has been moving quickly to get facts. In answer to Chairman Jordan's question about hiring in the next year, Mrs. Walter said that there are a lot of people like her that are at a certain age. Over the last few years there has been a lot of turnover and there will be more. Mr. Fisher said that there will be tremendous problems getting people in those positions and referenced his experience on the OCPL Board. A director needed to be hired, and if they wouldn't have offered the "G" step, they wouldn't have gotten the current director. Chairman Jordan asked what the process is for hiring a MC. Ms. Rooney gave an example of a recent situation. After meeting with the department head, she would make a recommendation to the County Executive to go for the advance step. Mr. Fisher said that the Budget Dept. then makes sure there is money in the 101 line. Ms. Rooney said that it is well thought out. Mr. Lesniak said that there are easy situations--where a supervisor would be making less than the people he/she would be supervising. Those situations would be handled out in the open anyway. Ms. Smiley said that some people may appear to get at step "G", but it is because of the promotion formula. They are trying to bring in good people; there are a lot of people in County government that are loyal and good employees but may not have the skill sets to do particular jobs. To bring people in from the outside, you have to be somewhat competitive. The County has good benefits, but there is not company loyalty anymore; a lot of people come for the money and experience, and government is not their lifelong dream. To have salaries that are not competitive, ties their hands.

Mr. Buckel said that there is a value to public service beyond dollars and cents. He asked if the legislature approved hiring at advance steps; Mr. Meyer said that it has approved some. Mr. Kinne said that the legislature has had nothing to say for approximately 20 of them. Mr. Fisher said that the legislature approves the appointment of department heads and it is disclosed what step that person will be hired at. Mr. Buckel said that last year there were a large number of people hired at advance steps who had agreed to freeze their pay at that advanced step, and at the same time CSEA was asked to freeze their pay. He doesn't want to the Executive to be handcuffed in hiring; there has to be a middle ground. The legislature already has some control, but he is also concerned about the unrestrained ability to bring people in at higher levels creating a disproportionate pay structure. Mr. Meyer said that at anytime the committee can go into executive session to discuss personnel type items.

Mr. Kinne said he is bothered by the statement "we have to run government more like a business". Ideally it is fine to say but for practicality, it doesn't happen. For instance we don't give bonuses to employees for Christmas, management is on call 24 hours a day. If management has a doctor's appointment at 10:30 a.m., they can just walk out and go, or they can go shopping -- they have extra benefits. Mrs. Walter disagreed. Mr. Kinne said that he was on the committee that looked at the salary structure. A firm was hired that was the low bidder, which several committee members had issue with. One department chose not to participate in the Condrey study; he was told later that they were told not to participate. At the last minute the Chairman came to the caucus and said changes needed to be made and that department was now participating. When someone has degrees above and beyond, the County needs to look at it and pay an appropriate salary that is in line with their education and particular expertise. He does not like the fact that MCs are treated differently; the pay structure is wrong. At the same time, there is a lot of value to being a public servant, to do the right thing. We need to look at those that are qualified, want to help out, want to do a public service. He has a real issue with some of the advances on the sheet, but not all of them. Mr. Fisher suggested tabling this so legislators can do their research--will work with legislators to find out what the facts are on this to move forward. Mr. Kinne doesn't like the way the County does business; he did not like the Condrey study; does not like the way things have proceeded. However, he feels Mr. Meyer is correct that this is the Legislature's responsibly and needs to be addressed one way or another.

Mr. Lesniak asked about the health insurance plan; Mrs. Walter said that it requires a 90 day waiting period; the County is self insured and the plan is what is negotiated with the Health Care Coalition. Mr. Lesniak said that it could be modified by the Legislature. Mrs. Walters said it was adopted by all of the unions, and they would have to make agreements to modify it. Mrs. Walter said that it can be modified for MCs, but it would be a difficult thing to do with having unions with a different plan. Mr. Lesniak disagreed. There are other things that could be modified rather than advance step hires. Mrs. Walter said that all of it needs to be looked at together; taking out one piece gives one less tool in the toolbox. Mr. Lesniak disagreed; it is not an issue of taking out, it is getting the approval brought forth in public to make sure everyone knows what is happening. This resolution is not saying it's gone, that it can't happen -- it is saying that it needs to be brought forth for legislative approval.

Mr. Kilmartin noted that a lot of important points have been brought up: straight economics and the impact on a budget; trends in CSEA pay vs. MC -- he would like to see the data. Mr. Kilmartin said that there was no agreement that MCs agreed not to take any increase in pay; it was dictated to them by the legislature. If trends show that the rest of the world is paying a substantially different rate and there is a limit to hiring above a step "A", it will limit us from not only hiring people, but also from hiring the best people who might be available. He agrees that we want to hire people who want to be in public service in the public arena and do some good. Good will doesn't always pay the bills; it is a tough sell to inspire people from the public sector to come here. He noted that MCs are not just high level department heads; they are secretaries, junior county attorneys, junior district attorneys, etc. If the DA or doctor had to come here and ask for a \$1,100 raise because they feel a person has the credentials and character and are striped from any discretion from steps "a" to "g", then the legislature becomes 19 job interviewers after the fact. It would become incredibly cumbersome. He is interested in seeing data on how it was used in the Pirro administration and how it is used in the Mahoney administration.

Mr. Corbett said he has 20 years expertise on how government works and 36 years of defined management and labor. This issue keeps getting based on what one side has vs. what the other side has and trying to find some equity and parity. There is a reason there is a division--if you want to be equal and with the other side and not adversarial, then be there. If you want to be management and supervisory, then be there and accept what comes with it. If a position becomes available, and there are inquires that need to protect their anonymity; there is nothing wrong with the positions coming to the legislature with a salary range; resumes and interviews can go through normal mechanisms. The applicant indicates what range they want; a common ground is derived, and then legally the committee can go into executive session to discuss a personnel issue. It could be a means to come up with an equitable solution.

Mr. Meyer pointed out that County lost the Wildridge case concerning the DA. Elected staff can do pretty much what it wants to as far as positions and pay goes. It doesn't get around the basic issue that it is clearly the responsibility of this legislature and this committee to set pay for a lot of the titles. In this economic situation, if there are these exceptional conditions then it should come to the legislature for clear, daylight discussion. It is his opinion that there are people out there that don't have jobs that will apply for positions at entry level.

Mr. Lesniak said that the issue is really more because the economic times change, and should be done in public and be more open; it is more the issue, rather than the history of policy.

Mr. Antonacci said that one policy that he finds troublesome, and has affected the ability to hire people and get them in quickly, is the 90 day wait for health insurance. He questioned why the County has the 90 day wait. There isn't a savings as the County is self-insured; premiums aren't collected until the 90th day. Changing the policy could solve a lot of problems and make it more attractive for people to come and work for the County. Additionally, he has four MCs that work for him and there is a disparity. They pay more for their co-pays, more for health insurance and didn't get a raise. Mr. Meyer agrees on the insurance issue and would be willing to sponsor a resolution to address it. However, the resolution today is not an attempt to address everything; all the points brought up should be addressed, but need to start someplace.

Mr. Holmquist said that there is a new reality; what has happened over the past 10-15 years is important, but this is a different time. The County Legislature has a responsibility for the budget. This is the first of many very difficult debates. The issues raised aren't all going to be solved by this resolution, but feels that at this time, and as a matter of philosophy, it is the job of the County Legislature. Any applicants who need to have confidentiality can be addressed right at the legislature. If looking at a \$50 - \$55 million budget gap, every single nickel needs to be looked at. He feels responsible for making decisions on the budget; this is important; feels advance steps should come to the legislature.

Mr. Kinne questioned if the legislature had ever denied a request of the County Executive for a raise for someone; Mrs. Walter did not know. Mr. Kinne said that it is 2010 and there is still a problem with the pay scale, hoped it would have been addressed many years ago. Possibly a new study should be commissioned to address it. It is not fair to the taxpayers or workers.

Mr. Kilmartin feels that there would be a benefit to take 30 days and look at this; get historical data, comparison of CSEA and MCs. He is concerned about the mechanics. Feels it would strip complete discretion from the County Executive, and to a degree sees that from a financial point of view. However, to try to run an enterprise for 4,000 employees with a constant churning of employees, he sees the legislature spending a lion's share of its time analyzing very incremental, very small issues--a business the legislature has not been in for many years and doesn't feel we should get into.

Mr. Kilmartin made a motion to table this item for one month, seconded by Mr. Buckel.

Mr. Warner said that the resolution is only asking that the advance step hires come to the Legislature for legislative approval; the other issues brought up today can be done after this resolution passes. He suggested that members tell the 178 people that were laid off that it is perfectly OK to go ahead with the advance step hires. This should be voted on and approved today. Mr. Buckel said that he doesn't disagree with the fundamental points--simply wants 30 more days to review the ramifications of the Executive as well on the Legislature, as a hiring agency on an individual basis. Mr. Warner said that can be done any time after the resolution is passed.

A vote was taken on the motion to table for 30 days. AYES: 4 (Kilmartin, Buckel, Kinne, Jordan); NOES: 4 (Lesniak, Holmquist, Corbett, Warner). MOTION FAILED.

Mr. Warner made a motion to approve the resolution, seconded by Mr. Holmquist. AYES: 4 (Lesniak, Holmquist, Corbett, Warner); NOES: 1 (Kilmartin); ABSTENTIONS: 3 (Kinne, Buckle, Jordan). MOTION CARRIED.

e. Establishing a Sales Tax Committee to Review and Make Recommendations Regarding the Distribution of Sales and Compensating Use Tax Revenues (Sponsored by Mr. Rhinehart)

Chairman Rhinehart said that every 10 years the legislature considers the sales tax sharing agreement that it has with the City; the 3% agreement expires at the end of 2010; the separate 1% agreement does not expire until the end of 2011. The committee will be made up of mainly legislators to review the current agreement, evaluate present and potential economic conditions, and report back to the Legislature by May 1st. It used to be that sales tax revenues were increasing, for 25 years social services cases declined, the County's fund balance from early '80s until mid 2000s was increasing; we now face different economic times and exactly the opposite is faced. Sales tax revenues are declining; social services caseloads increasing, and County fund balance has dropped considerably--especially within the last year. In the current sales tax agreement, there is a guarantee to hold those that the County shares with harmless. In the current agreement it cost this county \$7.1 million last year and is projected to cost \$7 million more this year. Per the resolution, he would serve as Chair; the majority leader has 3 appointments; minority leader has 1 appointment; the County CFO and the City Director of Administration would also serve.

Mr. Kinne made a motion to amend the 1st RESOLVED to reflect that the Majority Leader and Minority Leader each get two appointments; seconded by Mr. Buckel. AYES: 2 (Buckel, Kinne); NOES: 6 (Corbett, Jordan, Lesniak, Holmquist, Kilmartin, Warner). MOTION FAILED.

Mr. Kilmartin made a motion to approve the resolution as presented, seconded by Mr. Warner. AYES: 7; NOES: 1 (Kinne), ABSTENTIONS: 0; MOTION CARRIED.

**14. LAW DEPARTMENT:
a. Settlement of Claim**

A motion was made by Mr. Corbett, seconded by Mr. Holmquist to enter into executive session to discuss two matters of pending litigation entitled Angela Campbell v. County of Onondaga, Jamesville Correctional Facility and Amy Novak v. County of Onondaga, Onondaga County Sheriff's Department, Peter N. LaValle and Farm Bureau Insurance. Passed unanimously; CARRIED.

A motion was made by Mr. Corbett, seconded by Mr. Lesniak to exit executive session and enter regular session. Passed unanimously; CARRIED.

The following resolution was presented: ***Authorizing the Settlement of the Federal Court Action of Angela Campbell V. County of Onondaga, Jamesville Correctional Facility. Passed unanimously; MOTION CARRIED.***

The meeting was adjourned at 11:10 p.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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