

Office of the Onondaga County Legislature
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Clerk

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Chairman

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HEALTH COMMITTEE MINUTES - MARCH 9, 2010
ROBERT D. WARNER, CHAIRMAN

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

MEMBERS ABSENT: *Mr. Holmquist

ALSO PRESENT: Mr. Rhinehart, Mr. Jordan *also see attached list*

Chairman Warner called the meeting to order at 10:05 a.m. *A motion was made by Mr. Laguzza, seconded by Ms. Ervin to waive the reading of the minutes and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.*

1. AGING AND YOUTH: Lisa Alford

a. Authorizing the County Executive to Enter into Contracts to Implement a Veterans Directed Home and Community Based Services Program

- Veterans of all ages can be referred for this program
- Long-term program used across the country
- 1 of 3 pilot counties in New York State (*Broome & Oneida*)
- No additional personnel needed at this time
- 2 staff members along with subcontractors (*Case Managers from community based organizations*)
- 10 Veterans serviced to begin the program

*Mr. Holmquist arrived at the meeting.

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

2. HEALTH: Linda Karmen, Deputy Commissioner; Dr. Morrow, Commissioner

a. Create Nutritionist, Grade 10, @ \$44,770 - \$48,537 effective April 10, 2010

- Position expires with the grant
- Retirees health costs are covered via the grant

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

b. Abolish Program Coordinator (ED/HC), Grade 14, \$62,434 - \$69,163 effective April 10, 2010

- Position was abolished as part of the 2010 budget
- Program was eliminated, individual retired

A motion was made by Chairman Warner, seconded by Ms. Ervin to approve this item. Passed unanimously; MOTION CARRIED.

c. Create Public Health Social Work Assistant (Sp Sp), Grade 9 \$41,662 - \$46,083 effective April 10, 2010

Ms. Karmen stated during the budget process a Spanish-speaking Public Health Social Work Assistant position was eliminated in error. The position removed should have been a Public Health Social Work Assistant.

In response to Mr. Holmquist, Ms. Karmen stated one person left a social work assistant position. Due to the error the Spanish-speaking position was doubled encumbered to retain the position. Mr. Holmquist asked why the legislature was not informed when the error was discovered. Other corrections such as this were made in December. Ms. Karmen stated the County Executive's office had advised them to come before the Legislature as this time.

Mr. Holmquist asked if the County Executive's office was authorized to fund a laid off position without notifying the Legislature for 3 months. Ms. Berger stated she would have to look into it. Mr. Holmquist stated funds should not have been available for this position.

Dr. Morrow stated they reduced a position. However, they had to double encumber funds to retain the Spanish-speaking position. Mr. Holmquist stated he would like to know how this happened and why.

Mr. Laguzza questioned if the title of Public Health Social Work Assistant was abolished. Dr. Morrow stated she would have to get back to him. She was uncertain if both titles were abolished or just the Spanish-speaking title. **Mr. Laguzza asked Ms. Berger to create a resolution abolishing a Public Health Social Work Assistant position, if it still exists.**

Mr. Rhinehart stated on January 1 whoever held this position should have been notified the position was eliminated. **He would like an explanation as to how this happened prior to the Ways and Means meeting.**

Mr. Meyer questioned the effective date of April 10, 2010. Ms. Karmen stated, she believes it is the first full pay period after the April 6th Session.

A motion was made by Mr. Laguzza, seconded by Chairman Warner to approve this item. Ayes: 3 Abstained: 2 (Holmquist, Meyer); MOTION CARRIED.

d. Authorize Advance Step Hiring: Director of Environmental Health, Grade 35 Step L \$80,185 effective February 6, 2010

Dr. Morrow stated she had interviewed a couple of people she thought would be good candidates for this position. The person she would like to offer this position to is currently a Sanitary 4. Without an advance step he would be making \$72,000; about \$1800 more than his current salary. He would be taking on the added responsibility of supervising 40 people, must be available 24/7 and provide expert opinion and knowledge on demand. Without the advance step he would be making significantly less than three of the people he's supervising. She feels very strongly he is the best person for this job. She believes this to be the lowest equitable step for the responsibility. If the advance step is not authorized she is unsure if he will accept the position. Should he decline this position, her second choice would actually make more than the advance step she is currently asking for. Because the second choices current position, she would not require an advance step and would be making about \$1000 more per year.

In reply to Mr. Meyer, Dr. Morrow stated the incumbent has been in the department for 38 years. Mr. Meyer questioned if the qualifications have been reduced, going from an engineer to a sanitarian. Mr. Sauda responded stating New York State regulations state both engineers and sanitarians are eligible for this position. Mr. Meyer asked if the engineer degree was more difficult to obtain. Mr. Sauda replied both are 4 year degrees; one is very science-based. Mr. Meyer stated it sounds like the qualifications have been downgraded. Dr. Morrow stated she did not agree. Mr. Sauda added as an Engineer you are focused on the engineering aspects of environmental health and you are weaker on the food and disease transmission aspects. As a Sanitarian your strong point would be on food and disease transmission, which he believes is the more difficult part of this job.

In reply to Mr. Meyer, Dr. Morrow stated the position was not posted. She offered interviews to three people she believed would qualify. He asked if she was aware that positions could be posted with NYSAC for free. Dr. Morrow stated she was aware; however she knew she had well qualified people in house. She felt fortunate not to have a recruiting issue for this job. There are a number of vacancies across the state for this position. She felt it was not in best interest of the county to look outside for a candidate when there are recruitment issues in other counties. Chairman Warner stated if she had reached out, she may have found someone very qualified to take the position with the starting salary. There are several instances in government where employees earn more than their boss. Mr. Meyer added the County has been able to save money by hiring excellent candidates outside of county government.

Mr. Meyer questioned the effective date of February 6, 2010. Dr. Morrow stated this is the date he took on the responsibility. He has been working at a grade 35 D, which is the 2% level allowed for promotion.

In reply to Mr. Meyer, Dr. Morrow stated Mr. Sauda is working 21 hours a week until the transition is finalized. She confirmed we are currently paying one and a half people for the Director of Environmental Health position. They have been holding the Sanitary 4 position vacant.

In reply to Mr. Laguzza, Dr. Morrow stated the candidate supervised 18 people in his former position.

In response to Mr. Laguzza, Dr. Morrow stated the qualifications listed on the Municipal Public Health Service Plan (MPHSP) are Onondaga County's based on New York State's minimum qualifications. *(on file with Clerk)*

Mr. Laguzza requested comparables for this position from Monroe, Erie, Albany and contiguous counties. He would also like a list stating what is unique about Onondaga County and why. Dr. Morrow cautioned the environmental health responsibilities from contiguous counties are very different from Onondaga County. This is based on the number of restaurants and camps inspected; the number of water systems in our county and weights and measures responsibilities.

Dr. Morrow stated the Department of Environmental Health has reduced the staff by six positions in nine years. During this same time, they have increased the number of programs. They have been aggressive in trying to limit the payroll. She believes the director's position is not a place to be at aggressive. She needs the best person for this position.

Mr. Sauda stated he has been very sensitive to this issue. They have left positions unfilled and are cross training for flexibility. Through the efforts of Management working with the Director they have reduced the staff in 2009, 2010 and will continue to reduce staff in 2011.

They are actively looking at the organizational chart and consolidation. He added the person we are discussing plays a key part in this role.

Mr. Rhinehart stated we are facing at a \$50 million budget gap. We are talking about midyear budget cuts and layoffs in June. If you want to hire at an advance step we will be asking what positions are going to be left vacant. We have to look at running leaner, being smaller and more efficient. Dr. Morrow stated her frustration. There has a qualified person she could put into this position without coming to the Legislature. However, her first choice for this position requires an advance step and will actually be less expensive. Mr. Jordan stated a number of resolutions come before the Ways and Means committee requesting positions be created and abolished, what he doesn't see is cuts. This is what is frustrating to the Legislators. Mr. Holmquist stated there won't be enough money to keep basic mandated services operating. We must balance our budget. Dr. Morrow pointed out that she tried to abolish the additional testing of the incinerator last year and was unsuccessful.

Dr. Morrow stated if there was a directive stating advance step hires were not allowed she would abide by the rules. She struggles with the fact that her other qualified candidate is more expensive. Chairman Warner stated it might be a good idea to have such a policy.

Dr. Morrow handed out a map indicating the partial services counties. *(on file with Clerk)* She noted all the partial services counties are rural. Partial services means the State performs the duties instead of the Environmental Health Department. In reply to Mr. Rhinehart, Dr. Morrow stated it is all or nothing. You are not able to choose the services you would like to provide. Chairman Warner asked if the State would pick up the cost for these duties if the County abolished the Environmental Health Department. Dr. Morrow stated she didn't know how they could. Public restaurants would go uninspected and our water supply would be vulnerable. She confirmed the state pays for any testing it performs. Mr. Sauda cautioned it is not that clear-cut; for example rabies testing and septic systems. Septic system testing would be pushed back to the Towns. He added this would be anti-consolidation.

Mr. Laguzza suggested Dr. Morrow come back before the committee, showing them where she can save \$5000 or \$6000 in her current budget. Dr. Morrow stated she can and is currently doing so by holding a position vacant and coming before the committee requesting the advance step higher, instead of filling the position with her second choice. Chairman Warner added some who will say, "No advance step hires".

Chairman Warner asked if anyone would like to move this item. No motion was made.

Ms. Ervin stated she would like Dr. Morrow to give a presentation on the Health Department. She added more Ways and Means (dollars and cents) discussion took place, than health. If the committee new more about what the department was doing on a regular basis, they might be able to do things differently at this committee level. Dr. Morrow responded, in the past informational sessions were not well attended.

3. PRO ACT - Update on New Programs - Mike Maenza, Harrison Rodriguez

Mr. Maenza provided an update to the committee on the Pro Act program. This program is currently operating in 30 New York counties. Onondaga County ranks number one in utilization and savings.

Chairman Warner asked if there was some association with Canada Rx. Mr. Maenza stated not with this program, the discount comes from the pharmacies themselves. Mr. Maenza confirmed his company does work with Canada Rx.

In reply to Mr. Laguzza, Mr. Maenza stated the total number of claims includes refills. The total number of claims is twice the number of cards being used, indicating multiple usage of the card.

Mr. Laguzza questioned the number of retail outlets presenting the card to the customer. Mr. Maenza stated did not know. All pharmacies participate, some more aggressively than others. Typically the big box stores are more aggressive. In Onondaga County Kinney, Rite Aid, and Wal-Mart are the top three.

Mr. Meyer asked the committee members go to their local churches and food banks to educate them about this card. There are a number of local residents who could benefit from this card.

Mr. Rodriguez stated through a joint partnership with NYSAC, Pro Act has added 3 new benefits.

- *VISION – Participants will receive the following discounts on Eye Exams, Frames, Lenses and Contacts
 - Eye Exams up to 20% off the usual and customary fee
 - Frames up to 50% off the retail price
 - Lenses up to 50% off the retail price
 - Online up to 20% off the retail price
 - Visit www.eyebenefits.com and click on Optical Locations for participating providers
- LASIK – Participants seeking to have laser vision correction procedures can receive
 - Up to 50% off the national average pricing
 - To find a provider and schedule an appointment call 877-201-3852
- HEARING – Products and services are now discountable using your discount card.
 - Savings of 35% to 65% on Brand Name Hearing Aids and products
 - To find a provider and schedule an appointment call 866-956-5400

***It is important to note that residents wishing to use the vision benefits will need to log onto the website and print a new card.**

For details on these benefits and/or to print a new card visit www.NYRxDiscountCard.com

The County website is in the process of being updated and will contain this information and a link to the website.

The meeting was adjourned at 11:15 AM

Respectfully submitted,

Katherine French
Assistant Clerk

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**COUNTY FACILITIES COMMITTEE MINUTES, MARCH 11, 2010
KATHLEEN A. RAPP, CHAIR**

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

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: Mr. Rhinehart, Mr. Kilmartin, Mr. Jordan and see attached list (*Attachment 1*)

Chair Rapp called the meeting to order at 10:00 a.m. ***A motion was made by Mr. Kinne, seconded by Mrs. Tassone to waive the reading of the minutes; a motion was made by Mr. Dougherty, seconded by Mr. Kinne approve the minutes of the proceedings of the previous committee meeting; MOTIONS CARRIED.***

1. FACILITIES MANAGEMENT: Lee Klosowski, Director of Energy Sustainability

a. Amending the 2010 County Budget to Accept a Grant from the New York State Energy Research and Development Authority and to Provide for the Local Match for an Energy Management System at Van Duyn, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$360,000)

- Upgrade the controls system for heating, ventilating and air conditioning systems
- NYSERDA will fund 80% of the cost - \$288,000
- Requesting to transfer funds within the County Budget to cover the 20% local share

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

In answer to Mrs. Rapp, Mr. Klosowski said the 20% share would come out of existing funds in County Facilities Maintenance, Utilities & Rents Account, they will back-charge to Van Duyn after the project is completed. The grant requires completion of the project by September 2011.

Mr. Dougherty asked what would happen if it is not finished by the required date. Mr. Klosowski said the State could withhold funds; idea is to not enter into a project that can't be finished by then.

Mrs. Rapp asked why they would go forward with a project at Van Duyn when its future is unclear. Mr. Klosowski said it would add to the value of the property if they were to sell. Mr. Kinne noted that it would not be sold in the next couple of years, it is a positive thing.

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

2. PARKS: Jon Cooley, Director of Recreation & Public Programs

a. Change Salary, Director of Parks Planning and Development, From Grade 35 @ \$68,363 - \$96,450 to Grade 34 @ \$62,370 - \$87,966 effective May 1, 2010

* Mr. Masterpole arrived at the meeting.

Mr. Cooley said there would be an annual savings of about \$6,000.

Mrs. Rapp asked why they are bringing someone in when there is a budget crisis and potentially more layoffs to come. Mr. Cooley said it is a Charter position, a critical position regarding leadership and vision for the stewardship of the Parks system.

Mr. Rhinehart asked if they considered consolidating this position with another position. Mr. Cooley said at one time this person was Operations Director as well – they are not filling that spot. Park Superintendents are dealing with special projects, taking on system wide responsibilities, people are being asked to pick up multiple tasks, also receiving support from Facilities Management. Mr. Rhinehart asked why the landscape architect requirement is not needed now. Mr. Cooley said they are still finalizing the job description (working with the Personnel Dept.); best practice would be that the person has that capability. Mr. Rhinehart guesses they are either going to outsource the landscape architect work or hire a new person who has that qualification.

Mrs. Rapp asked why the downgrade. Mr. Cooley said when the position was created, there were landscape architects, operations staff in the organization who reported to this person. The person now is a specialty person – part planning, development, design.

A motion was made by Mrs. Rapp, seconded by Mr. Dougherty to approve this item; a vote was taken, Ayes: 5, Opposed: 0, Abstentions: 1 (Kinne); MOTION CARRIED.

Mr. Cooley highlighted the following:

- Highland Forest – feedback from users and business owners indicates the ski trails are of national caliber, value may be top in America
- Hosted the national snowshoe championship at Highland Forest (worked with CVB) – people from 28 states as far away as Alaska attended. Event was rated as the best ever.
- Central New York Irish Road Bowling Championship at Onondaga Lake Park will be this coming weekend – many businesses have come on as sponsors to host the social aspect.
- Fishing season starts in 3 weeks, grass root support is growing for the Hatchery – received \$1,000 in donations made at the Bass Pro Store in Auburn, program development at the Hatchery will include public fishing, volunteers are coming on board and ESF intern involvement is good.

3. OCPL: Elizabeth Dailey, Executive Director

a. Amending the 2010 County Budget to Accept Insurance Recovery Funds for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$4,497)

Settlement of an insurance claim – property damage was sustained at Hazard Branch Library resulting from an automobile crash.

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

b. Amending the 2010 County Budget to Accept State Special Legislative Funds to Implement the "Look It Up At Your Library" Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$7,000)

Funds will be used to offset a portion of the ReferenceUSA database, 2 computers and other online resources. Every resident in the county will have access. In answer to Mr. Dougherty, Ms. Dailey said the total amount is \$34,000; remainder will come out of the operating budget. Mr. Dougherty asked if they would receive a grant every year. Ms. Dailey said if they don't, they would have to look at their database and operating budgets and prioritize concerning dropping something. In answer to Mrs. Rapp, Ms. Dailey said the library has been subscribing to the database for a number of years; it has a good track record and benefits all residents. Mr. Manning said they are hopeful that the state will buy database licenses at a volume discount and make them available to the libraries; there is currently a bill in the Assembly.

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

c. Amending the 2010 County Budget to Accept State Special Legislative Funds to Support Reference USA for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$15,000)

** Mr. Kinne left the room.

A motion was made by Mr. Masterpole, seconded by Mr. Dougherty to approve this item. A vote was taken, Ayes: 5, Absent from room: 1 (Mr. Kinne); MOTION PASSED.

4. A Local Law Amending Local Law No. 7 - 2009 Relating to an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458 - B of the New York State Real Property Tax Law (Sponsored by Mr. DeMore)

Mr. DeMore reviewed the exemption details:

- County Legislature passed a resolution last year regarding a property tax exemption for cold war veterans, who are not otherwise qualified (those who served from 1946-1991).
- State has raised the exemptions from \$12,000 to \$36,000 or up to 15% of the assessed value of the property
- Disabled veterans real property exemption was the assessed value of property multiplied by 50% of the Cold War veteran disability rating or up to \$40,000; State raised that to \$120,000
- Currently, this benefit costs the average household 50 cents a year.
- Current exemption starts in 2011, this one would start in 2012.

** Mr. Kinne returned to the meeting.

Mrs. Rapp asked about the number of people participating. Mr. DeMore noted the following examples for towns: Camillus – 89, Cicero – 65, LaFayette – 6, Lysander – 44, Onondaga – 102, Marcellus – 17. Mrs. Rapp asked how this would affect the projected \$55 million shortfall in the 2011 Budget. Ms. Williams, Management & Budget, said it would be negligible – spread among the county taxpayers.

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

5. ONONDAGA COMMUNITY COLLEGE:

The agenda was taken out of order.

c. Advancing Funds to Facilitate the Construction of the SRC Arena Pursuant to an Agreement Between the County, Onondaga Community College and the Onondaga Community College Foundation, and a Guaranty by the Onondaga Community College Association, Inc.

Mr. Dougherty announced that he would abstain from any discussion or vote on this item due to his employment.

Mr. Kilmartin gave a brief overview regarding the background of this resolution:

- The Legislature passed a resolution several months ago in support of the arena facility complex at Onondaga Community College.
- Legislature did not support the full 50% match requested by the college.
- Legislature agreed that the County contribution for the complex would be approximately \$3.3 million less than the 50% match; would be OCC's obligation to secure cash and pledges to fill that gap to move forward with what they wanted or they could shrink the project appropriately.
- The college has moved forward with different fundraising efforts with success regarding many of those.
- College planned to raise the \$3.3 million by the time the facility opens.
- In an effort to be more conservative, College has now been required to have proof of pledges or funding or the ability to raise funding before construction starts (College had planned on 18 months to fully execute and deploy their fundraising).
- Resolution and agreement presented today protects the County and allows the project to go forward, but is very specific as to what the College needs to do in order to raise funds to comply with the County's demands
- Advance Agreement: signed by the County, the College and the Foundation, County would advance funds when the bills come in for the construction project. The County would advance up to but not exceeding \$3,351,250 million to allow the project to go forward and requires the college to make full payment by December 31, 2011 for any advances. In an effort to supply further security for the County, Mr. Kilmartin made a demand that they have another entity of the college beyond the Foundation that acts as an additional guarantor for this agreement OCC agreed to have a separate agreement, a guarantee, from the OCC Association in support of and to back up the advance agreement between the County and the Foundation.

Mr. Emm said they have budgeted \$12,417,500 for the arena itself. \$6,208,750 would come from the State. Of the matching 50%,

\$2,857,500 was appropriated by the Legislature last August. The College's share is \$3,351,250. The college will be working with the Foundation and Association to make every effort to raise those funds; if they fall short for any reason, the college will borrow those remaining funds to meet the obligation.

In answer to Mr. DeMore, Mr. Emm said the design is about 98% completed, will begin construction mid April or early May if all goes well with this portion. Mr. DeMore asked where the \$3.3 million will be allocated from. Mr. Maturo said the County will pay for the expense out of their pool of cash from various funds, majority of projects are spend first and then get reimbursed later. Mr. Kilmartin said it is his understanding that it would be as invoices come in. Mr. Fisher explained that the State money and the dollars bonded for by the County would be spent first, remainder may be less than \$3.3 million; there may be in kind donations.

In answer to Mr. DeMore, Mr. Emm said the Onondaga Community College Association, Inc. is a separate 501(c)(3) that consists of the auxiliary services of the college and any other entities within the college that are extra. Mr. Emm said they have a fund balance close to \$1 million; a board of directors oversees the Association. Mr. DeMore asked if the funds are restricted for certain purposes. Mr. Emm said not that he is aware of. Mr. Kilmartin said as part of the agreement, the Association was required to submit its financial statements to Onondaga County as well as the Foundation. Mr. DeMore asked what the Foundation's assets are. Mr. Burton advised that they presently have about \$2.1 million in unrestricted funds. Mr. Kilmartin said he and also the County Executive's office requested documentation showing what the true value and equity is in each of these entities; the Foundation has a very large endowment and strong balance sheet, some of that is restricted for other purposes. Mr. DeMore asked how the Foundation would raise the money. Mr. Burton said the Foundation's community board of 34 people has led them through a current capital campaign that raised \$6 million over the past two years. This will be an extension of that campaign; they will most probably reach outside the area to sports organizations and suppliers. If they don't raise the full amount, they have other assets. Mr. Kilmartin said there are specific provisions in the agreement that any funds raised for this effort have to be segregated and encumbered for the purpose and use of specifically paying back this loan. Mr. DeMore asked how the County contribution will affect the budget next year. Mr. Antonacci said it is in accounts receivable, doesn't affect fund balance.

Mr. Masterpole asked about the original cost estimates versus what they are presently. Mr. Emm said the original appropriation for the arena was \$12,417,500, won't know the construction bids until they have the approval to go forward with that. It is being designed to the budget and they don't anticipate going over; if bids are over, they would value engineer down to where they need to be. Mr. Masterpole asked what would happen if the State's half doesn't materialize. Mr. Emm said they have heard nothing from the State that the funds are in any kind of danger. Mr. Fisher noted that the State has only bonded for about half of the State match. The County Executive's office and the Comptroller made it clear to the college that the remainder needs to be in this year's State bonding resolution, can't spend that money unless they have 100% certainty that they will get that money back from the State. Mr. Emm said he received the bond call documents two weeks ago from the State for the remaining half, a good indication that they intend to bond this coming fall. Mr. Masterpole asked why the college needs a brand new arena in this economic climate. Mr. Emm said the arena would help recruit athletes to the institution. The community will benefit as well, especially the track community who has been evicted from Manley Field House. It will be a multipurpose facility, could have sectional events at the high school and college level. Campus is now 24/7, their intramural programs are going until 10:00 or 12:00 at night, need the facility in order to accommodate those students.

Mr. Masterpole said he has a concern that the arena will become competition with the Oncenter complex for shows, concerts, etc. Mr. Emm said most events would be athletic in nature, geared towards the community college level, JCAA and the community, they are not looking to be in competition with the Oncenter. In answer to Mr. Masterpole, Mr. Emm said the stage would be used for graduations, etc. They are not saying they won't have concerts, but not looking to put anybody out of business or steal business, just trying to provide another venue for acts to come to Syracuse. Mr. Masterpole said the County ought to be spending money to improve the War Memorial for these events; instead, we are going to ship them to Onondaga hill. Mrs. Rapp said the CVB assured her that they would only bring in events that can't come here now, noted that it would be an economical benefit for the community to have sectional championships, etc. there.

Mr. Rhinehart noted that they are in early stages of looking at options for the War Memorial; have already invested in that facility and are obligated to keep it going and use it, is concerned that the arena could compete with it. **Mr. Rhinehart requested a mission statement showing what the arena is going to be used for and how many days out of the year the college would be using it.**

Mr. Antonacci expressed concern about value engineering; suggested that they be transparent if they think it is going to cost more, not do something they will regret in the long run – where they will pay more in utility costs or maintenance costs. Mr. Antonacci added that what happened with the Applied Tech Center can't happen again, agreements are well done, make sure they are followed.

Mr. Kinne said it concerns him that they are trying to pigeon hole into this dollar amount, may find out it is not what the college needs. He finds it questionable whether it will be open to the community; also, can't have it in competition with the Oncenter. Wondered what the people will think when they hear that the college is possibly avoiding their main mission which is educating the people, which they are good at. Mr. Kinne has reservations, believes they are building something that is not what they really want and, in the long run, will not serve the purpose of what they intend it to be. Mr. Emm said they didn't do this in a vacuum, hired an architecture firm that has expertise from building other athletic facilities; the firm has helped to decide what they need to build to help the college grow as an institution.

Mrs. Tassone asked if the process of fundraising has started. Mr. Burton said the process is starting at this time.

Mr. Jordan said he voted against this the first time around, have trouble filling the War Memorial, is concerned about spending taxpayer money for a facility that is going to compete with it. Concerning money to be paid back, Mr. Jordan said if this goes forward, there should be a provision in the agreement that whereby the taxpayers will be fully reimbursed for any and all costs, including interest, attorney fees, etc. if it becomes necessary to bring action.

Mr. Kilmartin welcomes anyone who might want to submit comments, suggested that they be submitted to the Law Department who can act as a conduit and funnel them to and from OCC.

Mr. DeMore requested a short statement of finances from the Foundation and the Association.

A motion was made by Mr. Kinne, seconded by Mrs. Rapp to approve this item. A vote was taken, Ayes: 3 (Tassone, Rapp, Kinne); Noes: 1 (Masterpole); Abstentions: 1 (DeMore); Excused: 1 (Dougherty); MOTION CARRIED.

b. Informational: Preliminary Impact of State Budget – Bill Emm, CFO

- Beginning of year base state aid rate was \$2,675 per FTE.
- With mid-year cuts in November, the Governor reduced that state aid by \$130 or 5% resulting in a reduction of about \$775,000 in their base state aid for the year. They were able to balance the budget by cutting \$250,000 in expenditures (supplies, travel, training) and with a tuition increase of \$47 in spring 2010 semester.
- Governor is proposing an additional \$285 FTE cut in 1011 Budget. Since September 1, 1009, total cut of \$415 in their total base state aid rate per FTE (from \$2,675 to \$2,260 per FTE). This brings it back to what it was in 2000, 2001 – cost of about \$3.6 million to the college for 1011.
- They are in the development stage for the 2011 budget – they do a zero base budgeting approach where everyone has to justify the dollars, will take a close look at the high cost, low impact programs.
- Will be back to the committee in June or July with the proposed budget

Mr. Rhinehart asked if they would be looking at it from three different ways – capital expenditures, full time students and part time students – will they be divided evenly across the board. Mr. Emm said “no”, they look at it in terms of importance to the mission of the college, look at it programmatically, department to department.

Mrs. Rapp asked if the students are having a problem graduating, getting the courses they need to obtain their degrees. Mr. Emm said they are looking to make sure they are offering the right mix of academic programs, ones that there is a demand for. Mr. Emm said it will get tougher, Governor is proposing to reduce TAP to \$2,000 for 2011 (until now, students at a two year institution could receive up to \$2,500 a semester - \$5,000 total). Fortunately, the federal Pell grant money has gone up – maximum in the \$5,000 range.

In answer to Mr. Masterpole, Mr. Emm said CSEA has a contract, but the administrators do not, they are at an impasse right now.

a. Informational: Operation Start Up and Grow - Pat Higgins, Director, OCC Small Business Development Center

- Sponsoring 3rd annual Veterans Business Conference on March 18, 2010 at the college
- There are now almost 15 million American veterans
- Veterans are coming home to a difficult economic climate, do not have employment opportunities that veterans did in the past
- A small business is a great option for them; if successful in the military, one learns and develops the same kinds of skills needed to operate a small business
- 3 years ago partnered with the Small Business Administration and put together a program
- Registered 108 people in 2008, this year they are up to 140
- They have secured sponsorships - event is free for veterans

The meeting was adjourned at 11:25 a.m.

Respectfully submitted,

Johanna H. Robb
Deputy Clerk

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**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – MARCH 12, 2010
JAMES CORBETT, CHAIRMAN**

MEMBERS PRESENT: Mrs. Tassone, Mr. Buckel

MEMBERS ABSENT: *Ms. Ervin, Mrs. Rapp

ALSO PRESENT: *see attached list*

Chairman Corbett called the meeting to order at 10:05 a.m. ***A motion was made by Mr. Buckel, seconded by Tassone to waive the reading and approve the minutes of proceeding of the previous committee. MOTION CARRIED.***

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

Ms. Pastella provided copies of February 2010 monthly report. (*On file with Clerk*) Monthly reports are now sent via e-mail to cut down on paper cost.

Harbor Brook interceptor replacement

- 1400 feet of pipe has been installed within the drainage basin
- 700 feet of pipe has been installed on Hartson, Holden, and Rowland Streets
- Coordinating with the City of Syracuse for work on the Fowler High School property

Ms. Pastella stated they plan to drill in the Fowler High School area. There will not be an open cut.

*Ms. Ervin arrived at the meeting.

They are currently working on new RFP's, proposal reviews and amendments. Six RFP's have been issued.

Green Infrastructure

- Presentation given to Syracuse Downtown Committee
- Presentation given to United States Green Building Council (USGBC) New York State Chapter
- Informational update meeting was held with perspective Green Improvement fund developers

- Continued promotion of the "Save the Rain" campaign with billboards and advertisements in the Green Magazine
- Working closely with the City of Syracuse to implement green features on streets and in upcoming projects

Projects in Design Stage

Midland Phase III (CSO)

- A Facilities Planning RFP is in progress for CSO's 52 (Hunt and Elmhurst) and 060/077 (West Colvin) in the Midland area
- Design in progress for completion of a smaller conveyance to connect CSO 044 (South Ave. and West Castle) required under the new amended ACJ
- Conveyance on South Ave. and West Castle will be a pipe line with disruption for one season

Clinton CSO Abatement

- Design in progress for 3.7 million gallon storage facility in trolley lot
- A Facilities Planning RFP is in progress for CSOs 022 (West Genesee), 027 (West Fayette), and 029 (Walton)
- Goal is to address the abatement of 11 CSO's between Fayette and Oneida Streets located near downtown

Ms. Pastella confirmed merchants and residents in the area have been informed. They are in the preliminary stages of this storage facility. They anticipate a limited above ground structure. Mr. Corbett added the manner in which the conveyances were built will facilitate underground storage. The conveyances themselves will literally be used for storage.

Harbor Brook CSO Abatement

- Design in progress for large storage facility in Harbor Brook Sewer Shed near State Fair Blvd

2. Confirming Appointment to the Region 7 Fish and Wildlife Management Board: (Michael Cusano)

A motion was made by Chairman Corbett, seconded by Ms. Ervin to approve this item. Passed unanimously; MOTION CARRIED.

3. WEP:

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

- Basin has not been cleaned out in over 30 years
- No contamination on site
- Site contains silk sediment; organic material
- Sediment to be disposed of by contractor

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

b. Authorizing an Intermunicipal Agreement with the City of Syracuse for the Construction of a New Water Main and Transmission Lines in the Harbor Brook Sewer Shed

Ms. Pastella explained they are replacing the Harbor Brook main interceptor. The pipe will cross under the City's existing water main feed from West Scott Reservoir, including Burnet Park. The water main pipe is in poor condition; doubtful it could withstand excavating. Through collaboration, the City will reimburse the County for the design and construction. The County will install the water pipe while the area is open for installation of the main interceptor.

A motion was made by Ms. Ervin, seconded by Mr. Buckel to approve this item. Passed unanimously; MOTION CARRIED

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Katherine French
Assistant Clerk

* * *

WAYS AND MEANS COMMITTEE MINUTES, MARCH 30, 2010 CASEY JORDAN, CHAIRMAN

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

MEMBERS ABSENT: Mr. Lesniak

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

Chairman Jordan called the meeting to order at 8:35 a.m. ***A motion was made by Mr. Corbett, seconded by Mr. Kilmartin to waive the reading of the minutes and a motion was made by Mr. Corbett, seconded by Mr. Holmquist to approve the minutes of the proceedings of the previous committee meeting; MOTIONS CARRIED.***

1. WEP – Patricia Pastella, Commissioner

a. Authorizing an Intermunicipal Agreement with the City of Syracuse for the Construction of a New Water Main and Transmission Lines in the Harbor Brook Interceptor Sewer Shed

The City will reimburse for the cost of design and construction - no additional cost to the County.

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

2. PERSONNEL

a. Confirming Appointment of Peter Troiano, Commissioner of Personnel (effective March 2, 2010)

Mr. Troiano provided the following information concerning leadership vision - plans put together by the County Executive's office:

Redeploy the resources of the Onondaga County Personnel Department to better support the human resources needs of all departments

- *lead an effort across County government to design and implement employee performance measurement, assessment and evaluation systems*
- *enhance initiatives to attract and retain employees representative of the diversity of our community*
- *development of succession planning and knowledge retention strategies*

Focus on partnerships with department management in order to right size the workforce within the present economic climate.

- *identify opportunities to outsource present or new work*
- *evaluate opportunities to consolidate job titles or job series to enhance flexibility in assignments and efficient deployment of workforce resources*
- *work closely with Management & Budget and the Executive office to identify, evaluate, and execute strategies for reorganizing, restructuring, and/or eliminating departments*

Ensure statutory obligations are met with efficient use of resources

- *increased use of automation and electronic access and communication in order to drive down the cost of carrying out the department's civil-service administration recordkeeping functions.*

Identify new opportunities to expand the strategic use of external expertise in human resource management and labor negotiations

- *replicate successful application models in 207c cases and interest arbitration proceedings*

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

3. BOARD OF ELECTIONS

a. Confirming Appointment of Helen Kiggins as Republican Commissioner of Elections

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

4. AGING AND YOUTH: - Lisa Alford, Commissioner

a. Authorizing the County Executive to Enter into Contracts to Implement a Veterans Directed Home and Community Based Services Program

- Pilot project with the VA Health Administration to provide services for veterans of all ages who need care in order to stay in their homes.
- Services include help with personal care, housekeeping, home modifications, equipment, etc.
- Program not grant funded, will be paid for by the VA health services system.

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

In answer to Mr. Jordan, Ms. Alford said her department would be providing the case management and coordination services, not the actual services; they would be provided by agencies and companies in the community.

In answer to Mr. Stanczyk, Ms. Alford said the contract is based on what the VA Health Administration and the veteran determine is needed. The one year pilot program will serve about ten veterans, anticipates that it will continue in future years. Mr. Stanczyk asked if they have an estimate of the hours and money involved. Ms. Alford said it depends on what veterans the VA deems appropriate to refer to them; some will be coming from hospitals and some living at home and in risk of potentially going to a nursing home. **Mr. Stanczyk said he would be interested to know what types of funds they receive from this administration, what they learn going forward.** Ms. Alford said they were one of three counties selected in the state to do this.

Item passed unanimously; MOTION CARRIED.

5. FACILITIES MANAGEMENT: Lee Klosowski, Director of Energy Sustainability

a. Amending the 2010 County Budget to Accept a Grant from the New York State Energy Research and Development Authority and to Provide for the Local Match for an Energy Management System at Van Duyn, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$360,000)

- Competitive grant, separate from the block grant that the County received directly out of the stimulus package.
- Anticipate energy cost savings of about \$47,800 a year, funding: 80% NYSEDA, 20% local match. Payback on the local piece of \$72,000 is about 1.5 year payback.

In answer to Mr. Jordan, Mr. Klosowski said this project was recommended in the Carrier study, was not part of their 2010 Budget, was made available due to the grant. Funds will be coming out of the Facilities Management budget and moved over to Capital Projects budget for the local match and then would eventually be transferred out of the Van Duyn budget once the project is completed.

Mr. Buckel noted that the \$72,000 is coming out of County Facilities' Maintenance, Utilities and Rent, asked what is now not being done that was approved by the Legislature in the 2010 Budget to accomplish this. Ms. Smiley said this is one of the capital projects Facilities had in their budget to do this year; by being able to draw down the NYSEDA funds, it will be less County dollars. Mr. Jordan asked if the savings of \$288,000 would go back to general fund. Mr. Seitz said it was always planned to come up with the 20% match, Mr. Jordan said his concern is that they are coming up with budgets that assume they will receive monies that may or may not be there. Mr. Seitz said they have a significant list of maintenance projects that they need to do, the maintenance budget for 2010 was drastically cut; if this grant had not come in, they would have done other high priority projects that didn't get funded. **Mr. Jordan requested a list of projects that did and did not get funded.**

Because of the County's difficult financial situation, Mr. Buckel said he is concerned about approving a budget with undefined uses, will be attuned to these types of budget lines in the next budget. Mr. Seitz stated that they don't approve accounts that have undefined projects in them, require the departments to give specific lists of what they plan to do the next year, there is no money laying around unfunded, unbudgeted. Ms. Smiley said this is a Van Duyn project; from a Facilities perspective, they are looking to reduce costs by utilizing NYSEDA funds. People look at projects and determine what their needs are and then through stimulus funds and other funds they look at ways to whittle down the overall County cost; that is what was done in this case.

Mr. Jordan said he would prefer a policy where they list projects they want to do and how they anticipate funding them. If they apply for a grant and there is additional money to do additional work above and beyond what was budgeted, they would come back to the legislature to say they can now do a project that was not originally planned.

In terms of the line items for maintenance projects, Mr. Kilmartin asked if all departments give their priorities for maintenance projects, then they vet those, and instead of obligating to do all those maintenance projects, they whittle down the list, have a line item that is approved in the budget; then during the course of the year as those priorities percolate, they do or don't do the project; if a grant comes in or a grant gets rejected, it might affect something on the priority list. Mr. Seitz said the budget detail has more information about what is going to be done. There is quite a process they go through to come up with the final recommended; as the year goes on and critical items need to get fixed, there is another process of prioritizing.

Mr. Buckel commended the effort on this project, it is well worth it.

Mr. Kinne said they would be a lot better served at budget time if the legislature had a list of all the projects they want to do and then a list of the projects they think they can do. Mr. Klosowski said this grant was announced after the budget was created. Ms. Sprague said this project was identified by Carrier back in 2003, this would enhance the system already put in place when they did the boiler project this year, will have a return of \$47,000 to \$48,000 a year.

In answer to Mr. Stanczyk, Mr. Klosowski said the block grant funds would be used to do energy audits and upgrades of facilities that were not covered in the Carrier study, DOE still has not approved the funding on that. Mr. Stanczyk questioned if there are other things to be funded with NYSEDA money. Mr. Klosowski noted another project to use heat generated out of the District Heating and Cooling Plant chillers for use in the Justice Center for domestic hot water, heating; he will be back next month with that.

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

6. PLANNING

a. Amending Local Law No. 2 – 2008, Authorizing the Sale of Property to Destiny USA Research and Development Park, LLC, to Sell Approximately 3.2 Acres of Said Property to The Town of Salina to Implement a Remediation Plan for the Town of Salina Landfill

Ms. Tarolli reviewed that the Legislature adopted a local law authorizing the sale of about 50 acres of land to Destiny USA for a research and development park in February of 2008. The Town of Salina is now under an order from the DEC to close their landfill; they need to cap the property and extend out about three acres into property that is currently under contract to sell to Destiny. Ms. Tarolli displayed a map with the property outlined. Mr. Jordan asked if this affects the original purchase price with Destiny. Ms. Tarolli said "no". Mr. Jordan asked about the fair market value of the property. Ms. Tarolli said the land is contaminated.

Mr. Stanczyk asked when the time period ends for Destiny to close on the deal to buy the property from the County. Ms. Tarolli said the time expires February 2011.

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

7. HEALTH: Linda Karmen, Deputy Commissioner

- a. Create Nutritionist, Grade 10, \$44,770 - \$48,537 effective April 10, 2010;
Abolish Program Coordinator (ED/HC), Grade 14, \$62,434 - \$69,163 effective April 10, 2010
Create Public Health Social Work Assistant (Sp Sp), Grade 9, \$41,662 - \$46,083 effective April 10, 2010
Abolish Public Health Social Work Assistant, Grade 9, \$41,662 - \$46,082 effective April 10, 2010**

- Create Nutritionist: mandatory contract requirement for the WIC program to operate an enhanced breast feeding peer counseling program.
- Abolish Program Coordinator position for the Pre-School Program: position was extended into the end of February in order for the individual to achieve ten years of service with the County; individual has now vacated that position.
- Create Public Health Social Work Assistant (Spanish speaking) and Abolish Public Health Social Work Assistant: to fix an error that occurred during the budget process. A Public Health Social Work Assistant (Spanish speaking) was inadvertently abolished instead of a regular Public Health Social Work Assistant.

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

Regarding the Nutritionist position, Mr. Jordan asked if the funding could be used to hire an outside agency to perform the services. Ms. Karmen said they would have to clear it through the State if they wanted to contract that program out. Currently, there isn't another local agency that is involved with WIC, makes sense to have it contained within the entire program because it addresses the needs of the WIC participants. Before they create a new position, Mr. Jordan said he thinks they should investigate whether these services can be provided by an outside agency or perhaps by putting out an RFP – someone may create an agency to provide services; the County is looking at burgeoning pension obligations. Ms. Karmen said this is 100% grant funded and would cover pension costs, position would go away if funding went away. Mr. Jordan noted that it is still an added cost to the taxpayers because of the post retirement benefits, pension benefits. Ms. Karmen explained that they would be using WIC participants who are already part of the WIC program to be the breast feeding counselors, they are going to be working with peers, other participants, makes sense to have this small mandatory portion of the WIC program involved with their total program.

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

Mr. Warner asked where the funds come from to pay for the Public Health Social Work Assistant. Ms. Karmen said it is local funding, get reimbursement from Early Intervention. Ms. Wilson said they get reimbursed 36% State Aid Article 6 and about 10% for service coordination.

Regarding the Spanish speaking Public Health Social Work Assistant, Mr. Kilmartin asked whether it was the Health Department or the Legislature that didn't intend to abolish the position at budget time. Ms. Karmen said "both" and explained that on January 1, 2010 the regular Public Health Social Work Assistant position was vacated. Since they had funding in the budget for the two Spanish speaking titles, the position was double encumbered, the regular position was unfunded. Regarding abolishing the Program Coordinator position, Ms. Karmen explained that the abolishment at the end of February was part of their 2010 personnel reduction plan. Mr. Kilmartin asked if the sole reason it wasn't done January 1st was to allow the individual to get ten year of service for retirement reasons. Ms. Karmen replied "yes". Mr. Kilmartin expressed that he didn't think the County should be in that business.

In answer to Mr. Holmquist, Ms. Smiley said the position wasn't in the budget to abolish; it was part of their salary savings, the department salary saved for ten months knowing that after two months they would come to ask to abolish it. Mr. Holmquist said he is bothered by waiting two months because of the pension reason. Mr. Warner said it is a double edged sword – individual worked for 9 years, 10 months, would have been abolishing a position so that an individual can't get retirement.

Mr. Stanczyk noted that if the County is going through layoffs, it makes sense to be attuned to the personal impact that this has. If someone was willing to retire and create a salary savings and yet wanted to get tenure in order to get their pension, he sees nothing wrong with that. If we don't treat our employees with the respect they deserve, Mr. Stanczyk asked what type of government they expect to have.

A vote was taken on this item; Ayes: 5; Noes: 3 (Kilmartin, Holmquist, Jordan); MOTION CARRIED.

8. **OCPL:** Sally Carmer, Director of Administrative Services

a. Amending the 2010 County Budget to Accept Insurance Recovery Funds for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$4,497)

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

b. Amending the 2010 County Budget to Accept State Special Legislative Funds to Implement the "Look It Up At Your Library" Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$7,000)

This grant and the grant for \$15,000 below (8.c) will be used to offset the expense of the ReferenceUSA database. This is one of the library's most popular databases, includes information on 14 million businesses and 120 million households and is used by businesses and consumers. It is assessable by every library card holder in the county.

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

c. Amending the 2010 County Budget to Accept State Special Legislative Funds to Support Reference USA for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$15,000)

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

9. **OCC:** William Emm - CFO

a. Advancing Funds to Facilitate the Construction of the SRC Arena Pursuant to an Agreement Between the County, Onondaga Community College and the Onondaga Community College Foundation, and a Guaranty by the Onondaga Community College Association, Inc.

Mr. Kilmartin said this involves financing for a capital project at the Onondaga Community College (OCC) for the SRC Arena. Several months ago, the Legislature approved funding and some associated bonding for the SCR Arena and other capital improvements at the college. At that time, the Legislature required the college to come forward with pledges or cash for approximately \$3.3 million when construction is completed to support the construction of the arena. Mr. Kilmartin reviewed the following:

- OCC has advanced with design and architectural for the SRC Arena.
- College advanced on an initiative through the OCC Foundation that includes the Presidential Scholarship Foundation; they have been very successful in reaching their goal and it is now winding down.
- Fundraising for the SRC Arena has begun.
- After review by Mr. Kilmartin, the Comptroller's office, and County Executive office, it was determined that they didn't want to put the County in a situation where possibly the college had not raised all of their \$3.3 million in either cash or pledges by the end of construction; that would leave the project exposed and the County as well.
- Approached OCC to say they want proof that they have cash or pledges at the beginning of the project before they release the funds for the construction project.
- College said they moved the goal post on them and basically eliminated 18 months of fundraising for them.

Information concerning documents (*On file with Clerk*) before the committee:

- Signed advance agreement whereby the OCC Foundation would agree to reimburse the County for any cost or expenses incurred in providing advance payments during the construction process to cover the cost of the \$3.3 million that was going to be otherwise paid by OCC at the end of the construction process. The OCC Foundation has passed resolutions consistent with a written advance agreement whereby they are agreeing to reimburse the County for any advances up to \$3.3 million that are incurred between now and December 31, 2011.
- Guaranty agreement by the Association which is another entity at the college. Agreement would guarantee the payment and obligation of the OCC Foundation. The Foundation has assets, but many are pledged for other purposes.
- The County is agreeing to advance certain funds based on a written agreement to be repaid by the Foundation which is based on a guarantee by the Association.
- Documents were distributed at the Facilities Committee; after constructive comments, now have a revised advance agreement.

- The revised advance agreement provides for:
- An estoppel clause whereby the foundation can't assert mid stream that they don't understand the document, that they have certain rights that they are objecting to enforcement of it.
- Reimbursement to the County for any attorneys' fees if there is ever a default on the advance agreement.
- \$250,000 deposit being put forward by the Foundation as security for the County for its advances to ensure that there are monies set aside for the County.
- Finance Department, Law Department created an interest fee concept in the agreements so that the County is made whole during the process for any cost of monies it would otherwise have. The net cost to the county for participating in this advance agreement is zero.
- The sequencing for this advance agreement is identical to all other capital projects that the County participates in with the college – bills come in for the capital projects to OCC, they are then directed to the County of Onondaga, those are paid for by the County and in and around that same time the county is bonding for those monies. After the County pays those monies, the County seeks reimbursement from the State for 50% match.

Mr. Kilmartin said the structure allows the college to maximize their match from the State, ensures that the project can move forward, goal posts have been moved on the college in terms of their requirement for coming up with funds in pledges and cash. It also further securitizes the County's position knowing how the process can go forward. Mr. Kilmartin added that the Controller's office has done an analysis of the net equity as to the Foundation and to the Association which is not enough to fully support the immediate payment of \$3.3 million. This gives them an opportunity to complete their fundraising efforts over the next 18 months and gives some security of payment to the County.

In answer to Mr. Jordan, Mr. Kilmartin said in his review, the discussion about the college coming forward with pledges and cash at the conclusion of construction was embedded in the minutes. Mr. Antonacci confirmed that this was the understanding of the Comptroller's office. In answer to Mr. Jordan, Ms. Ferrara said they have not bonded for anything regarding the arena at this time. Mr. Jordan asked if the fundraising monies might have to be used as collateral for a loan. Mr. Emm said the plan is not to have to borrow at the end; with 18 months time, they are confident that they will meet the goal. If collateral is needed, it would come from auxiliary revenues from the Association. Mr. Kilmartin said there is an agreement by the Foundation guaranteed by the Association to pay back the County on December 31, 2011. There was specifically a provision put in there by the Law Department that the Foundation would agree to go out and borrow funds if there is any amount that they don't have in cash by December 31, 2011 to fully pay back the county. Foundation said it would pay back monies as they come in unless they think, looking down the road, that they will have to borrow funds to make the final payment; the lending institution might request a deposit to float the loan. Mr. Jordan noted that the agreement seems a little misleading concerning whether the county will be paid back as they fundraise or whether the Foundation might need those monies as collateral for a loan. Mr. Kilmartin advised that on December 31, 2011 the County would be made whole – whether they pay the \$3.3 million in cash immediately or whether they get a loan to cover any gap. In answer to Mr. Jordan, Mr. Kilmartin advised that the Law Department said the agreement had to be in writing and approved by the Legislature, any changes would also have to be in writing and approved by the Legislature because it is affecting financial issues of the County, does not have a problem inserting a line in the agreement saying that.

Mr. Stanczyk asked if they sold naming rights to the arena. Mr. Tom Burton, Vice President of Institutional Advancement and Executive Director of the Foundation, said naming rights for the arena were part of a major gift from SRC. Mr. Stanczyk said he would be much more comfortable if there were some kind of payment schedule rather than a balloon payment. Mr. Kilmartin said they looked into that but there is no telling when these different costs and expenses are going to come in, could fluctuate wildly over the 18-month period, County is not making a lump sum payment of \$3.2 million to the college. Mr. Fisher said construction payments would first be made with the County bonded share, then the State match and then the \$3.3 million college share last. Mr. Stanczyk noted that as soon as the County bonds for the project they will be paying interest on the \$3.3 million share. Mr. Fisher said the bonded \$2.8 has nothing to do with the \$3.3 being advanced. Mr. Stanczyk asked if the County portion would go down proportionately if the bonding costs less or if the total cost for the project comes in less. Mr. Antonacci said it is his opinion based on the resolution that was passed that the County is committing \$2.3 million to this project. Mr. Stanczyk said they have to change that.

Mr. Stanczyk wants to be supportive of the arena, thinks it is a good time to build, but wants it structured so that they don't come back on December 31, 2011 without the ability to borrow any amount of money still needed. Mr. Emm advised that Mr. Alan Naples, Chairman of the Foundation and also Central New York Regional Vice President for M&T Bank, feels confident that with the combined efforts of the Association and the Foundation, they would be able to borrow; that is why they asked for the arrangement to stick to the original deadline date, so that they would have time to raise those funds to minimize any amount that they may have to borrow. Mr. Emm pointed out that the Foundation has raised over \$6 million in the last two years; they have the track record to show they can raise those funds.

Mr. Stanczyk mentioned the concerns of his caucus that the arena might be in competition with the War Memorial. Mr. Emm said 99% of events they foresee happening in the arena are athletic in nature, very few that would be in competition with the War Memorial. Dr. Sydow is in discussions with Ms. Toennies concerning how they can work together so that they do not impact the War Memorial. Mr. Stanczyk mentioned events that might want to go to a new facility with open parking, that might be easier to get to and egress from, and suggested some type of ticket charge similar to most events at the War Memorial.

Mr. Kinne asked what revenue would be coming from the SRC arena. Mr. Emm said concession stands, rental fees. Mr. Kinne said he wants to see this built, but thinks the facility is too small, is disappointed about the way the pool has been handled, that the tennis courts are being taken out and is concerned about what will happen if they can't pay the money back. Mr. Fisher said the Board, the Association and President Sydow have committed to paying it back; it would be difficult for them not to pay it back and face this legislature the following year concerning their operating budget or other projects. Mr. Warner said this loan probably has better guarantees than most that come out of financial institutions.

Mr. Corbett said this item concerns whether OCC will be allowed to borrow at a lower interest than they would be able to if they went out to the private sector. If the cost of doing business goes up for the college, the user will end up paying for it, which would be the students.

Mr. Kilmartin said he would look the agreement over during the next couple of weeks with OCC, the County Executive's office and the Law Department. Mr. Kilmartin said he thinks it is appropriate to move forward with the resolution today knowing that he will try to address any concerns of Mr. Stanczyk or others, thinks some of the issues might already be embedded in the agreement. Mr. Corbett noted that it could be voted down on the floor if criteria are not met. Mr. Jordan said he was opposed to this before, still opposed now, it does not fall to the mission of OCC; his inclination is to vote against it, but will keep an open mind until he sees the final agreement.

Mr. Antonacci said he worries about the concept of value engineering, would like to make sure this project is done right, County is littered

with projects that were value engineered, let's not regret a decision we make for the next thirty years.

A motion was made by Mr. Kilmartin, seconded by Mr. Stanczyk to approve this item; Ayes: 3 (Corbett, Kilmartin, Warner), Noes: 1 (Holmquist), Abstentions: 4 (Buckel, Stanczyk, Kinne, Jordan); MOTION CARRIED.

10. WAYS & MEANS, MISC.

a. Confirming appointments to the Onondaga County Fire Advisory Board (Thomas Saur, Stephen Erwin)

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

b. Amending the 2010 County Budget to Provide Additional Funds for the Purchase of Gasoline and Diesel Fuel to be Sold to the Onondaga County Soil & Water Conservation District (Sponsored by Mr. Rhinehart, Mr. Masterpole)

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

c. Requesting the Onondaga County Executive to Amend the Sheriff's 2010 Budget by Eliminating \$250,000 Related to Unnecessary OCCS Operational Expenses for the OCC Police Academy and thereby Reduce the Sheriff's Operational and Overtime Costs (Sponsored by Mr. Kilmartin, Mr. Jordan)

Mr. Kilmartin said he has met with Finance, Budget, Comptroller's office, representatives of the Sheriff's Department and OCC to get a better idea of how the relationship works between the Sheriff's Department and the Academy. Mr. Kilmartin reviewed the following:

- DCJS authorizes and certifies an agency to serve as an academy within a community; state is broken down into zones.
- OCC and Syracuse Police Department are in the same zone; both are authorized to host an academy. Many years ago they were involved in hosting an academy together; Syracuse Police Department (SPD) broke off and formed their own academy operated in the Public Safety Building.
- The function, administration, management personnel, facilities for the academy fall to OCC via the Public Safety Program for the academy on the OCC campus.

Mr. Kilmartin's opinion of some structural flaws:

- Sheriff's Department via the County enters into an agreement with OCC to lease office space and acquire administrative services and facilities at the academy. The academy owns the real estate, the improvements, they have control over those, but the Sheriff's department pays \$80,000 a year in rent to avail themselves of those facilities.
- Sheriff's Department has had a sergeant and a deputy in the recent past assigned full time at the academy to perform educational services, teach courses amongst other teachers, provide training and administration. They work full time at the academy at a cost of approximately \$170,000 a year to the Sheriff's Department in their budget to supplement, support the operation of the academy.
- Thinks it is positive to have the Sheriff's involved along with other agencies, just doesn't think the County through the Sheriff's Department budget should be paying \$250,000 a year to the academy for rent and for the provision of free personnel. Those personnel are providing services to the college, the academy, many police agencies within Onondaga County and to entities outside Onondaga County – a disproportional amount of support to the academy at a very high cost to the County.
- Over the past five years, the Sheriff's Department has spent approximately \$1.85 million in personnel costs for regular time for two individuals, overtime, rent payments on providing services and payments to the academy; however, Sheriff's Department should be recognized for substantially reducing the overtime at the academy over the past 12 to 18 months.
- Thinks there is structural flaw with having the Sheriff's Department involved in the educational business, Sheriff's Department should focus on the policing business and have the academy and OCC focus on the education business.

Mr. Kilmartin said he has met with the Sheriff's Department, has reached out to Chief Tony Callisto, President of the Central New York Association of Chiefs of Police Executive Board, who sent a letter in support of the Sheriff's Department involvement in the academy (*on file with Clerk*). The goal of this resolution is to request the County Executive to bring about a budget amendment or a transfer, (Legislature doesn't have authority to modify the budget mid-year). Mr. Kilmartin thinks there is an opportunity to save about \$80,000 a year that the County otherwise pays to the academy and he thinks there is an opportunity to save overtime of approximately \$170,000 a year if these two employees aren't permanently assigned to the academy and then are assigned to policing duties. If the two individuals could work full time every given week, the Sheriff's would have upwards of 80 additional hours that they could dedicate to police services and reduce the overtime budget that the Sheriff's Department presently has. Regarding the academy at OCC and the SPD academy operating within ten miles of each other, Mr. Kilmartin said this is an opportunity for those groups to look at ways to save money, create efficiencies, especially considering the budget that the County and the City are facing this year.

Mr. Jordan questioned the wording of \$170,000 overtime; it isn't overtime at the academy. Mr. Kilmartin said if the two were taken out of the academy and had to report to perform regular police duties, there would be two additional people to do police duties, there has to be a substantial cost savings for personnel. Mr. Kilmartin said the County is paying about \$250,000 to supplement the academy, savings are passed on directly to the towns and villages and also the Sheriff's Department whose personnel go for free to the academy, doesn't think the County can continue to provide these huge net savings to all these other entities within and outside the County.

Chief Peverly provided a memorandum concerning the Police Academy resolution (*Attachment 2*). Chief Peverly said the role the Sheriff's Department has played in the academy has been significant for over 35 years. Cutting out this resource without appropriate notice, assessment of the program, assessment of the impact, planning the transition or filling the void could be very critical to the law enforcement community in Onondaga County. The Sheriff's Department does not think the anticipated savings of \$250,000 would be realized. The Sheriff's department recommends a review by the involved people – the Sheriff's office, Chiefs of Police Association, OCC, Legislature, County Executive office, Syracuse Police Department on how to move forward with police training in Onondaga County, the appropriate way to make it equitable and share the burden and the cost of providing this necessary training to the law enforcement community. Regarding the \$170,000 in salary and fringe benefit costs of the sergeant and deputy that are currently assigned at the academy, Chief Peverly does not believe they would save anywhere near that amount, have to take into consideration the fringe benefits which is 45% or more of a law enforcement officer's salary. The two individuals would still be working for the Sheriff's office; those fringe benefits are still going to be there. Additionally the officers would be working pursuant to contract, scheduled and assigned by shifts. There is the potential for a slight increase in some overtime because these officers are now going to be exposed to working late calls, assigned to go to courts for hearings. etc.; to reduce their overtime account by \$170,000 would be inappropriate.

Mr. Jordan noted that according to the memo, they estimate the savings to be about \$22,000. Chief Peverly said the overtime salary

savings for the rest of 2010 is \$16,726.79, the fringe savings is \$5,206. Chief Peverly noted that Mr. Kilmartin has presented conceptually an idea that has merit; one option would be to pay tuition to OCC rather than the funding sources that are used now. If the participants were allowed to review the proposal and come back to this committee with a recommendations, thinks they could find something to put in place that would meet everybody's needs and probably save the county some financial resources. Mr. Jordan asked when the next scheduled class would begin. Mr. Kilmartin said he believes it is June.

*Mr. Buckel left the room.

Mr. Stanczyk requested to be a co-sponsor of this resolution. Mr. Stanczyk agreed with Chief Peverly that the numbers probably can't be met and would have to be scaled back. If there is no action that comes from this and it is still the desire of this legislature to move in this direction, they always have the budget process.

Mr. Kinne asked if the towns and villages pay to send their people to the academy. Mr. Sunser (OCC) said within the County they do not pay, out of county they do – approximately \$4,200 plus associated fees, Mr. Sunser will verify that amount. Mr. Peverly said there are also in kind contributions from the towns and villages – some of their law enforcement officers are instructors at the academy. Mr. Kilmartin said he thinks it should be a pay as you go system; each agency should pay the commensurate amount per person. Over the past two years the Sheriff's Department hasn't had any trainees go through the academy, but the County has paid approximately \$500,000 in cash and services, a very high cost to supplement and support the other agencies. Mr. Kilmartin recognized that a lot of agencies provide services or trainers; the academy could still continue going forward at its same location with the high quality of services and with participation of the Sheriff's Department and other agencies, just not at the high cost to the County.

Mr. Kinne agreed with Mr. Kilmartin, noted that this is just another example of the duplication of services provided in this community, why the whole structure of policing system throughout this county is skewed. **Mr. Kinne requested to be a co-sponsor.**

Mr. Warner requested a printout of the number of hours the Sheriff's Department, towns and villages provide for training at the academy.

In answer to Mr. Corbett, Mr. Peverly said the Sheriff has always been a proponent of getting the Syracuse Police Department to come back and be a part of the overall training, they see this as an opportunity to open those doors and invite them to be part of this process and, hopefully, come back to what they had years ago with co-directors – one member of the Sheriff's and one from Syracuse Police Department. Mr. Kilmartin said he has had informal discussions with a couple of representatives of the City to ask them to explore this or at least the amount of money they are spending on operating their academy. One idea he has floated is having some kind of informal commission that works with OCC to administer the academy so that SPD, Sheriff's, town and villages all have some input to make certain all agencies are getting the right people to teach courses; thinks there is an opportunity to save a lot of money and consolidate things at one site.

Mr. Jordan said right now the system doesn't seem to be transparent, have village, town police officers who aren't paying tuition, but have police officers who are teaching there, and the numbers aren't accurate.

Mr. Stanczyk said towns and villages that have their own police departments are helping Onondaga County – the County goes through tremendous expense policing towns that have chosen not to spend money on their own policing. Towns and villages that have their own police – we want them trained, they are helpful to the County, reducing our expenses, we ought to be paying them.

Mr. Holmquist requested to be a co-sponsor.

Mr. Kilmartin recommended that an amendment be made to the resolution whereby they add a concept that the \$170,000 is prorated based on the point in time that this action might take place; this is not binding at this instant as a matter of law and not binding on the Sheriff Department at this instant, asking the County Executive to take action on this.

A motion was made by Mr. Kilmartin to approve this item as amended, seconded by Mr. Stanczyk; Ayes: 5 (Kilmartin, Stanczyk, Holmquist, Jordan, Kinne, Noes: 0, Abstentions: 2 (Corbett, Warner), Out of Room: 1 (Mr. Buckel); MOTION CARRIED.

d. Limiting Salary and Fringe Benefits for the Onondaga County Water Authority Board Members (Sponsored by Mr. Corbett)

This was brought forward after a decision by the State Comptroller. Currently, there are two board members who get salary and fringe benefits (includes health, dental, optical and life insurance), three others get life insurance while they are serving on the board. Any future members would not be afforded that opportunity. They are correcting and making legal a practice that has been going on for 50 years.

Mr. Stanczyk referred to the 2nd resolved clause where it says that the compensation paid to members newly appointed to OCWA on or after the date of adoption shall not include health, dental, optical, life insurance or any other such fringe benefit. **A motion was made by Mr. Stanczyk to amend the resolution by replacing the wording in the second resolved clause "on or after the date of adoption" with "January 1, 2008", seconded by Mr. Kinne.**

Mr. Corbett said he would accept the motion, but it is contingent on finding out whether the two people who were put on the board after January 1, 2008 have legal rights because they have been receiving these benefits. Mr. Stanczyk said they knew before these people were put on that this was in contention. Mr. Jordan said if they have already paid a premium for the life insurance, can't retroactively say we are not going to give them that.

A motion was made by Mr. Corbett, seconded by Mr. Stanczyk to approve this item as amended; Ayes: 7; Out of Room: 1 (Buckel); MOTION CARRIED.

11. LAW DEPARTMENT:

a. Litigation update

A motion was made by Mr. Corbett, seconded by Mr. Jordan to leave regular session and enter into executive session to discuss

the pending lawsuit entitled “Lawrence Corriders, Individually and as Administrator of the Estate of Johnny Corriders, Decedent, and Priscilla Corriders, by Lawrence Corriders, Guardian of the Person and Property of Priscilla Corriders, an Incapacitated Person vs. County of Onondaga, Onondaga County Department of Social Services, Gerard Mainville, Deborah Mainville, Donald Hilton and Staci Hilton”; passed unanimously; MOTION CARRIED.

A motion was made by Mr. Corbett, seconded by Mr. Jordan to leave executive session and enter into regular session; passed unanimously; MOTION CARRIED.

The meeting was adjourned at 11:17 a.m.

Respectfully submitted,

Johanna H. Robb
Deputy Clerk

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