

Office of the Onondaga County Legislature

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Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE FRENCH
Deputy Clerk

ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – JANUARY 18, 2012 MICHAEL E. PLOCHOCKI, CHAIRMAN

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

Also Attending: Mr. McMahon and see *attached list*

Chairman Plochocki called the meeting to order at 9:06 a.m. ***Motions were made by Mrs. Rapp, seconded by Mrs. Tassone to waive the reading and approve the minutes of the previous committee meeting. MOTIONS CARRIED.***

1. LAKE IMPROVEMENT: Tom Rhoads, Commissioner
a. ACJ Update

- Reports provided monthly, current report for December
- Provide services to 250,000 persons in Onondaga County Sanitary Sewer District; combined sewer system service in certain areas
- User fees pay for most services provided
- Vision and mission listed on inside cover of report

REPORT FROM COMMISSIONER

- Report required for DEC per the Amended Consent Judgment (ACJ)
- ACJ requires significant number of activities to improve quality of fluids entering bodies of water, primarily Onondaga Lake
- Lake rapidly becoming clearer; future opportunities for lake recreation
- Onondaga Creek Walk not just generating news, private economic development will occur around improved sites
- Millions of dollars in projects for ACJ compliance; makes them unique; county had to enter into ACJ agreements, failed to take care of the lake and our environment associated with the lake, sanitary system and combined sewer system was spewing unabated sanitary products into our waterways
- Capture goal of 95% of all sewer; won't overflow into lakes and streams
- Green program uses private and public funds to capture unsanitary water before waterway entry
- Without the green program Armory Square District would have become a sanitary sewer constructed facility, harming the economics of the area; now improving neighborhoods with green infrastructure instead of destroying them
- \$30 per month for user fees, cost effective number; bonding for large number of ACJ projects coming online, will be baked into rate structure

GRAY PROJECT UPDATE

- All projects required by ACJ, fact sheet on each project, not much new
- CSO 044 conveyance deadline met

GREEN PROJECT UPDATE

- Most projects are organic, taper off this time of year, not a lot of construction
- Save the Rain Project 50 fact sheet, 60 projects total, information on website for community; projects awarded to lowest bid

Mrs. Rapp questioned what happens with the green technology for the winter. Mr. Rhoads responded that this is one of the things they are looking at. How the green infrastructure performs will be part of the modeling and learning process.

GREEN IMPROVEMENT FUND (GIF)

- Public supported private property partnership; county funds are leveraged with private capital
- Part of the 6% of capture comes from this private investment

In response to Mrs. Rapp, Mr. Rhoads stated the GIF award is county funds. **Mrs. Rapp asked to have the GIF private match included in the January report.**

WWTP UPDATE

- Goal to manage nutrients in the receiving waters; removing nitrogen and phosphorus
- Total Maximum Daily Load (TMDL), pounds of phosphorus that can enter the lake from all sources
- DEC to determine TMDL by June 30, 2012, decision means investment of \$0 - \$750 million for additional improvements to the Metro plant; working hard to provide information necessary for DEC to make a smart decision

Mrs. Rapp stated essentially we are trying to show that we are at or below the maximum load with the systems we have in place. Mr. Rhoads responded that they are hopeful they can demonstrate that through the changes made they are not adding any additional burden to the lake. The lake is now reaching its normal balance. There are others that might disagree with this. They think the lake can go farther; pertaining to the amount of oxygen in the lake. Some believe that oxygen and phosphorus are related. He believes that their phosphorus daily loads are so small there is no longer a relationship between Metro phosphorus and the lake. This is still to be determined and is a very important determination.

LEGISLATIVE/REGULATORY UPDATE

- Nothing new; next month asking for permission to receive grant

APPENDIX

- Acronym list last 3 pages

In response to Mrs. Tassone, Mr. Rhoads stated the eagles should return as the rest of the water environment starts to freeze up.

Mr. Rhoads suggested a tour of WEP or a meeting at the facility, to orient the legislature with the WEP team and all that they do.

Mr. Meyer stated capture rates and costs vary dramatically for the Save the Rain projects. He asked what they envisioned within the next year or two; focusing on cost effective projects. Mr. Rhoads:

- Amount of other project support driving factor for cost effectiveness in green projects
- Work with the City and NYSDOT to integrate their projects with ours
- Looking for support with SU and St. Joe's; capital programs that receive grant funding from the state; piggyback our projects with theirs so that we are not the only contributor towards the capture program

Mr. Meyer agreed, stating that the Dr. Weeks school project is very effective with low cost. Some projects have 1% of the effectiveness of the Dr. Weeks project. He questioned what is being done to reach a cost effective goal. Mr. Rhoads:

- Working towards a cent per gallon metric
- Certain pilot and highlight focus projects used to get public investment, need to get private investment thinking green
- Will work with City on their ordinance and laws, any new or redevelopment will capture more with green programs
- Critical eye to cost effectiveness, some projects aren't as costs effective as others but have larger programmatic reasons for them
- Roofs fairly expensive for dollar per gallon capture but have energy savings; there are other ancillary benefits associated with projects besides metric for gallons captured

Mr. Meyer stated that the maintenance factor has been ignored. When projects come forward he will be asking about the maintenance costs, not just the capital costs. Mr. Rhoads:

- County hasn't taken true and complete ownership of green infrastructure projects, generally one year warranty and maintenance period
- Gray infrastructure requires maintenance; tremendous amount of man hours required after each CSO event for flushing gates; maintenance associated with both green and gray

Mrs. Rapp asked if they considered allowing access for the public to view the eagles.

Mr. Rhoads:

- Larger lake vision needed through Parks and Mr. Millea
- Active rail site immediately behind WEP; not sure this is the best access point

Mr. Millea:

- Charged with looking for a solution on viewing station; had conversations with City and Carousel Mall
- Current access via Creek Walk Inner Harbor; may build viewing station at this location with cooperation from the City
- Public safety issue with WEP property

2. SOIL AND WATER CONSERVATION DISTRICT:

- a. Confirming Reappointment to the Onondaga County Soil and Water Conservation District (F. Spencer Givens)**
- b. Confirming Appointments to the Onondaga County Soil and Water Conservation District (David H. Knapp, Derek T. Shepard, Jr.)**

A motion was made by Mrs. Rapp, seconded by Mrs. Tassone to approve items 2a and 2b. Passed unanimously; MOTION CARRIED.

3. OFFICE OF ENVIRONMENT: Charlotte (Chuckie) Holstein, F.O.C.U.S. Executive Director

- a. Transfer of Funds from County General Contingency Account 650 (\$20,000) to Financial Services – Authorized Agency – FOCUS Greater Syracuse Account 888 (\$20,000)**

- Now is the time for putting together a plan for Onondaga Lake; something visible citizens can see
- County owns largest portion of the land around the lake; in excess of 90%
- Cost effective to have contract with FOCUS, put together citizens ideas and develop comprehensive plan cooperatively with all stake holders
- Focus luncheon program distributed as sample of FOCUS work with Onondaga Lake (*on file with the Clerk*)
- Partners with University College for administration of a Citizens Academy, takes a minimum of 35 adults through the WWTP yearly, receive positive comments citizens don't realize all that is involved with cleanup of lake besides what Honeywell, Parsons and O'Brien and Gere are doing

- Zip code sign in for meetings and forums, tracked to insure all zip codes of the county are represented; very aware when accepting applicants for the Citizens Academy, not just Syracuse oriented have had people from Cortland, Oswego and Monroe County attending their sessions depending on topic
- FOCUS fact sheet distributed (*on file with the Clerk*), spent 1 year asking Onondaga County citizens for their vision, over 15,500 ideas, collated ideas and stored at OCC, 100 volunteers spent 4 hrs distilling ideas into goals, instruction was 20 goals ended up with 87
- 4,500 people attended vision fair, voted on goal most important to them and something they might work on, were looking for volunteers as well, cleaning Onondaga Lake and making accessible to public came in 3rd, have been avidly working on this
- Mission - to enable citizens, organizations and government to work together; they are conveners, communicators, catalyst, clearinghouse, champions and celebrators; samples listed in fact sheet
- Have tangible and intangible assets, Board of Directors most tangible asset (*list on file with the Clerk*)
- Inquires on FOCUS operation from New Zealand, Australia, United Kingdom, and Canada; looking to duplicate what FOCUS is doing, believe they are unique
- Reviewed reports dating back to 1970's, pulled out 98 citizen ideas; some could be done now
- Parks department used citizen's goals to obtain grants for Loop the Lake Trail, bicycle racks on CENTRO buses due to the ability to quote the number of people requesting access to other modes of transportation
- \$20,000 low cost for planning roadmap due to hundreds of volunteers, only 2 full time staff
- Behind the scenes FOCUS convened a group of principal parties associated with Onondaga Lake, everyone discussed what they were doing in isolation, enthusiastic about working together, nothing happened as no one was given authority to call the group back together; FOCUS is an unbiased nonpolitical group that could pull the group together
- Citizens want 1 comprehensive plan; County, State and Honeywell own pieces of the land, not sure if there are any others, needs to be determined so all parties can work together
- Attorney for Onondaga Nation called requesting members of the Nation be included should FOCUS receive contract; conservation organizations and individual environmentalist called asking to be included in all discussions on land use for the lake; 30 – 40 interested people willing to meet monthly if not weekly to discuss what needs to be done and steps they can take to accomplish it

Chairman Plochocki asked Ms. Holstein to elaborate on why this is needed now. One could make the agreement that in a double-digit recession, \$20,000 is a lot to spend. Maybe we should wait one, five or ten years; what are the advantages of spending the money now. Ms. Holstein:

- Honeywell has plans intended to execute within the next 3 years, own 7 acres, will have trails, park benches and interpretive center
- NYSDEC putting in boat launch on the Westside of lake near 690W exit for NYS fairgrounds; can get from Onondaga Lake to the Mississippi River
- County owns majority of the land, doesn't look good if they are not participating
- High citizen interest; will lose interest as in the past 40 years if nothing happens
- Lake is cleaner, recommend no longer using the terms polluted lake and waste beds; use the terms beautiful lake and uplands; important for all to see the beauty of the lake
- Cost increase overtime, will not go down

Mrs. Rapp stated this subject was discussed in committee meetings more than 10 years ago. There are over 1500 acres of developable land and at that time it was the only city in the US with a pristine shoreline on the edge of a city. There were very different visions on how it should be developed, some wanted all parkland. O'Brien and Gere wanted to move their office to this location and have mixed use housing and green technology. Mrs. Kitney visited Washington State where they had a similar reclamation project. She came in with the idea that the land needed to stay pristine parkland. After seeing what Washington State had done, she completely changed her vision of how the lake could be best utilized for economic development. There were ferries going back and forth, trails and people living on the lake. As for why now, we've discussed this in committees for over 10 years. We need an inclusive vision so that it doesn't become a mishmash, citizens have their say in development, and we are able to maximize the economic development.

Ms. Holstein:

- Congressman Walsh influential in happenings at the lake, felt the lake should be left natural
- Natural lake needs to be accessible; public wants to be able to see it, feel it, swim in it
- Goal suggested building a Native American Cultural Environmental Democracy Center;
- Native Americans would like to have a cultural center, Saint. Marie does not see the Nation through the Nations eyes but through the eyes of the Clerics that came here from Canada and France
- Spoke with Honeywell and EFS regarding environment; much to offer learning what environmental science is teaching us; what we destroyed and what we are bringing back
- Democracy Center; Hau de no sau nee Nation started democratic way of life, Maxwell School has some interest in showing how democracy was formed

Ms. Holstein added that the state felt strongly a Native American Cultural Center was needed in upstate New York. It was constructed in Niagara Falls and has been closed for 7 years. She believes that if the state is still sincere about having a Native American Cultural Center it might be worth exploring. She has been told that Native Indian Affairs from Washing, DC would also be interested.

Ms. Holstein distributed copies of the Onondaga Nation's Vision for a Clean Onondaga Lake to the committee (*on file with the Clerk*).

Mr. Meyer stated that this item was brought up at budget time and questioned by whom. Ms. Holstein responded that it was a combination. Early on she had written to the County Executive indicating that FOCUS was ready to help the county with citizen engagement programs and asked to be considered whenever anything came up. Recently she has been on several advisory committees that have hired outside consultants to do a variety of things for the city, county and state; each one included a citizen's engagement piece. FOCUS members have been displeased with how the citizen's engagement has been handled, prompting the letter suggesting that they might be able to do this for the county. Specifically she and Mr. Millea had a conversation about this and she stated that FOCUS would love to apply.

Mr. Meyer asked why this was being done as an authorized agency rather than a contract through the department. Mr. Millea stated it was done as a contract; authorized spending from the 2012 budget Ways and Means report. Ms. Holstein added that they have not received funding for 2 years. Mr. Millea stated it was in the County Executive's budget but was moved via the Ways and Means report to the fund balance list due to its onetime nature.

Mr. Meyer asked if FOCUS had contacted any of the other interested parties or foundations to request funds for the study. Ms. Holstein responded she had not. She contacted them for assistance with their operating budget. This project was something they were working on with the county; they don't double-dip. She believes that it is a goodtime for the county to consider FOCUS or an organization like them, to participate as the citizen's participation piece for any of the planning contracts.

Mr. Meyer asked if she had spoken with the City of Syracuse, Town of Salina and Town of Geddes with regards to this planning idea. Ms. Holstein stated she had not spoken with regard to the Onondaga Lake idea as most of the property is owned by the county. Mr. Meyer added that those entities have the authority for planning. Ms. Holstein responded that she works with the Planning department very closely through sustainability. The city's comprehensive plan follows very closely the FOCUS plan and citizen goals.

Mr. Meyer asked that she elaborate on citizen access to the lake. Ms. Holstein:

- Hikers and bikers want Loop the Lake completed
- Wheelchair accessible to nature
- Picnic tables and park benches; use of the entire lake
- Boat marina and nature center
- Interpretative signage
- Exercise trail

In answer to Chairman Plochocki, Ms. Holstein stated the project budget was included with the backup information for the resolution. Copies of the 2012 FOCUS budget provided for the committee (*on file with the Clerk*).

In answer to Chairman Plochocki, Ms. Holstein stated general operating costs would not be used from the \$20,000; used only for administrative costs associated with the projects such as copies for example.

Mrs. Tassone stated that Ms. Holstein has been doing a wonderful job with FOCUS.

A motion was made by Mrs. Tassone, seconded by Ms. Williams to approve this item.

Chairman Plochocki stated he was in favor of this item but wanted to allow for the fair hearing on the why now issue and confirm that the funds would not be used for general operating expenses. Mrs. Rapp responded that this is a good deal; so much of what we are getting is volunteer service. She is hopeful that we won't overlook the economic development side; so many people love the idea of leaving near the water.

Mr. Meyer commented that he would have preferred that this was issued as a contract, rather than an authorized agency procedure. Mr. Plochocki asked if he would like to propose a change. Mr. Meyer responded that he did not.

Ms. Williams commended Ms. Holstein on her work and agreed that this is deal. It's time to move forward.

Ayes: 4 (Tassone, Williams, Rapp, Plochocki), Noes: 1 (Meyer); MOTION CARRIED.

The meeting was adjourned at 10:25 a.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

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**COUNTY FACILITIES COMMITTEE MINUTES - JANUARY 18, 2012
JUDITH A. TASSONE, CHAIR**

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

ALSO PRESENT: Mr. McMahon, Mr. Kilmartin, see attached list

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

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

a. Amending the 2012 County Budget to Accept Funds for the Onondaga County Public Library 2012 Summer Reading Program (\$6,100)

- Grant from M&T Bank – city children summer reading program

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

2. PARKS AND RECREATION: Bill Fisher, Deputy County Executive; Gordon Cuffy, County Attorney

a. A Local Law Authorizing the Lease of Alliance Bank Stadium to the Community Baseball Club of Central New York, Inc.

(*Proposal for lease agreement – [attachment no. 1](#)*)

Mr. Cuffy:

- Asked by CE to lead the negotiation of a new lease for Alliance Bank Stadium by the baseball club
- History – 2008; asked to come resolve long standing dispute with baseball club regarding prior lease – dispute over utilities, revenue, use of suites and other issues; Bob Scalione – resolved disputes; since 2008 very good relation with baseball club – no reoccurrence of disputes in the last 4 years
- 2008 – when discussed old lease with Mr. Scalione, made commitment to renegotiate new lease, and try to make it more clear, simple and better for both parties
- Been engaged with discussions over a year with Mr. Lansley, Parks Commissioner, Mr. Millea, Deputy County Executive for Human Services and Mr. Fisher, Deputy County Executive
- Goals – (1) Legislature removed \$500,000 from Parks budget; told to reduce amount of County finance contribution to operation of stadium; (2) continue to have minor league baseball; (3) continue with community use
- Current lease as proposed includes an 11 year term vs. 15 year prior lease defined for state legislation, UVC set term – not under those obligations now; lease calls for baseball club to occupy stadium year round
- Analysis on how to attain goals - enlisted services of professional consultant; advice of what to look at, considerations to have with a new lease

- Determine if County could reduce contribution – consultant said the key is the ball club generating revenue; consultant also stated the market has limitations on revenue generated
- Ball club will not generate \$500,000 – decided to shift responsibilities of stadium to ball club; determined what they could take over in the stadium; landlord/tenant lease; County is landlord and responsible for infrastructure and structure of facility; ball club will maintain facility on daily basis and run operations of stadium at their cost
- Proposal – provide 30 days of community use of stadium; concerned with community use whether County or ball club; cost the County to put on community use; hope ball club will take the lead of community use costs
- Community use – any event County puts on is community use because it will benefit tax payers; ball club community use involves not-for-profit and charitable organizations that benefits community – concert is not community use
- Agreement with ball club not to charge fees for community use; provision to be reimbursed but not profiting

Mr. Fisher:

- Cannot charge for use of the facility for community use; cannot tell Section III to pay; Chiefs agreed not to charge for rent or use of stadium – can recover cost; Section III can pay the Chiefs for tickets; concessionaire in stadium can be shared with Chiefs but cannot charge for profit
- Selling tickets - can do this; last year 20-25 events where Section III or high school came in – ball park decides

Mr. Simone:

- Section III has a price of \$5 and charge – 100% of charge goes back to Section III
- Community use started 15/16 years ago; to receive funding from state had to show the ball club would allow community use of the stadium; Section III; Ray Rinaldi from North Area Boxing; Dom Cambareri from Challenger Baseball; Tom Brown from ALS – not charge charitable orgs to play; part of obligation to state to receive \$16 million
- Challenger kids in stadium – they come back for chiefs game; baseball community that comes out, come to games
- Collegiate league (Eastern Pro Sports) that is coming in is not community use; major event coming in funded by MLB; not playing for free; bringing in 1,000 room nights; some collegiate leagues are funded by MLB
- Let the event organizer charge; Mr. Maturo is part of 30 and over league – draws 15-20 people, wives/kids; can choose to charge; there is security but don't charge the organization
- Event in July; 2,000 - 3,000 – Chiefs charge to County; goes to East Coast Pro Showcase; share expenses/profits

Mr. Fisher stated that event is not part of the 30 community use events that need to be scheduled in 2012.

Mr. Cuffy:

- Shifting cost to baseball club – baseball club has to have ability to maintain stadium; need to generate revenue
- Trade off – make determination of how to reduce County cost and balance with minor league baseball at stadium
- Price of rent; had to make determination with help of baseball club; how can assume maintenance and pay rent
- Previously revenue sharing and rent clauses; 2008 – years of not contributing to additional rent; got check \$2,500
- Had Strasburg phenomenon and Dave Matthews; received \$16,000; balance with reduction of cost to County - more prudent to let ball club keep revenue and pick up costs; County is not paying utilities under this agreement
- Long standing dispute of who should pay – part of this agreement the baseball club will take over payment of utilities
- 2008 – agreement that had not existed before; confusion of prior lease and managing utilities – would be an issue with new lease but baseball club will take over; ball club has consistently paid utilities

Mr. Fisher:

- County used to pay utilities on off season plus demand charges throughout the year; \$200,000 budgeted for utilities will now shift to the Chiefs just by renegotiating that part of the lease
- County sponsored events, the County will pay average utilities compared to the month it is in; day event with no lights is 25%, night event is 75% of average daily costs; Parks and Facilities looked at - agreed it was a fair formula
- Negotiated lease attains \$500,000 reduction in Parks budget from Mr. Rhinehart; rent is lower - shift in costs
- \$400,000 for Alliance Bank Stadium is exactly what was adopted in October

Mr. Lansley responded to Chair Tassone that there are 3 – 4 full time and 4 part time employees currently who will be reduced to 1 full time employee for maintenance. Mr. Lansley commented the Superintendent retired, a laborer is going to Beaver Lake, and the part-time grounds keepers will be kept on and paid by the ball club.

Mr. Cuffy responded to Chair Tassone that the County retains the revenue for the naming rights. Mr. Cuffy replied to Mrs. Rapp that he believes it expires in 2022. Mr. Fisher commented the consultant looked at minor league baseball agreements and a majority of the time the municipality gives the naming rights to the club but the County retains the naming rights to pay for the stadium. One part in the financing was \$3 million in bonds that has been paid off, and another part was \$4 million from the Chiefs in prepaid rent; all up front. The last part was \$3.6 million borrowed from the County that is referred to as pooled cash. It is money that is in the bank but not appropriated. The naming rights revenue which is \$151,000 is used to repay the \$3.6 million that went into construction. There is still approximately \$1.7 or \$1.8 million left, and the naming rights revenue will be used to pay back this loan to the County through 2021 or 2022 to be even. Mr. Cuffy wanted to thank Alliance Bank for their cooperation in reopening the naming rights agreement.

Mr. Fisher:

- Alliance Bank has suite behind home plate – been there and love it; Chiefs want to have lounge vs. suites; consultant said people want enhanced seats not suites or club level areas; Chiefs will build one out in stadium
- Had to persuade Alliance to move to suite 301 - Chiefs will use \$10,000 to upgrade the Alliance Bank suite
- Alliance Bank had exclusive in advertising for financial service companies - Visa in every stadium in country but Chiefs; Alliance relaxed the exclusivity, now baseball club will be able to sell to local businesses not able to before
- Looking for ways to allow baseball club to generate more revenue – substantial decrease in County tax payer subsidy

Mr. Cuffy responded to Chair Tassone that the Chief's are responsible for taxes at profitable events. The team is protected for baseball events but non-baseball revenue that is generated; they will be responsible for the taxes. Mr. Fisher commented that the County owns the property so it is tax exempt. When the ball club puts on activities, and they collect sales tax, they are responsible for collecting it and paying it.

Mr. Kilmartin asked if there was any way to depict the net and difference of revenue and expenses. Mr. Fisher responded he will bring a budget resolution before Ways and Means along with the complete lease. There was \$216,000 budgeted for rent, and the actual rent will

be \$126,000. There was \$25,000 budgeted for a turf payment which is not there anymore. The revenue went down but so did the expenses mainly in the utilities. Mr. Fisher said he can break down the savings. Mr. Kilmartin asked if the 30 days of community use was the total number of days available or the number of days the County has for community use.

Mr. Fisher's response:

- Baseball club submits detailed calendar by Oct. 1 (have 2012); lays out baseball schedule, grounds keepers schedule, community events scheduled (i.e. Section III)
- Reserved dates locked; mutually sit down, ensure 30 days are available for community use; anything left split 50/50
- CE does not want to put on any events at Alliance Bank Stadium; want baseball club to put the events on every day but the County has the right to do them, and can make business decisions to do concerts; but want club to do it

Mr. Cuffy stated the baseball club is aggressively attempting to schedule community use events, and in 2012 there are 22 community use dates already booked. Mr. Simone commented that since the stadium went from turf to grass, the event numbers have gone up. The month of September can be better than April, and it can be utilized if the Chiefs are not in the playoffs. There are 28 days available in September, and the grounds keeper has through October to re-patch. Mr. Simone agreed with Mr. Kilmartin that the 30 days are aggregate.

Mr. Fisher replied to Mr. Kilmartin that the scheduling has worked well with the Crunch and the Oncenter. Mr. Spaulding stated it has been better in recent years. In February the Crunch will have to give 70 dates for next season, and over the next 6 months, will trade dates for the best situation for both the Crunch and Oncenter.

Mr. Scalione:

- Same give and take; ball club has event scheduled – can trade, take over a different extra date
- Goal to be flexible and make available as many dates as possible; do best to fill dates; reality – at times can't fill them
- Committee in place headed by Joe LaGuardia, most active on behalf to look for concerts; "black eye" on stadium because no concerts in last two years; did try but no one touring on dates available – based on baseball schedule
- Looked for promoter to fund the entire event – don't want to come out of pocket to promote the event
- Last year had Boston Pops and Kenny Loggins scheduled and touring 9 cities – great advance sales but other cities had nothing; tour got cancelled; commitment is there to try to put on more commercial based events

Mr. Fisher:

- County tolerance for risk different than ball club; Oncenter makes guarantees; \$275,000 for Sugarland but offered \$200,000 – lost to Turning Stone; decision Mr. Spaulding and Ms. Toennies can make within their business plan
- Oncenter could be in a position to do County events that the baseball club would pass on
- Build good channels of communication – will generate more concerts there, ball club will make the money, take risk
- Or County would make or lose money – legislature never been keen on risking tax payer money
- Very much aligned with Chiefs on how to look at these types of things
- Reference the purchase agreement and price: the land belonged to the City and was transferred to the County
- Reverter - selling would go back to City; would have to talk to City to sell to the ball club; no money into the land
- Option that might be controversial - went to CE to make decision, wanted to negotiate the option; \$500,000 less in the budget but still over \$400,000 – will probably stay at that level until 2018 when bonds paid off but still would be \$300,000
- \$200,000 or \$300,000 is real money coming out of property tax for the remainder of 11 years; County would get out of payment – no Parks budget, no Facilities budget, wouldn't own the stadium anymore
- Commitment to schedule 30 community events would stay in the provisions – AAA baseball played would have to continue community use events
- Fair price – money owed is \$1.7 million – don't want to be at risk; would give naming rights as long as Alliance is okay
- If Alliance Bank has a problem, as P&C did where P&C went belly up, and the naming rights agreement was worth nothing, then that would be on the Chiefs
- Chiefs would have to give money to County upfront in the amount of \$1.7 million; also give the County the remaining debt service on turf; \$750,000 in principle and \$100,000 (will give specifics) in interest
- Turf equipment to maintain the natural grass – looked at value over 10 years with depreciation; threw in - have to buy
- Money owed for construction + money for bond holders + turf equipment = what the ball club would pay the County
- Debt would be paid off, and the \$400,000 in the budget would be gone; significant benefit to tax payers – well in excess of what a 15 year old stadium worth; if there is no AAA team, what's it really worth?

Mr. Cuffy responded to Mr. McMahon that there would need to be a local law approved by the legislature for the option to buy in the lease. Mr. McMahon asked about the purchase price of \$2.8 million, which he agrees not many minor league teams are competing for the stadium, but any rational person in real-estate knows the value of the stadium is over \$2.8 million. Typically that would be used for an assessed value; assuming this property would go on tax rolls if sold to the Chiefs. Mr. McMahon asked what the taxable assessment would be for Alliance Bank Stadium. Mr. Fisher replied he will work with the City to get a number on that. Mr. McMahon stated in the event this happens, the Chiefs should be paying fair market value in property taxes, and there is no tax tertiary to go down to \$2.8 million which an attorney would advise someone to do after the sale. The opinion is the \$2.8 million figure is the ongoing savings because it was eliminated from the budget, and the County will be reimbursed for expenses invested into the baseball stadium. Mr. Fisher agreed, and clarified that it would be capital expenditures.

Mr. Kilmartin asked how many players are able to acquire this asset. He would like to see what the fair market value of the property is. What is the debt left on the investment of the property for the County? An example would be someone asking how much debt is left on a house, and the response is \$100,000. The offer is \$100,000. This may be spot on for value but it could be overleveraged or 1/5 of the value if the debt was aggressively paid down. Mr. Cuffy responded it is definitely relevant whether there is a minor league baseball team to play. Mr. Fisher stated when someone has an asset, they will figure out what income the asset can generate. This asset cannot generate income for the County to pay costs there.

Mr. Cuffy responded to Mr. Dougherty that there is a pretty extensive list for the baseball club reference the routine maintenance they are required to do. Mr. Fisher commented on page 2 article 4 of attachment no. 1, it shows the club is responsible for housekeeping, personnel materials, grounds keeping, parking, plowing, security, trash removal and more. The major capital repair like the roof or seats will be handled by Facilities. There will be one employee for the routine maintenance (i.e.: when a lock doesn't work). The Chiefs will be responsible for capital improvement including the patio seating or sod area. The club will be borrowing the money from the bank, and the

County will be supplying only \$200,000 in the budget for the video board. Mr. Fisher replied to Mr. Dougherty that if the club does the capital improvement, then they will have to maintain it for the duration of the lease.

Mr. Cuffy replied to Mr. Ryan that the baseball club cannot guarantee a championship since the minor league loses players to the majors, but they can be incentivized to improve the experience for the community at large.

Mr. Scalione read from a written statement; [attachment no. 2](#).

Chair Tassone stated there will not be a vote, and recommended the item be sent to the Ways and Means Committee.

Mr. Scalione replied to Mrs. Rapp that there is a significant amount of interest in purchasing the stadium. One thing the ball club did was shortened the period of time to exercise the option to two years which allows them to do necessary due diligence on the facility, explore financial opportunities to get money to purchase the stadium, and force the Chiefs to make a decision. Mr. Scalione believes it makes sense to own the stadium.

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

Respectfully submitted,

Jamie M. McNamara, Assistant Clerk
Onondaga County Legislature

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**PUBLIC SAFETY COMMITTEE MINUTES – JANUARY 19, 2012
KEVIN A. HOLMQUIST, CHAIRMAN**

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

ALSO PRESENT: Mr. Knapp, Mr. McMahon, Mr. Jordan, Mr. Meyer and see attached list

Chairman Holmquist called the meeting to order at 9:05 a.m. **A motion was made by Mr. Dougherty, seconded by Mrs. Tassone to waive the reading and approve the minutes of proceedings from the previous committee meeting. MOTION CARRIED.**

1. ONONDAGA COUNTY FIRE ADVISORY BOARD:

a. Confirming Appointment to the Onondaga County Fire Advisory Board (SMSgt. Jeffrey S. Chrissley)

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

2. DISTRICT ATTORNEY: Barry Weiss, Administrative Officer

a. Amending the 2011 County Budget to Provide the Office of the Onondaga County District Attorney with Additional Funds Beyond the Estimated Dollars Appropriated in the 2011 County Budget and Authorizing the County Executive to Enter Into Contracts to Implement this Resolution (\$15,000)

- Change in contract period, additional funds to bridge gap

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

3. SHERIFF: James Rinella, Captain

a. Transfer of funds from Regular Employee Salaries Account, Sheriff Custody, 101 (\$150,000) to Overtime Wages Account 102 (\$150,000)

1Mr. May arrived at the meeting.

- \$140,790 actual 2011 Custody overtime amount

Chairman Holmquist stated it might be helpful for committee members to be provided with a history at the next committee meeting. Overtime has always been an issue. He asked that they go back a ways and provide a historical presentation as to why overtime is an issue and what the procedure is. Captain Rinella responded that he would make sure the Chief provided the information.

Captain Rinella:

- Custody is under the NYS Commission of Corrections, set staffing, have to comply
- 1on 1's required for potential suicides (one deputy/one inmate), drives overtime costs
- 2011 staffing level not at 100%, drives overtime costs

In response to questions Captain Rinella supplied the following:

- Population up, 639 average daily numbers for 2011, compared to 602 for 2010; 660 maximum, depending on circumstance may allow for additional increases
- Economy contributes to increased population, more burglary investigations
- Incarceration time increased, investigating why, Maxwell School doing study; past 10 years the length of stay doubled
- 70% of population City residents
- Had issue with 1 on 1's in 2010, tried to do 2 and 3 on 1, Commission of Corrections disallowed, trying to work with them to use one deputy for multiple inmates on suicide watch

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

b. Air 1 FAA Approval - Update

- Part 135 certificate received on January 10, 2012
- Completed first medevac they will be able to charge for; Onondaga County resident taken to Upstate
- RFP issued for billing company; believe Multi-Medical will be awarded the contract, meeting scheduled for Monday to start the process

Mr. May stated ultimate sustainability of the program will require a business model attached to it as opposed to a line in the budget or corporate sponsorship. The future was grim in that direction, being able to bill is fantastic.

Mr. Dougherty asked what was next. Captain Rinella:

- Currently single pilot certification, start working on additional pilot certification
- FAA process, bench marks have to be met, takes time

In answer to Mr. Dougherty, Captain Rinella stated he believes they have to certify annually. He was not involved in the details; persons assigned to the aviation unit handled this.

Chairman Holmquist stated that most likely this will defray our operating expenses. Captain Rinella:

- Sheriff's goal to cover 1/3rd of the operating budget in the first year, stated publicly
- Public safety issue that is uniquely governmental, goal to minimize cost to the taxpayer
- Chief Balloni actively looking for corporate sponsorship
- Mailer sent between Christmas and New Years, raised \$42,000 after expenses, continuing process; slightly less than 800 Air 1 Foundation members
- Working to develop Air 1 Foundation Board

Chairman Holmquist added that we have some progress with our neighboring counties that can be used to supplement the foundation.

Mr. May asked about the demographics and supporters of the Air One Foundation. Captain Rinella:

- Not for profit foundation
- Actively looking for board members; diverse group bringing something to the table to move process forward
- Sheriff, Undersheriff and Chief Balloni current board members
- Considerable number of individual donations, some corporate donations; reached out to fire districts and emergency medical, have received donations
- Strong relationship with Upstate

Mr. Ryan asked if they were trying to expand fundraising to surrounding counties, they have a stake in this as well. Captain Rinella:

- Mailer sent to 9,500 people including those in surrounding counties
- Last summer Sheriff brought in the Sheriffs and emergency managers from surrounding counties and counties that have used Air 1 in the past, as far away as Jefferson and Lewis County, all understand the value of Air 1, many have asked their legislature for funding
- Oswego County has \$10,000 set aside for us; Cayuga County has been giving \$5,000 per year for a number of years

Mr. Ryan added the success of this program will depend outside participation. Captain Rinella responded that they are pursuing support from outside counties and their residents.

In response to Mr. May, Captain Rinella stated if there was an emergency medical evacuation and they perform a transport, the billing would be handled through Multi-Med. This is just a portion of the overall picture on how they plan to fund Air 1.

Mr. May asked if the entire operation would be under the umbrella of the not for profit corporation, with the corporation self sustaining or is the corporation only going to encompass the medevac services provided. Captain Rinella responded that he thought it would be everything. There will have to be multiple sources to sustain the program. Mr. May agreed adding this would be ideal.

Captain Rinella:

- Few months ago helicopter used to catch burglars in the Towns of Manlius and Onondaga; primary mission police services
- Multifaceted ship used to assist fire services recently used the bambi bucket; provides value to police, fire and EMS
- Looking for multiple revenue streams to continue operations

Mr. May stated to avoid some of the public hoopla, it would be fantastic to see this program self sustaining.

c. Informational: Request Air 1 Services – IMA with Oswego County

Ms. Tarolli:

- Proposed agreement to provide mutual aid; Oswego County would pay us for services
- Had to look at FAA regulations to determine if you can charge

Ms. Bleskoski:

- Part 135 does not speak specifically as to what you can charge for
- Under Part 91 could have charged provided the county certified the service was not available under any other means, always had the ability to charge for medevac service
- OK to charge in her opinion
- Funds can be used to cover police services and medevac; will come in lump sum

Mr. Dougherty asked if the funds were voluntary from Oswego County. Ms. Bleskoski stated that was her understanding. They have already passed the resolution in Oswego County.

Mr. Dougherty asked if there was a similar gesture coming from other surrounding counties. Chief Rinella stated that in the summer the Sheriff invited 13 Sheriff's and the emergency managers to a meeting. The Sheriff of Madison County was going to go back and look at the budget to see what could be done. Other counties are going through the process and looking at it as well. Hopefully they will be able to step up and provide the funds. They have a breakdown of the responses from the counties they have gone to over the years. Some seem to have given more than others. Counties are going to have to make a decision as to whether they want to participate. If they do not want to participate, an internal decision will have to be made as to how this will be handled.

In answer to Mr. May, Ms. Bleskoski stated the funds are a \$10,000 gift for the agreement that if they need us and we are available, we will be there. Not strictly for medevac, though it is specifically mentioned in their resolution, also covers police services; we are the only ones that can offer this service. Mercy flight does not cover police services.

Captain Rinella:

- Medevac flights dispatched through TLC clearinghouse in Cortland, determine where the incident occurred and who is the closest, closest agency responds
- Plenty of medevac work; Upstate hospital provided letter stating 461 people came to them by ground ambulance that should have arrived by air in 2010; traumatic injuries need to be treated in the first hour

Mr. May stated he likes the idea of an escrow approach. We are providing a wonderful service to neighboring counties. It would not be unreasonable for us to expect neighboring counties to fund services in their budgets. Perhaps based on historical usage, an escrow amount could be used as a starting point. The terms, availability, and perhaps the even the eagerness to support, them is changing. It would be nice to receive more, if we are doing more, purely from a business standpoint. One or two trips to Oswego County may eat up the \$10,000, then what happens.

Mr. Ryan stated he is looking at this from a cost objective standpoint, with the goal of keeping the operation going at a very minimal cost to Onondaga County residents. He asked how many times they are going to Oswego County; perhaps we should be asking for more. Captain Rinella stated that he did not have the information with him but could get it. Of course, it changes from year to year. There are things that happen on Oneida Lake; north of Oneida Shores you are technically in Oswego County but, it is Onondaga County residents. The logic for the question is how much of a proposition is this for. If we are going to Oswego County 15 times, the cost for the services is much more than we are receiving from them.

Mr. Dougherty added that we don't have any leverage to make them give us funds. If next year they refuse to give us funds, we get nothing. Whether we put the funds in an escrow account or not, when the amount gets to 0 is it entirely up to them to give us more funds. State mutual aid laws state that if there is an incident in Oswego County and we are needed, we have to go. Captain Rinella added that they are at the beginning of this learning process. The goal is to grow the funding stream. They will look at the numbers, compute the number of times they have gone to each county and get the information to legislators; unsure if he has the detail to break down the number by incident. The goal is to minimize the cost to the taxpayer and keep the program going. They have a ship that services all fire, police and EMS and is paid for.

Mr. McMahon stated that he was hearing conflicting information and asked if they had the ability to charge for services. Ms. Bleskoski stated under Part 135 they can charge for transporting a person or property. They can defiantly charge for medevac.

In answer to Mr. Dougherty, Ms. Bleskoski stated that with mutual aid laws, if another county asks for help we are obligated to help them. She does not believe that we can charge for this service and doesn't believe we could bill them for it. We could ask, explaining how many times on average we have been there in the last 10 years and the cost associated with providing the service.

Mr. McMahon stated if the committee could assess the number of calls, location, and estimated dollar figure for the service, we can then determine the best means of reimbursement. It may be this legislature reaching out to other legislatures for reimbursement or it may be that instead of using overtime for police services, we call on other counties for mutual aid to even things out. He is unsure of the answer at this time, we need the history.

Mr. May stated the escrow approach, rather than the gift, might give counties respect for prudence in their request for assistance; adding that he understands the limitations due to the law.

In answer to Mr. May, Ms. Bleskoski stated that locally fire departments have signed agreements amongst themselves for mutual aid. A signature is not required for inter-county mutual aid. There is an agreement with the state. Oswego County's resolution specifically stated mutual aid. If a resolution comes before this committee to accept funds from Oswego, she assumes there will be a mutual aid clause in it. Mr. May added that the rules of engagement and obligation are there; seems a waste of time to talk about this aspect of it. He hopes to find a way to optimize this relationship, as we do have something of benefit.

Chairman Holmquist stated that we want to get a handle on the cost to Onondaga County, understanding that there are multiple revenue streams. Captain Rinella confirmed he understood.

4. EMERGENCY COMMUNICATIONS: William Bleyle, Commissioner
a. Memorializing Support for Participation in a Study Regarding Shared Public Safety Communication Center Services with Various Counties, and Authorizing the County Executive to Enter Into Intermunicipal Agreements (\$2,500)

- 911 costs of doing business escalating
- Technology changing quickly; lifecycle of equipment decreasing, operating software changing
- Onondaga, Cayuga, Madison and Oswego County's agreed to fund study, make recommendation to increase resource sharing or consolidation
- Estimate \$25,000 per county for study, 90% state funded 10% match, Onondaga County's match up to \$2,500, funded from operating budget
- Funds received from the grant will be equally shared by all counties for this purpose

Chairman Holmquist asked the timeframe for the study. Mr. Bleyle:

- Grant application deadline 3rd week in March, county resolution required for grant request; unsure when funds will be awarded from the state, estimate study to take at least 6 months
- Consolidation complicated issue, number of phone companies, issues with civil service, facilities, training and procedures
- Funding issues, how to fund; under one county or independent agency
- Meeting with stakeholders would need to be held

Chairman Holmquist asked if he anticipated that the study would address all of the issues and come up with recommendations for each of the participating counties. Mr. Bleyle:

- He has started working on extensive template with considerations for consolidation
- Attended the Association of Public Safety Communication Conference in September; consolidation hot topic on agenda, being looked at all over the country, Onondaga County currently in the top 5- 10% for consolidation, most consolidations are being talked about within a county or agency

- This would be a very large consolidations, a lot of issues need to be looked at

Mr. Bleyle stated he would be happy to send the committee a list of considerations he would want to see in the study. This is not a simple issue.

Chairman Holmquist asked if one study would be able to address all these issues; it seems very complicated. Mr. Bleyle:

- Small number of vendors with this level of service, currently have identified 2, looking for 3rd potential vendor to prepare RFP
- A number of consolidation studies have already been completed

Mr. Dougherty asked what kinds of things we were looking to consolidation. Mr. Bleyle:

- Study would look at all aspects, example: currently sharing radio system master site, in return will receive maintenance money and will share in any costs for improvement to the master site
- Potential of sharing computer aided dispatch system with Madison County, their system has to be upgraded, they are determining if it would be cheaper to plug into Onondaga County

Mr. Dougherty questioned if we had extra resources available now. Mr. Bleyle responded that it's not that we have excess of what we need; it's that there is efficiency gained. For example: they already or will have microwave data links that link their county to ours, if we share software already on our system it's not that cumbersome to allow Madison County to be a component into the system. We currently dispatch multiple agencies; 19 police agencies, 58 fire agencies, and 20 EMS agencies.

In answer to Mr. Dougherty, Mr. Bleyle confirmed that we would not be buying additional equipment to accommodate Madison County.

Mr. Bleyle:

- Looking at next generation 911, will be FCC mandate
- Current 911 system goes back to the 60's, analogue based phone systems going away, 40% of phones sold today have no voice capability
- People expect to be able to text, send photos and videos to 911; anticipate this type of technology will be mandated by FCC within 5 years
- Substantial infrastructure upgrades will be necessary at 911 centers,
- Sharing becomes more realistic if we all have to replace our phone systems at the same time move from analogue phone systems to IP based systems; might be more cost effective as a consortium rather than individual county

Mr. Ryan asked if he was sure that the FCC was going to force us to move to VoIP or beyond to 4G or 5G within a couple of years. Mr. Bleyle responded that he was.

Mr. Ryan questioned if they had the buy in from these counties. If done wirelessly, there are only 2 or 3 providers that could do this. If the antenna is still in Onondaga, we are going to need a hard fiber with high capacity bandwidth. This is a huge capital investment with multi telecommunication fibers. Mr. Bleyle:

- This is just one of the reasons for the study; very complex issue, a number of factors need to be considered
- Not saying this will occur, want someone to look at it and determine if there are benefits either from working on certain items such as phone system, or by doing everything
- Study may recommend regional dispatch center that will serve both Onondaga County and surrounding counties; Cayuga, Madison and Oswego are on board
- Cost to build new system very expensive; cost per seat much more expensive for smaller counties, if expense can be shared we all win

Mr. Ryan stated he doesn't believe that Madison or Cayuga County could afford this on their own. Mr. Bleyle responded that it was hard to say. The Justice department has already said they want to see next generation 911. They have told the FCC, it is a matter of public access and needs to happen. The hearing and speech impaired community would love to be able to text, currently have to use specialized devices to communicate in an emergency. At the conference mentioned earlier, the Chairman of the FCC gave a presentation saying they were in the process of defining the nationally accepted standards. They are going to mandate we move in this direction.

Mr. Ryan asked if they were going to attach broadband deployment dollars to the mandate. On the federal level they have the universal broadband deployment, which is the initiative to send broadband to areas they would not build in. If the government is going to push next generation on us, we don't want to have to pay for this. Mr. Bleyle added that every 911 coordinator in the country is beating that drum.

Mr. Dougherty stated it was very unlikely that they would roll this out all at once. He agrees that if the mandate comes it will be expensive. However, they are not going to roll this out and say in the short term you need to have all this completed. It will come out in phases. Mr. Bleyle agreed, adding this is going to happen by the very nature of the fact that the wired infrastructure is not being maintained like it used to be; it's going wireless. He predicts that within 10 years you will see wireless in your home. They have stopped making investments into fiber, the future is wireless links. We may have to change simply for the fact that wire lines aren't available to us or won't be as reliable as wireless or IP based communications.

Mr. May stated that he trusts the vendor would blueprint the migrations for us. He would like to talk about the logistics of the study itself. He asked if there some kind of committee or group that would help manage the study process and put parameters on it; how will it run.

Mr. Bleyle:

- Onondaga County will act as the lead agency and organize the study
- Other counties will contribute in terms of matching funds
- Central New York Interoperable Communications Consortium (CNYICC) already in place; already have discussions along these lines, natural extension of what we are doing now

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

5. ONONDAGA COUNTY JURY BOARD:

a. Confirming Appointment to the Onondaga County Jury Board (J. Ryan McMahon)

- 3 members, oversee the Commissioner of Jurors, meet annually

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

The meeting was adjourned at 10:02 a.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

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HEALTH COMMITTEE MINUTES - JANUARY 19, 2012
DANNY J. LIEDKA, CHAIRMAN

MEMBERS PRESENT: Mr. Jordan, Mr. Meyer, Mr. Shepard, Ms. Williams

ALSO PRESENT: See attached list

Chairman Liedka called the meeting to order at 10:07 a.m. *A motion was made by Mr. Shepard, seconded by Mr. Jordan to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.*

1. SOCIAL SERVICES:

a. Overview – David Sutkow, Commissioner; Steve Morgan, Executive Deputy Commissioner

- [Attachment no. 1](#); lists the programs within Social Services, people served, totals costs; Medicaid, food stamps, HEAP – authorized by SS but payments made by the state to the vendor (not represented in budget)
- What's the appropriate word for SS – large, 700 employees; expensive, operating budget \$154 mil, gross \$290 mil
- Total amount responsible for is over \$1 billion for Onondaga County - authorized to Social Services
- Impacts many families; individuals receive money from multiple programs; 1 of 5 residents will receive benefits
- Consequential – material impact on lives and functioning of struggling individuals and families in the community
- Operate in 2 areas – public benefit and protective service programs
- Public – entitlement programs; cash, food assistance, energy benefits, medical insurance, childcare for low income
- Misconception of Welfare system – people are able bodied but choosing not to work is not true – of all people, very few are able bodied and are not working; most individuals are working, are out of work force/retired, or are disabled
- Structure of economy has changed – families struggling, trying to do what they can; cannot make ends meet
- Late 2008 – recession; comparison data on [attachment no. 2](#); family assistance up 33%; safety net up over 50%; food stamps 50%; Medicaid 29%; day care 16%
- These represent families that are working – jobs changed, jobs not paying benefits or providing health care benefits
- People turning to supplemental benefits – become important to households since recession
- Big family of services are protection programs – 2 programs called upon to provide protective services to adults in community that cannot protect their own health and safety, and children who cannot protect themselves
- i.e. Alzheimer's, spouse died, or kids no longer live in the area; person elderly, wandering, leaving stove on, unable to meet their needs; get calls from neighbors, national grid, etc – asked to go out, assess and develop a service plan
- Child Protective Services – protection and permanency; calls every hour and a half; over 6,000 reports per year reference child not being treated properly; some are unfounded reports or unable to indicate maltreatment occurred
- CPS - address parenting issues; impairing ability to provide needs to the children or family, removing child and placing in foster care, or possibly terminate parental rights, adoption – 70 cases a year go to adoption
- Government proposal on caps on Medicaid - uncertain at this point and time; familiar with Medicaid and funding; local dollars capped at 3% escalator per year; local costs at \$100 million this year then next will be 2.5% more
- Medicaid – state authorized but locally operated; locally determine eligibility; maintain cases here; state policy, state rules; state admits providers and rates for providers - state would like to take over local administration
- 3 year period stop growth – 2015 would be same bill for Medicaid year after year; loses some credibility; responsible to take over financing; state would also take over fraud abuse
- DA – fraud abuse; had an event 2 months ago; not using Salient program much; State intensified efforts on provider fraud; County working in conjunction as needed
- Budget – nothing unexpected right now; three things influence budget: first is the state of local economy will impact program costs; estimates look sound and how programs were budgeted; not seeing anything in trend data
- Second is state policy – Medicaid and all programs; all is mandated, and all are subject to federal and state legislation
- Legislation - expand or curtail benefits effects DSS and local costs; not seen a lot on program side for concern
- Third is reimbursement from state; state sets reimbursement level; proposals being evaluated from governor
- 2011 - still crunching numbers but are looking to be in the black
- Attachment no. 1 pg 1 - costs on top are program costs (actual benefits), bottom, administration totaling \$74 mil gross

2. MENTAL HEALTH:

a. Overview / OnCare Status Update – Robert Long, Commissioner

<p style="text-align: center;">Overview</p> <p style="text-align: center;">Onondaga County Department of Mental Health</p> <p style="text-align: center;">Bob Long, Commissioner</p> <p style="text-align: center;">January 19, 2012</p>	<p style="text-align: center;">Three Disability Groups Served (Per NYS MHL):</p> <p style="text-align: center;">Mental Health (e.g. Depression, Anxiety, ADHD, Schizophrenia)</p> <p style="text-align: center;">Addictive Disorders (e.g. Alcohol & Other Drug Abuse and Dependency, Gambling)</p> <p style="text-align: center;">Developmental Disabilities (e.g. Autism Spectrum Disorders, Pervasive Development Disorders)</p>																										
<p style="text-align: center;">Onondaga County Need</p> <ul style="list-style-type: none"> • Children <ul style="list-style-type: none"> – 11,000 children age 9 to 17 (21%) have a mental or addictive disorder with a functional impairment that interferes with daily living. • Adults <ul style="list-style-type: none"> – 4,000 adults have schizophrenia – 29,000 adults have an addictive disorder – 33,000 adults have a mood disorder (e.g. major depression, bipolar disorder) – 45,000 adults have an anxiety disorder (PTSD, panic disorder, obsessive compulsive disorder, phobias) 	<p style="text-align: center;">2012 Budget Summary</p> <table> <tr> <td>Total Appropriation</td><td style="text-align: right;">\$27,898,541</td></tr> <tr> <td>Revenue</td><td style="text-align: right;"><u>\$25,144,417</u></td></tr> <tr> <td>Total County Funding</td><td style="text-align: right;">\$ 2,754,124 9.8 %</td></tr> </table>	Total Appropriation	\$27,898,541	Revenue	<u>\$25,144,417</u>	Total County Funding	\$ 2,754,124 9.8 %																				
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<p style="text-align: center;">Overview of Key Department Functions</p>	<p>Planning & Quality Improvement <small>Statutory mandate: NYS Mental Hygiene Law §41.05-41.31</small></p> <p>Direct and administer a comprehensive local planning process. Seek to assure:</p> <ul style="list-style-type: none"> – all population groups are adequately covered and sufficient services are available for all mentally disabled in the area. – there is coordination and cooperation among local providers of services – there is continuity of care among all providers of services. <p>Number Served: 90,500 Onondaga County Residents with Behavioral Health conditions.</p>																										
<p style="text-align: center;">Contracted Services\ Management <small>Statutory Mandate: NYS Mental Hygiene Law §41.07, 41.13</small></p> <ul style="list-style-type: none"> • Program management of \$19,994,696 in contracts for behavioral health services <ul style="list-style-type: none"> – define scope of services & performance indicators – oversee performance of contracted agencies. • Number Served: 46,000 people served (900 people employed) <ul style="list-style-type: none"> ▪ 99 Programs in 23 Agencies <ul style="list-style-type: none"> ▪ Mental Health – 71 ▪ Chemical Dependency – 22 ▪ Developmental Disability - 6 	<p style="text-align: center;">Contract Agencies</p> <table> <tr> <td>ARC Of Onondaga</td><td>Onondaga Case Management</td></tr> <tr> <td>ARISE</td><td>Prevention Network</td></tr> <tr> <td>BOCES</td><td>Rescue Mission</td></tr> <tr> <td>Liberty Resources/Brownell Center</td><td>Salvation Army</td></tr> <tr> <td>Catholic Charities</td><td>St Joseph's Hospital Health Center</td></tr> <tr> <td>Central New York Services</td><td>Syracuse Behavioral Healthcare</td></tr> <tr> <td>Contact Community Services</td><td>Syracuse Model Neighborhood Facility (Southwest Comm. Ctr.)</td></tr> <tr> <td>Coordinated Care Services</td><td>Transitional Living Services</td></tr> <tr> <td>Crouse Hospital</td><td>Upstate Medical University</td></tr> <tr> <td>ENABLE</td><td>YWCA</td></tr> <tr> <td>Exceptional Family Resources</td><td></td></tr> <tr> <td>Hillside Children's Center</td><td></td></tr> <tr> <td>NAMI-PROMISE</td><td></td></tr> </table>	ARC Of Onondaga	Onondaga Case Management	ARISE	Prevention Network	BOCES	Rescue Mission	Liberty Resources/Brownell Center	Salvation Army	Catholic Charities	St Joseph's Hospital Health Center	Central New York Services	Syracuse Behavioral Healthcare	Contact Community Services	Syracuse Model Neighborhood Facility (Southwest Comm. Ctr.)	Coordinated Care Services	Transitional Living Services	Crouse Hospital	Upstate Medical University	ENABLE	YWCA	Exceptional Family Resources		Hillside Children's Center		NAMI-PROMISE	
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Hillside Children's Center																											
NAMI-PROMISE																											
<p style="text-align: center;">Clinic Treatment for Children <small>Regulatory requirements: 14 NYCRR Part 587 & 588</small></p> <ul style="list-style-type: none"> • Specialized child and adolescent (age 4-17) licensed mental health clinic. Safety net program that serves the most seriously ill children with the most complex needs, offers sliding scale fee payment for the uninsured and underinsured. • Provides a comprehensive array of service to children and their families, including assessment and treatment planning, verbal therapy, medication therapy, crisis intervention (including home based crisis intervention), case management services and family support. • Number Served: 330 children and their families 	<p style="text-align: center;">Children's Day Treatment <small>Regulatory requirements: 14 NYCRR Part 587 & 588</small></p> <p>Need: Only children's (age 5-12) licensed mental health day treatment program in Onondaga County</p> <p>A comprehensive array of services for seriously emotionally disturbed children, including assessment and treatment planning, verbal therapy, medication therapy, crisis services, skills training, social training, and an integrated educational program, on a full or half day basis.</p> <p>Sites: Cedar Street (main site), satellite sites at Palmer Elementary (Baldwinsville), Porter Elementary (SCSD).</p> <p>Maximum Capacity: 62 children</p>																										

<h3>Assisted Outpatient Treatment</h3> <p>Statutory Mandate: §9.48, 9.60 NYS Mental Hygiene Law</p> <p>Operate, direct and supervise an 'assisted outpatient treatment' program to investigate, obtain court orders and supervise people in need of involuntary outpatient services (Kendra's Law)</p> <ul style="list-style-type: none"> • Investigations: <ul style="list-style-type: none"> – Total: 282 – Open: 20 • Court Orders: <ul style="list-style-type: none"> – Total: 66 – Active: 8 • Enhanced Services (alternate dispositions): <ul style="list-style-type: none"> – Total: 110 – Active: 14 	<h3>OnCare</h3> <ul style="list-style-type: none"> • 3rd yr of a 6 yr, \$9 million Federal SAMHSA children's system of care grant. Collaboration between MH, DSS CW, JJ, CBO's to improve services to children with SED. • Current activities (competitive RFP's awarded): <ul style="list-style-type: none"> – Respite services (12 beds, The Salvation Army) – Skill Building (Catholic Charities) – Special Populations: Refugees (Catholic Charities) and LGBTQ youth (Q Center) – Residential Services (Elmcrest Children's Center) – Adolescent Substance Abuse (CNY Services) – Parent Education (OCMS, Catholic Charities) – Special Therapeutic Activities (Arise: Equine Therapy, Liberty Resources: Adventure Based)
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Mr. Long:



- CPEP - receive referrals from families, other providers; someone has court order and does not comply with treatment
- 90% follow the court order; 10 – 20% that won't comply, get police to bring them to CPEP; person meets criteria for involuntarily hospitalization and becomes hospitalized; after pickups, people are much more compliant with treatment
- Sustainability – implementing affective programs; maximum effectiveness of system
- Governor budget – minimal direct impact; (.1% or .2%) - local assistance flat
- Cost of living adjustment eliminated – been holding off last 4 years; delivering services cost goes up, funding does not
- Reform proposals – Medicaid services; Health Homes - 3rd phase in July, integrated care – physical and behavioral
- Regional Behavioral Health Organizations – no fee for services; will be in managed care plan; non-payment basis; reviewing and assessing but no payment
- Governor's proposal, as of April 1st 2013, will go to at-risk capitation type payments; impact on providers – medical necessity of care delivered and services currently funded, may need to figure out a way to fund; deemed necessary to keep person out of hospital and jail
- If doing job and proactive, then they are not across the street; hospitalization also high cost, homelessness, etc.
- 29,000 adults in addictive disorders; breakdown overwhelming alcohol/drug; gambling in early stages - 2,000 approx.
- 60-70% use alcohol also use drugs; 60% that have substance abuse issues have mental health issues; overlap
- 23 outside agencies administering 99 programs; options to expand contracted services – part depends on funding; funding has been flat and/or decreasing; trying to maintain
- 2 possible programs to contract – Children's Clinic and Children Day Treatment Program; privatized Student Assistance, Correctional Health and Behavioral Health
- Children programs – safety net programs; families and children not readily treated by other providers in town because they lack ability to pay, unreliable in participating which is costly if paying therapist and person doesn't show
- People discharged come to County – not sure if other person would run the same; people may not be able to comply
- Children's Day Treatment Program – free billing and hutching psych center; pay repair and maintenance but no rent; to operate would need classrooms, gym, variety of space – cannot be privatized; not feasible; did discuss last year

3. HEALTH DEPARTMENT:

a. Overview – Dr. Cynthia Morrow, Commissioner

 <h3>Onondaga County Health Department</h3> <ul style="list-style-type: none"> • "Improving and protecting the health of all Onondaga County residents" • Diverse department with three budgets: <ul style="list-style-type: none"> – Public Health – Special Children Services – Center for Forensic Sciences 	 <h3>Public Health</h3> <ul style="list-style-type: none"> • Administration <ul style="list-style-type: none"> – Including PHP, FE, Volunteer services, IT • Disease control <ul style="list-style-type: none"> – Including CD, TB, STD • Environmental Health <ul style="list-style-type: none"> – Animal disease control – Community protection: <ul style="list-style-type: none"> • restaurants, camps/hotels/swimming pools/mobile homes – Environmental assessment: <ul style="list-style-type: none"> • indoor air, incinerator monitoring, radon – Public Health Engineering: <ul style="list-style-type: none"> • water supply protection, land development
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- i.e. water main break – OCWA required to notify Public Health; is there enough disruption for boil water advisory; depends on how wide spread the problem is; 100+ homes, Public Health notifies; 10 or 15 homes – OCWA notifies; need to watch and make sure no one is at risk

 <h3>Public Health</h3> <ul style="list-style-type: none"> • Health Promotion and Disease Prevention <ul style="list-style-type: none"> – Including cancer screening services, "Creating Healthy Places", tobacco control, lead poisoning control • Healthy Families <ul style="list-style-type: none"> – Including programs to reduce poor birth outcomes/infant mortality; WIC; administration of Special Children Services • Surveillance and Statistics <ul style="list-style-type: none"> – Including epidemiology, vital statistics (birth and death records) 	 <h3>Special Children Services</h3> <ul style="list-style-type: none"> • All children are entitled (Federal requirement) to a full developmental assessment if suspected of having a developmental delay. If determined to be eligible, children are entitled to receive services to address developmental delays. • <u>Early Intervention</u>: Serves children 0-3 years of age. Regulating agency: NYSDOH • <u>Pre-K</u>: Serves children 3-5 years of age. Regulating agency: NYSED
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- 50% of Public Health positions are grant funded; bring in grant money to support
- Building up community partnerships; most people that receive public services are involved with other services
- Lots of pamphlets; cancer screening – i.e. large company going under; come in and tell soon to be unemployed people that there is a program in place for cancer screening; very active

Dr. Morrow agreed to send a couple pamphlets through interoffice for Mr. Meyer.

The meeting was adjourned at 11:01 a.m.

Respectfully submitted,

Jamie McNamara, Assistant Clerk
Onondaga County Legislature

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PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MINUTES – JANUARY 19, 2012 KATHLEEN A. RAPP, CHAIR

Members Present: Mr. Knapp, Mr. Liedka, Mrs. Ervin

MEMBERS ABSENT: Mr. Plochocki

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

Chair Rapp called the meeting to order at 10:12 a.m. *Motions were made by Mr. Liedka, seconded by Mrs. Ervin to waive the reading and approve the minutes of the previous committee meeting. MOTIONS CARRIED.*

1. COOPERATIVE EXTENSION ASSOCIATION OF ONONDAGA COUNTY

a. **Confirming Reappointments to the Cooperative Extension Association of Onondaga County Board of Directors (Monica Williams, Judith A. Tassone)**

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

Chair Rapp stated the agenda would be taken out of order as revisions were being made to item 2a.

3. SOCPA: Don Jordan, Director

a. **Amending the 2012 County Budget to Accept a Grant from the New York State Energy Research and Development Authority to Develop a Regional Sustainability Plan and Authorizing the County Executive to Enter Into Agreements to Implement this Resolution (\$1,000,000)**

- 2 phase program, 1st phase provides resources to create regional sustainability plans, with approved plans in place eligible to compete for 2nd phase, \$90 million for implementation of identified projects in the plan
- Onondaga County applied on behalf of the region (CNYREDC), coincides with service area of the CNYRPDB, partnered with them on application; will subcontract with them to do the work, already doing some regional energy work with NYSERTA
- CNYRPDB covers full region and has contacts in place to create regional plan

Chair Rapp stated this was the subject of a vigorous discussion at the Regional Planning Board meeting and a big opportunity for us. The idea is to find ways to decrease our energy footprint and to us less energy. There are big energy users in Onondaga County. The sewage treatment plant is the biggest user. OCRRA is losing money, as we no longer have enough garbage. At the Economic Forecast Luncheon, she was informed by Melanie Littlejohn that Onondaga County looks to save \$3.5 million this year, because of their new rates. There is some really good news coming out. Years ago Carrier did an energy audit and suggested that we have a generator at the stadium, operating on woodchips, to take care of the demand charge. We have a huge on demand charge because of the power drawn when all the lights go on. If we do this study and have all the ideas built in, there is a very good chance that we would be able to tap into the \$90 million to pay for the implementation

In answer to Mr. Liedka, Mr. Jordan confirmed that the study identifies areas in need of substantial improvements and addresses ways to turn them around.

Mr. Knapp questioned if this would include both public and private. Mr. Jordan responded that he believes it could be both.

Chair Rapp state that like the economic development money received, different regions will compete against each other, with the funds being divided. If we come through with a strong plan, we will have a good chance to obtain a large portion of the funds.

Mrs. Ervin stated there is no downside to this. We are accepting funds and determining what to do with them.

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

4. ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY:

a. Confirming Reappointment and Appointments to the Onondaga County Industrial Development Agency (Dale A. Sweetland, Victor G. Ianno, Sr., Daniel M. Queri)

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

2. COUNTY EXECUTIVE: William Fisher, Deputy County Executive; Robert DeMore, Director

a. Establishing the CNY Property Development Corporation, a New York Land Bank, Pursuant to Article 16 of the New York State Not – For – Profit Corporation Law and Authorizing the Execution of Agreements with the City of Syracuse

Mr. Fisher:

- New York's Land Bank Act distributed to committee (*Attachment #1*)
- CNY Property Development Corporation name of Land Bank, avoid confusion; other land banks have had people come in to request money
- Purpose - take vacant, tax-delinquent, and abandoned property, redevelop and put back on tax roll
- NYS legislation authorized 10 land banks and no more, time sensitive need to act quickly to be 1 of 10
- Authorization to form land bank; operating agreement between land bank and county will be future legislation
- Must be approved by Urban Development Corporation (UDC) and NYS; first requires foreclosing governmental unit (FGU) to adopt resolution establishing land bank, must state land bank name, number of members on Board of Directors, names and term length for initial members, qualifications, manner of selection or appointment, terms of office for members of the board, and articles of incorporation for the land bank

In answer to Mr. Liedka, Mr. Fisher confirmed that returning the property to the tax roll might be a gradual process. Purpose would be to do something with the property to keep the value of neighboring properties from decreasing and hopefully return the property to the tax roll. Some tools are in place now; Mr. DeMore, Director of Community Development can speak to those tools. The county makes towns, villages and school districts whole; on the hook for all delinquent taxes.

Mr. DeMore and Mr. Fisher provided a recent example:

- Displayed photos of home Community Development considered purchasing, located in Town of Salina, 126 Matty Ave.
- Front photo of home looks decent
- Current back taxes about \$14,000 not counting the fall school taxes and new county tax
- Town sends out tax bill, collects all taxes and pays themselves first, anything delinquent comes to the county; after 2 years the county sends the property to auction

Mr. Liedka stated a penalty is assessed to delinquent property and asked if these funds would help to fund this program. Mr. Fisher responded this remains to be determined, they have not created the IMA as of this point. At the end of the day we get our money back because we do a good job collecting our taxes. Initially we get 90%. By adding the penalties, aggressively pursuing the delinquent taxes, and sending to auction if need be, we get our money back. It takes years, but eventually.

- County looks at home and determines if it could be sold to someone qualifying for low income grant funding, a requirement for Community Development
- Inspection determined house was burned out and worthless property, back photo of home displayed
- Still on tax roll, town has no incentive to lower assessment as they are getting paid
- Land bank would provide additional options for homes not qualifying for Community Development, other than sending to auction private sector could be brought in; profits could be split between developer and land bank
- Genesee County, Michigan has successful land bank; overtime used profits from development of delinquent properties to fund the program

Mr. Ryan stated that towns and villages do not have Community Development money to deal with these issues. Poverty is spreading and this gives us a tool.

Chair Rapp stated that the homes in Mattydale are pre World War II, the home owners are dying and the kids don't want the house. The houses are going up for auction and being purchased by speculators who don't put any money into them. Mr. DeMore added that someone from Brooklyn buys a house for \$3,000 at auction and then finds out that it wasn't should a good deal after all. This program would give some direction to the whole process and produce a better result. Chair Rapp continued saying that people are going into these homes and creating a negative spiral in the community.

Mr. Knapp asked if we would use funds from the City and County Community Development to start the land bank. Mr. Fisher:

- Can't use Community Development funds to get this started, at first land bank would be doing the same thing the city and county are doing today; collect delinquent taxes, may be able to do it differently
- Must be revenue neutral, no increase to county budget
- Currently County Finance department collects taxes, do things differently than the city, believe our way works better
- City sells delinquent taxes to a company for collection, never sends to auction; 3rd year county sends to auction, large number end up paying in the 2nd year
- County applies partial payments to current taxes; if back taxes are owed still sent to auction, owner generally agrees to payments or pays in full; city applies partial payments to oldest tax, stopping the sale for unpaid taxes
- \$50 million in county tax levied in the city; county property tax, city abstract and sewer unit charge
- Don't believe city collect system is as good as the county's; pay the city \$500,000 per year to collect taxes for the county per city abstract charges; if these funds were used to pay the land bank to collect in same manner as the county, would help the city to get more tax collection on their levy and county would get more collection on the city portion of our taxes
- Money coming in quicker advantage to the county, some of the increased revenues could be dedicated to the land bank
- City is not made whole by the county, segregating their properties, liens and sales on city property will still be theirs, their choice to sell at discount to land bank or 3rd party
- Collecting delinquent taxes in same manner provides more efficiency, may be able to reduce staff by 1 or 2, savings could go to the land bank

Mr. Kilmartin stated page 3 lists a good summary of the powers granted to the land bank. (*See attachment # 1 – pg 3*) Referencing the 3rd bullet point, he asked what type of financial wherewithal is contemplated for the land bank to give guarantees; what is the backing for the guarantee. Mr. Fisher responded that the land would be collateral; property rights could be used as collateral for a mortgage. Mr. Kilmartin confirmed that it could be one asset or a pool of assets leveraged for a guarantee, to incur liabilities for construction or demolition work. Mr. DeMore added that this does not come back to the county, it is a 501C3.

Mr. Fisher:

- Land bank will contract with the county once land bank is formed, they higher management, create a budget and will have to finance that budget
- Will contract to provide services of our Real Property division; properties can be assigned at certain point in the process
- Due to 2 yr cycle, not much property could go into the land bank at this time; next year instead of sending properties to auction some property may go to land bank; years before inventory will be meaningful in terms of portfolio for borrowing

In the interim, Mr. Kilmartin asked if the funds would come from the county and city, for any land bank parcels needing work. Mr. Fisher responded, "No". The state believes they will be able to provide some start up money. They do not have any promises but have been encouraged to apply for some grant dollars. Mr. DeMore added that HUD also has money. The land bank could apply for the same funds that his department applies for.

Chair Rapp asked if this would diminish the value received by Community Development. Mr. DeMore responded he doesn't believe that they would be competing as they wouldn't want the grants he has. There are other grants that he would not apply for, that they could.

In answer to Mr. Liedka, Mr. Fisher stated this is countywide and could apply to any home or commercial property, not designated areas.

Mr. McMahon recommended that the County Comptroller have the authority to audit the corporation and that this be defined in the IMA. Ms. Ervin agreed, saying that we need some control. How this will work needs lengthy discussion. Chair Rapp added that at the last committee meeting the big brother concept was a big concern; government coming in and scooping up these properties.

Mr. DeMore stated there is much more detail to come; this would just reserve 1 of the 10 slots. The committee has control over what happens down the road. Mr. Fisher added that Section 7.02 states the land bank shall be subject to audit by the State Comptroller. The Law department may be able to find a way to draft language that fits within the guidelines.

Mr. Kilmartin asked if this would lighten the load for the Community Development office. Mr. DeMore responded that they generally don't purchase tax delinquent properties. Most of their homes are bought from HUD or private individual. Flyers are placed in all the nursing homes; no tax delinquent purchases since he has been in the department.

Mr. Fisher stated that Mr. DeMore brought a different approach to Community Development. It is treated more like a business; don't get stuck with properties that lose money. Mr. DeMore added, they look at properties and try to come up with a price to break even. If they make money, it has to be given back; fine line. They are spending less money on each house; don't fix everything just because they can. They have been doing better and breaking even.

Mr. Fisher stated that there is expertise in the Community Development department. With less federal dollars coming into Community Development, if the land bank needs some housing inspectors to assess value, Community Development has them. With a contract between Community Development and the land bank these services could be made available. This might keep some revenues flowing and could keep people employed.

Mr. Antonacci stated Mr. DeMore is doing a great job. The department responded to an audit, prior to Mr. DeMore coming on board, but he is much better job of managing properties and cash.

Mr. Kilmartin asked if the IMA between the City and County was in final form. Mr. Fisher stated there was some room to make change, has to be completed by February 7, 2012; for example the identities of the five appointees. It must conform to the enabling legislation.

Chair Rapp stated a revised resolution was coming forward and asked Mr. McMahon to advise the committee of what was changed and why. Mr. McMahon:

- Initially appointment by County Executive, Legislature Chairman, Mayor, Common Council and joint appointment of County Executive and Mayor confirmed by Common Council and Legislature
- 2nd revision changed Common Council appointment to Common Council Majority Leader confirmed by Common Council
- 3rd revision changed to allow joint appointee by the County Executive, Mayor, Common Council Majority Leader, and Legislature Chairman confirmed by Common Council and Legislature

Chair Rapp stated it may take 2 years to find the jointly appointed person. Mr. McMahon responded that the people being asked to serve on this body are public servants. There may be disagreements as to who should be in this joint position. At no point should anyone who is willing to be a public servant in this community be embarrassed by a no vote in the legislative chambers. To prevent this from happening, the latest revision was made. He is sure that the intention from all four bodies is to have professional people. The City of Syracuse does not perform very well at the duties mentioned by Mr. Fisher because of certain advocacy groups. It was interesting to know that those same types of groups, advocating against auctioning homes, were initially going to be on the land bank, per the Mayor's selection. The city is collecting .60 cents on the dollar because of these groups; don't want to take the same measures to collect as the county. He believes the people serving in these positions should have relative jobs, not selected from interest groups. This method assures the board's makeup and each body of government has 1.25 picks.

Chair Rapp questioned why the Majority Leader of the common council's appointment had to be confirmed by the common council and the legislature wasn't confirming the Chairman's appointment. Mr. McMahon responded that this was the council's preference. He is confident that the legislature would approve of his choice; no problem if they want to change the language. Mr. Kilmartin added there are two parts, this was the way the common council sent the document over to us and the thought was that the Chairman would consult with members of the legislature before putting forward an appointee.

Mr. McMahon added that the name of his appointee is not listed as he has not had an opportunity to discuss this in caucus and/or with his counterparts on the other side of the aisle.

Mrs. Ervin stated that for uniformity the legislature should have approval of the Chairman's appointee. Mr. McMahon stated that if the committee wanted to take this up for a vote, he had no problem with that.

Mr. Fisher stated the County Executive has not reviewed or received any input from the Law department on the new draft. In the draft sent over from the County Executive, the terms were staggered so that everyone wasn't leaving at the same time. In this revision, they all come off at the same time. Mr. McMahon responded that they could be reappointed. Mrs. Ervin added that the joint appointment is for 3 years. Mr. Fisher reiterated that the expiration date of the term is the same for 4 of the appointees.

Mr. Fisher stated that he is worried about continuity. In general when a corporate board is set up you have staggering terms. Mr. McMahon asked why the term was 1 year and not 2 and 3 years. Mr. Fisher responded there was a difference between the initial term and the subsequent term. By having the initial term less, 1 term is over and then it has the same length as the other appointments. It is a way of setting it up so that on a regular basis appointees get replaced. This is common practice for all types of boards. By seating the appointees for two year terms you are defeating that automatic roll over, after the first term. He is not sure that they would support the initial terms of 2 years.

Mr. Kilmartin responded that the committee can entertain this. He understands that people are seeing this for the first time and many boards are structured that way, while others have uniformity. His initial thought on the terms was for uniformity and respect to the different entities that would be appointing.

Mr. Fisher stated that in general he believes the County Executive would be opposed to the confirmation of the joint appointment. Mr. McMahon responded that this was just for protocol. He believes it would be safe to say that any person agreed upon by the four leaders of the prospective government branches, would be approved. Mr. Fisher asked that the confirmation of the Onondaga County Legislature be removed at the very least. This has not been seen by the County Executive, he can't say at this point, if this has her initiative.

Chair Rapp proposed removing the confirmation of the common council and the Onondaga County Legislature from the joint appointee and adding confirmation by the legislature to the Chairman's appointment keeping it consistent with the city's appointment. For fairness and continuity, the County Executive and Mayor would appoint without confirmation, Chair of the legislature and Majority Leader of the common council would appoint with confirmation of their legislative body, final appointee would be appointed by the four leaders without confirmation from the legislative bodies.

Chair Rapp proposed 2 year terms for the Mayor and County Executive appointees since they are singular appointments, **and 3 year terms for the remaining appointees** since more people are involved in the selection. Mr. Fisher added that anything other than the initial term is 3 years, per the IMA.

Mr. McMahon suggested that the revision be drafted so a vote could be taken. Chair Rapp stated there was no money involved, therefore it does not need to go to Ways and Means. Mr. McMahon added that names must be submitted into the slots prior to voting at session.

Mr. Fisher stated that they have been told by the Law department that if the resolution was changed on February 7, 2012, they would have to receive oral confirmation from the Mayor and County Executive. They don't want to have to change the resolution at the last minute. Chair Rapp responded that over the next 3 weeks, they should be able to come up with the appointees.

Chair Rapp asked if the 2 and 3 year terms work for staggering purposes. Mr. Knapp responded that he liked the proposed changes; two individual appointments have shorter term.

The committee reviewed the proposed changes. Chair Rapp stated it makes sense to have the initial term longer than 1 year as she suspects it will take some time to get this going. There won't be much action for the first couple of years.

Mr. Kilmartin confirmed the changes with Ms. Tarolli. Ms. Tarolli stated that state law requires you to actually name the directors. We have to send this to the UDC; don't want confusion that this legislature has to take another act after this is confirmed. She is discussing with Mr. Murphy the language that will need to be inserted to make that clear. Chair Rapp stated that by the time we vote on this, the names will be ready. Mr. McMahon confirmed that the names will be listed for February session.

Mr. Knapp asked about the language for allowing the County Comptroller the ability to audit. Ms. Tarolli responded that state law provides for the State Comptroller to audit. Mr. McMahon stated in addition to the State Comptroller they would like to add that the County Comptroller has the ability to audit. Ms. Tarolli responded that she was not sure this was possible.

Mr. McMahon stated he does not believe it needs to be in this resolution. Mr. Fisher responded that it would have to be in the IMA. Mrs. Ervin added that we are not there yet. Ms. Tarolli reiterated state law provides that the State Comptroller will audit. She is not sure whether or not we can expand our local Comptroller's power; we can always willing ask the Comptroller to review documents but the state is going to tell you it's them.

Mr. McMahon asked if a separate resolution should be prepaid stating it is the legislatures will that the County Comptroller also have the ability to audit the land bank. Ms. Tarolli responded that it would be more of a matter of the parties agreeing to cooperate with the County Comptroller for review. Chair Rapp reiterated this does not need to be part of this resolution. Ms. Tarolli agreed.

Mr. Fisher stated the IMA will need to be in form by February 7, 2012. Mr. Kilmartin stated that between today's date and the vote at session, everyone will review the IMA agreement, submit comments and changes and hope that it is agreeable to the Law department.

Chair Rapp suggested that the first question for Ms. Tarolli is the intent of the Legislature to allow the County Comptroller the authority to audit, and how to accomplish this. Ms. Tarolli responded that the city may not agree to this. The state law tells you the way it is done and you can't expand his powers unless state law tells you how to do it and both parties agree to cooperate. Mr. McMahon added that they could add the City Auditor, if that makes them happy.

Mrs. Ervin asked Mr. Fisher to confirm that they are deciding today on the 4th version of this resolution and then must decide on the IMA between now and session. Mr. Fisher responded that by considering the resolution today it can be moved to the floor but under the enabling legislation the names must be filled in. For the County Executive to be able sign the contract, they need advice from the Law department, confirming that what she is signing has been approved. The IMA needs to be in final form on February 7th otherwise we can only make technical corrections. He added that the IMA could change between now and the 7th without coming back to committee.

Chair Rapp responded that she did not realize this and has not had a chance to study the IMA document. Mrs. Ervin added that she does not believe the committee was prepared to make this decision. Mr. Kilmartin stated he believe the 2nd to the last resolve clause, "the County Executive is authorized to execute agreement with the City of Syracuse and such other documents", contemplates the attached agreement. They are not formally voting on the resolution, as an entire body, until the February session. Between now and then they can submit comments to the multiple Law departments. If there is a big fight with the IMA language, it will have to be worked out or it will not be voted on at the February session.

Chair Rapp asked how much of the IMA is by statute. Mr. Murphy responded that they were given a sample from the state. It's pretty much the same as the sample other than the manner of appointments.

Chair Rapp stated that just glancing through this she noticed it states, "The office shall be located in the City of Syracuse". She asked why. Mr. McMahon asked if this was because the Civic Center is located within the City of Syracuse. Mr. Murphy responded that he believes they had to pick where it would be located. Mr. McMahon added that this is all language that they could make recommendations for. Chair Rapp responded that she just doesn't think this is a state statute and wonders what other items were not statute.

Mrs. Ervin asked them to clarify what is being asked of the committee today. Chair Rapp responded that they were going to request 1 of the 10 slots. Mrs. Ervin responded that this committee is only approving the request for the slot. Between now and the 7th everyone should read the IMA, we are not moving that forward. Mr. McMahon agreed.

Chair Rapp stated that she believes we are going to need more discussion time before voting on this. She suggested that the Majority Leader allow additional time at caucus for review of this item; allowing everyone the opportunity to have their questions answered before going to the floor. She doesn't want session to turn into a committee meeting.

Mr. Fisher stated the state sent a model of the IMA to the City and the County. The City made adjustments to it and that is how it got here.

Mr. Fisher will provide the committee with a red line copy of the IMA showing how it came from the state and what has been changed since then.

Mr. McMahon stated the City Law department has already looked at this and signed off. Mr. Murphy responded that it was drafted together but the changes that are being made today have not been agreed to. Mr. Fisher added that he wanted to be clear that the executive branch of the city is good with this but their legislature has to consider it. They may want to do the same thing this body is doing, change things.

Mr. Knapp asked when the common council would be voting on this. Mr. McMahon responded that it was on their agenda for Monday but he did not believe they would be voting on it, they will probably wait for the county to approve it. Mr. Fisher stated they were told yesterday it was postponed, study session didn't get it to the floor; delayed at least 2 weeks. Mr. McMahon added that he assumes they will vote on this item at the next session, after we vote on it.

Chair Rapp stated that she has had experiences in the past, where they have spent a lot of time coming up with an agreement that everyone feels good about, then it will go to the common council and they will disagree and want to do it differently. Mr. McMahon responded that he has spoken with their leadership. Their initial concern was that the Mayor left them out of the process completely. They now have a pick. He believes they will be even more pleased, now that they have a say in the joint pick. He doesn't believe there will be an issue with the legislature in either body. Chair Rapp added that this has happened numerous times over the years when they have tried to do things with the city. We finally got to the point that we have them go first, give it your best shot and we vote last.

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

The meeting was adjourned at 12:17 p.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

* * *

WAYS AND MEANS COMMITTEE MINUTES – JANUARY 27, 2012
DAVID KNAPP, CHAIRMAN

MEMBERS PRESENT: Mr. Jordan, Mr. May, Mr. Holmquist, Mr. Kilmartin, Mr. Stanczyk, Mrs. Ervin

ALSO PRESENT: Chairman McMahon, Mr. Plochocki, *see also attached list*

Chairman Knapp called the meeting to order at 9:48 a.m. ***A motion was made by Mr. Jordan, seconded by Mr. Kilmartin, to waive the reading and approve the minutes of the previous committee meeting. Passed unanimously; MOTION CARRIED.***

CONSENT AGENDA

1. DISTRICT ATTORNEY:

a. Amending the 2011 County Budget to Provide the Office of the Onondaga County District Attorney with Additional Funds Beyond the Estimated Dollars Appropriated in the 2011 County Budget and Authorizing the County Executive to Enter Into Contracts to Implement this Resolution (\$15,000)

2. EMERGENCY COMMUNICATIONS:

a. Memorializing Support for Participation in a Study Regarding Shared Public Safety Communication Center Services with Various Counties, and Authorizing the County Executive to Enter Into Intermunicipal Agreements (\$2,500)

3. ONONDAGA COUNTY PUBLIC LIBRARY:

a. Amending the 2012 County Budget to Accept Funds for the Onondaga County Public Library 2012 Summer Reading Program (\$6,100)

A motion was made by Mr. Stanczyk, seconded by Mrs. Ervin, to approve all of the items on the consent agenda. Passed unanimously; MOTION CARRIED.

WAYS & MEANS COMMITTEE - REGULAR AGENDA

1. **REAL PROPERTY TAX SERVICE:** Donald Weber, Director, Real Property Tax Services
 - a. **Approving and Directing the Correction of Certain Errors on Tax Bills**

A motion was made by Mr. Stanczyk seconded by Mr. Kilmartin to approve this item. Passed unanimously; MOTION CARRIED.

- b. **Call a Public Hearing to Consider Providing for a Real Property Tax Exemption on Owned by an Enrolled Volunteer Firefighter or Volunteer Ambulance Worker Residing in Onon. Co.**

A motion was made by Mr. Jordan, seconded by Mr. Holmquist, to approve this item.

Mr. Weber:

- 10% exemption for volunteer firefighters on assessed value – \$3,000 maximum
- County had it 5 years ago and it expired; all towns have the exemption
- 654 properties – Approximately \$10,000 impact to County

Chairman Knapp noted that there may be an exemption for volunteer firefighters with State or Federal on income taxes and questions if they have to pick one or the other. Mr. Kilmartin referenced previous discussion and believes that is the case – they can't avail themselves of both. Mr. Rowley will look into it.

Mr. Stanczyk asked that this committee be provided with a snapshot of all property tax exemptions given out by Onondaga County.

AYES: 5 (Knapp, Jordan, May, Holmquist, Kilmartin); NOES: 1 (Ervin); ABSTENTIONS: 1 (Stanczyk). MOTION CARRIED.

2. **COUNTY CLERK:** Chris Plochocki, Deputy County Clerk

- a. **Authorizing NYS Reimbursement for 2012 Expense of the Recording Officers for the County of Onondaga for Administration of Mortgage Taxes**

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

3. PULLED

4. **SHERIFF:** John Balloni, Chief

- a. **Transfer Funds from Regular Employee Salaries Account, Sheriff Custody, 101 (\$150,000) to Overtime Wages Account 102 (\$150,000)**

Chief Balloni:

- Custody side – overtime driven by number of factors
- State Commission's minimum staffing requirement
- If someone calls in sick, or have an extra constant watch person, it drives overtime
- Academy – hire at one time – end up with a group of vacancies and then hire to fill them. As a result, 101 has excess funds, \$273k now – asking \$150k be transferred to overtime

Mr. Jordan asked about a system that was set up to manage staffing with the purpose to avoid the accumulation of overtime. He has been told that people have offered to use comp time and were told that the department wanted them to work overtime. Chief Balloni said that the new schedule was for the Police side; it had nothing to do with Custody. On the Police side, utilizing the schedule system, they came in almost exactly on budget. Regarding the Custody side, it is a negotiated issue with the union. In answer to Mr. Jordan, Chief Balloni said that the Custody contract will be up for renegotiation in 2013 – will be starting the process later this year. They are currently in negotiations on the Police side.

In answer to Mr. Stanczyk, Chief Balloni said that 3 shifts are still run in the jail. Mr. Stanczyk said that when people get to a certain rank, they like to work day shift – there are an incredible amount of employees there in the day and not so many during the night or evening shift. The overtime is in the night & evening shift. **He asked that the committee be provided with a log of overtime according to shifts.** He asked if through negotiations, if it is possible to get to the same conclusion with the Custody side as we did with Police side, so that people that like to work the day shift are open to the fact that they might have to work the night shift. Chief Balloni said that the day time is when people come to visit; there are doctors' appointments, lawyers' visits, etc. There are a lot of people going through the facility. The inmates are up and around going to programs, etc. Day staffing needs to be higher than night staffing, when people are largely sleeping. Mr. Stanczyk said that the administrative staff generally works day shifts and there is an overload during the day.

Mr. Holmquist noted that a similar request was made at the Public Safety Committee meeting. It is an ongoing issue and wants to get ahead of it proactively to address where we are, where we have been, and what the plan is going forward. Chief Balloni noted that this year's overtime was very good in comparison to prior years.

Mr. Kilmartin referred to one on one monitoring requirements. Chief Balloni noted that it is a requirement of the State Commission of Corrections – usually for people with mental health concerns and potentially suicidal. They are looking at other options so see if they can do more than one on one or one on two – it may require some reconstruction/reconfiguration - the payback on it would be very good for the County in the long run. There are strict requirements that have to meet with the Commission of Corrections; they are working with them to look at some things. He feels it will come to head this year – running on the edge - upper end of population. In answer to Mr. Kilmartin, Chief Balloni said that he will consult with Brian Lynch, Facilities Management Commissioner.

In answer to Mr. May, Chief Balloni indicated that the situation isn't unique to Onondaga County. Mr. May asked if there is a hard press on the Commission to affect some change in this area. Chief Balloni said that he would like to think so.

In answer to Mr. Jordan, Chief Balloni explained that the requirement for constant watch is that they have be able to be observed completely, all of the time, even when going to the bathroom – 100% visual of them. Different options are being looked at. There is also an issue of privacy from each other--male and female prisoners. In answer to Mr. Jordan, Mr. Balloni said that the Commission's requirement is for the health and safety of the prisoner; have to be able to move to them immediately should they attempt something. Whoever is watching them needs additional backup, so when they go to intervene, someone else has to be on constant watch on the

other people. There are more people in constant watch today than there was 10 years ago. In answer to Mr. May, Chief Balloni said that there is not an opportunity with technology so far with the Commission of Corrections.

Chairman McMahon referred to an initiative from the State Legislature, a Local Mandate Relief Commission, which Assemblyman Magnarelli was appointed to. They are focusing on potential exemptions to state mandates. He encouraged the Sheriff's Dept. to reach out to that commission.

A motion was made by Mr. Holmquist, seconded by Mr. Kilmartin approve this item. AYES: 6 (Knapp, Jordan, May, Holmquist, Kilmartin, Ervin); NOES: 1 (Stanczyk). MOTION CARRIED.

5. SYRACUSE ONONDAGA COUNTY PLANNING AGENCY: Don Jordan, Director

a. Amend the 2012 County Budget to Accept a Grant from the New York State Energy Research and Development Authority to Develop a Regional Sustainability Plan and Authorizing the County Executive to Enter Into Agreements to Implement this Resolution (\$1,000,000)

Mr. Don Jordan:

- NYSERDA grant to prepare regional sustainability plan as part of Cleaner, Greener, Communities Plan
- Phase I – providing funding to create the plans; Phase II will have \$90 million in competitive funding available
- County partnered with Central New York Regional Development Bd. to submit application – will work with them to create the plan for the CNY region

Mr. Kilmartin asked if anything similar was contemplated in the current budget whereby some of these funds might be utilized to cover those expenses. Mr. Jordan said "not really" – they are working on the County Sustainability Plan, which will be a collaborative effort with this. It is a short time frame – about 6 weeks. There is a little money budgeted in for administration of the grant.

- Requirement to be regional plan – Onondaga, Oswego, Madison, Cortland, Cayuga Counties and municipalities within the region will be participating
- Actual scope of work hasn't been finalized yet – not sure what the plan will entail
- Has to be completed in 8 months

Legislator Jordan said that it always seems like Onondaga County is taking on the role for multiple counties for a lot of programs. He questioned the costs associated with it. It seems the taxpayers are paying salaries for individuals doing the work, which involves other counties, but Onondaga County is not receiving any reimbursement for its cost of administering it for other counties.

In answer to Legislator Jordan; Mr. Don Jordan noted:

- Some money built in for admin. costs, 100 hrs of grant admin, which they estimated in the proposed budget
- CNYRPDB will take lead on creating the plan; the other counties will be participating and contributing to it
- 5 county regional plan to be completed in 8 mos; a big undertaking–CNYRPDB will subcontract with consultants

Legislator Jordan questioned the accuracy of the estimate, time involved, copies, materials, etc. Mr. Don Jordan said that they estimated based on what they thought it would require. They are not entirely sure of the scope of work yet; put the best estimate that they could in there. No money would be put into work need to complete the plan; everyone in the region will be contributing to it. In answer to Legislator Jordan, Mr. Don Jordan said that they will be keep track of the time they put into it. **Mr. Jordan asked that the Planning Dept. report back to Ways & Means Committee with the estimates, a tracking of actual hours, and a comparison of the two.** He is concerned that Onondaga County is picking up the tab to administer programs for other counties. In answer to Legislator Jordan, Mr. Don Jordan said that other counties will be contributing time towards completion of the plan. They won't be administering the grant. The Regional Planning Bd. was not an eligible applicant for this grant; it had to be a county or municipal government. On behalf of the region, Onondaga County took on the role.

Mr. Jordan noted that the County has taken on similar types of projects with multiple counties, i.e. Emergency Management. **He would like to be provided in the estimates of what the cost was thought to be and what the actual costs were.**

In answer to Mr. Kilmartin, Mr. Jordan said that when the application was submitted a proposed budget was also submitted. The scope of work had not been completed, so it was an approximate budget to complete the scope of work that was proposed. The lion's share was consultant based. Mr. Carrick, CNYRPDB, said that \$825,000 was proposed for consultant fees. It will be a mixture of engineering, energy, architectural firms and planning services. Approximately \$166,000 was allocated for the CNYRPDB for staff time, administer RFPs; \$9,000 allocated for County Planning for grant administration.

Chairman McMahon asked if the County is just a pass through agency. Mr. Jordan said that essentially the County applies for the grant on behalf of the region with the understanding that CNYRPDB would actually be doing it. Chairman McMahon noted that Onondaga County personnel would probably spend more than the \$9,000 of reimbursement. CNYRPDB's reimbursement for admin. cost is \$166,000; the number is out of whack; need to do a better job of tackling these issues going forward. Mr. Don Jordan said that in this case the CNYRPDB staff is actually going to work on the plan itself; the County will administer the grant. CNYRPDB proposed the grant; County reviewed and submitted it.

Mr. Stanczyk said that the plan is a good thing; there are additional monies available to sustain things and make them happen. However this is \$1 million of consultant money to put together a plan in 8 months. Onondaga in this region is the lead dog; has a track record of being way out front. This is something that the County should be on top of – he would insist that the County have a little more participation in it. He is interested in making sure the County gets compensated for its time, but is more interested in making sure that County maintains its position as the lead dog on this whole issue. He suggested that a budget be provided. Mrs. Maturo noted that the budget was submitted with the Planning Committee agenda packet.

Mr. Fisher said that this was something that a County could only apply for. CNYRPDB is the right people to be doing the work. They came to the County, he and Mr. Millea went through it and made substantial changes to it. The next round of this has another \$90 million – it is about getting the best possible plan to get a fair share of it in the next phase. Mr. Jordan said that his concern is that there doesn't seem to be any organized systematic approach for determining the estimates. Mr. Fisher said that there are two aspects – grant administration and contract administration. The grant is done. The contract administration is the hard part – they don't really know how much work it is going to take. An estimate was made that is probably higher than it will be. Legislator Jordan said that it might be thought to be high, but without there actually looking back at similar types or projects, it may be grossly underestimated.

Chairman McMahon said that there will be an RFP to determine who is awarded the consultant work for \$825,000. He recommended that the legislature have an appointment to that group from the Ways & Means Committee to be part of that process. Mr. Don Jordan said that ultimately CNYRPDB's Exec. Committee has to endorse the selection of the consultants. Chairman McMahon said that since the funding is coming through the County, as CNYRPDB can't get the money by their self, the County needs to have a little control and oversight. Mr. Don Jordan said that Mrs. Rapp is on the Exec. Committee of the Regional Planning Bd.

In discussion to amend the resolution; Mrs. Tarolli noted that it can be amended, but CNYRPDB will be issuing the RFP, and it will up to them as to whether they abide by it or not.

Mr. Carrick:

- CNYRPDB is already the regional coordinator for NYSEDA on several other programs
- Have doing a greenhouse gas inventory through another NYSEDA program, for which they were the applicant
- It was a quirk that CNYRPDB wasn't an eligible applicant, which is why they went to the County
- CNYRPDB has worked with other counties to set up regional programs – worked with Oswego County to set up regional loan fund for energy efficiency financing
- Not in a position to always approach Onondaga County to do these things; they go to other counties as well
- Natural agency for this--have a long standing relationship with NYSEDA; completing work that will be an integral part of this plan
- Have energy management program with 3 full time staff that has expertise

Mr. Kilmartin requested that the legislature be updated on the process; the budget as proposed, as amended going forward; return to Planning and Ways & Means Committee to provide updates/data; type of consultants contemplated and the type of work they will be doing.

A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin to approve this item. AYES: 6; NOES: 0; ABSTENTIONS: 1 (Jordan). MOTION CARRIED.

6. **PERSONNEL:** Peter Troiano, Commissioner
a. **Standard Work Day and Reporting Resolution**

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

7. **COMMUNITY BASEBALL CLUB OF CENTRAL NEW YORK:** Bill Fisher, Deputy County Executive; Gordon Cuffy, County Attorney
a. **A Local Law Authorizing the Lease of Alliance Bank Stadium to the Community Baseball Club of Central New York, Inc.**
b. **Amend 2012 Co. Budget to Reflect the New Lease Terms at Alliance Bank Stadium (\$140,000)**

Mr. Cuffy:

- 15 yr lease at Alliance Bank Stadium has expired
- Co. Executive asked him to lead negotiations on a new lease
- More cooperative communications with Community Baseball Club
- Hired Expert - Barrett Consulting Services to help look at the lease and relationship between Community Baseball and County to determine how to approach the lease negotiation
- Consultant's report – the way for County to reduce its contribution to Alliance Bank Stadium would require more revenue generated by the baseball club
- Very little opportunity to substantially increase the revenue from the baseball club
- Approached with two-fold intent--reduce County's contribution, while maintaining the facility and maintaining baseball in Onondaga County
- Reduce contribution – shift some responsibilities to maintain the stadium to the ball club
- Had to balance to maintain baseball in the community – give the baseball club opportunity to increase their revenues by allowing them more access to stadium, to do more in the stadium
- Have come close to \$500,000 savings with new proposed lease

Mr. Kilmartin stated that the lease agreement is in very good form; complemented the Chiefs and the Law Department on their work – provides a lot of clarity. He asked about the \$360,000 estimated savings.

Mr. Fisher:

- It depends on what it is compared to
- In the 2012 budget, the Parks Dept. broke out each park – a specific budget for Alliance Stadium
- Ways & Means Report took \$500,000 out of Co. Executive's proposed budget to return to taxpayers in the form of reduced property tax
- Have achieved \$500,000 savings
- Budget resolution (item 7b) – guessing that rent, at that time was \$3,000/game, yielding \$216,000
- County actually getting \$126,000 this year. Last year the County didn't get any rent; Chiefs prepaid 15 yrs ago. If compared to last year, County is up \$126,000; if compared to what was in the budget, it is down \$90,000.
- There is less rent than in the budget; no longer \$25,000 payment (Chief's used to make a payment for turf). Chiefs will now take responsibly for turf.
- To get to the \$500,000 – looked at maintenance, utilities and rents – it is coming down – there are already savings booked in the adopted budget and picking up another \$140,000 in savings

Mr. Kilmartin asked to be provided with a breakout of how the \$500,000 savings was arrived at. Mr. Fisher said that it can be provided.

Mr. Kilmartin referred to the purchase options for the Chiefs in the agreement; if the property was sold, what additional savings might the County appreciate by completely disposing itself of the asset. Mr. Fisher said in this year's budget there is approximately \$480,000 local dollars going towards the stadium; no local dollars would go to Alliance Bank Stadium after the sale. It will be in addition to the \$500,000 savings. Some of the savings will be re-spread to other departments. Over the next 11 years, it is not quite \$500,000 x 11, because there is a turf payment – debt service, to be finished in 2018; \$125,000/year with 5 payments left. Could pick up \$3.5 - \$5 million in savings over the following 10 years.

Mr. Kilmartin referred it item 7b, and asked for a clarification of the allocation. Mr. Fisher said that they knew what the other numbers were and knew they had to get to \$500k. They had already predicted some savings in the 413 account. Parks Department says that they can

get to another \$140k. It is a reduction in revenue because they were guessing at \$216k on the rent, but are getting \$90k less. They were guessing at \$25k for turf payment, and not getting that. A lot of the expenses are being shifted – Chiefs taking over the expense for groundskeeper. With utilities, County was paying in the off season and picking up demand charges; Chiefs are picking up utilities year round. Mr. Kilmartin said that part of 7b is saying that \$140k less in revenue coming in is expected, but also will be spending \$140k because appropriations are being deleted.

Mr. Fisher noted that the Co. Executive's budget proposed using \$200k of fund balance towards the acquisition of a new video board. The legislature changed it – took it out of ROT and placed it into a contingency account. Item 7b moves if from the contingency account into a location to fulfill what the lease says--County will provide the Community Baseball Club with \$200k towards the acquisition of a video board.

Mr. Kilmartin asked about the County's original contribution towards the construction of the facility. Mr. Fisher said that a lot of the lease, and a lot of the business that the Chiefs had for the last 15 years, was driven by the cost of the stadium. It was about \$29.5 million. The State put in \$16 million; \$1 million from Toronto Blue Jays; County bonded for \$3 million (since paid off); obtained \$4 million from Chiefs upfront, which was prepayment of 15 years of rent. The Chief borrowed the money to pay the rent, and have spent \$6.2 million to pay it off; they are done with it. A project account was set up 15 years ago for \$3.6 million of pooled cash put towards construction of the stadium. That money is being repaid into the project account for the use of naming rights. P&C had a contract for a few years and when they went bankrupt, Alliance Bank came in and they have been paying about \$151,000/year. The County uses that money to pay off the project account. In 2023, it will be paid back. The concessionaire paid \$1.5 million into furniture, furnishings, equipment needed. The Community Baseball Club accepted a lower percentage of the concession revenues, as a way to help induce the concessionaire to make the investment that was needed.

Mr. Kilmartin referred to the purchase price; it is complex; difficult to arrive at a purchase price for this property and also for the improvements there. One way was to back into what the current debt is for the county for different projects and debt service. He asked if the County has looked at other ways to arrive at the purchase price. Mr. Fisher referred to and reviewed a document which he prepared (*attachment #1*).

Mr. Fisher:

- Land given to County by City – deed restriction that if baseball isn't played there, City gets it back
- Wants AAA baseball to be continued to be played here
- Deed restriction reduces what might be obtainable for the property – can't go sell it to a water park
- Due to deed restriction –limitations on highest and best use that an appraiser would come up with
- Appraisers can look at comparables – looked at what baseball stadiums sell for – couldn't find one that sold without a baseball team. Could not find any comparables
- Appraisers can look at it on income basis – this is a negative net operating income
- Appraisers can use cost basis – underlying value of land and appreciated value of improvements on land - given deed restriction, it doesn't mean we can get that price in the market place
- In market place will be hard pressed to get much of anything except from the Community Baseball Club
- Want to make sure that taxpayers aren't stuck with any stranded costs – could be what is still owed to ourselves from the pooled cash
- \$1,873,493 project balance as of Jan. 1st. It will go down if Alliance Bank's payment is made this year, but the purchase price won't
- Remaining Debt Services - \$125,000/yr plus 2 interest payments/yr - \$862,500
- When turf field was done, County bought some equipment--priced out at 10 yr. amortization, \$64,427. Community Baseball Club would receive the equipment as part of the sale
- \$2,800,420--believes it is substantially higher than fair market value of the property to anyone except the Community Baseball Club

Mr. Kilmartin noted that is very difficult to conclude what the right price is – complicated by the fact there are not 20-100 people knocking on the door to acquire the asset. At same time, it could have a lot of value to a franchise. With only one buyer in the market place, it might reduce the value of it, but at the same time the asset might have a great value to that buyer. Also have to consider the County's investment; it seems like the County's has received a fairly good return on its original cash invested, but the aggregate number from the taxpayers is a very large number. Mr. Fisher noted that baseball has an anti-trust exemption. Mr. Cuffy said inquiries were made in working with the consultant; there are some restrictions on it.

Mr. Kilmartin referred to capital improvements, \$25k for HVAC for offices; \$200k payment for scoreboard. He asked if the County anticipates any other structural work that would have to be done at the County's cost over the next two years. Mr. Fisher said that structural work with structural elements are anticipated, i.e. if the roof falls in, it is on the County. Mr. Kilmartin asked if setting aside emergencies, if any structural work is anticipated before the option is exercised. Mr. Fisher said "hopefully not in the next two years."

Mr. Jordan asked if the County has put in approximately \$6.6 million; Mr. Fisher said "yes", but only the \$3 million is being paid by the taxpayers; \$3.6 million is being paid back through the naming rights.

Mr. Stanczyk asked about community events.

Mr. Fisher:

- There is a schedule – by October 1st the Community Baseball Club is required to give the County a full schedule of the events that they have on the books for next year
- Commitment of both parties to schedule a minimum of 30 community use events – defined in contract as things that the Chiefs put on without charging rent or any usage fee or anything the County does
- 22 events scheduled -- all are baseball except 1 is a boxing event

Mr. Cuffy:

- If Chiefs put on a concert, it is not considered community use event; revenue generating events are not included
- Hoping the Community Baseball Club takes advantage of opportunity to generate revenue
- Provision in lease that County gets to use the stadium as part of the 30 day community use
- 30 days is based upon baseball season and recovery of field dates – there may be dates beyond 30 days
- County would have opportunity to put on concerts as part of its community event events
- Hoping to incentivize Community Baseball Club to get involved in concert activity

Mr. Stanczyk asked about snowplowing when there is an event at the stadium. Mr. Fisher said that the Community Baseball Club is responsible for it. Mr. Lansley said that the County has to keep a lane open for emergency vehicles only. If there is an event at the stadium that needs the entire lot plowed, it is the Chief's responsibility.

In answer to Mr. Stanczyk, Mr. Fisher said that the Community Baseball Club of CNY, Inc. is New York corporation, and they pay taxes. It will go back on the tax rolls if they purchase the facility. Mr. Stanczyk said that there should be some discussion about the property tax that they should be paying.

Chairman Knapp noted that if the Chiefs have 22 scheduled community use dates; it leaves 8 for County use and clarified that there are 30 total community dates. Mr. Fisher said that there are also open dates that they won't need for field recovery; those dates are split down the middle. Mr. Cuffy noted that the County wants the Chiefs to do the community use, as it cost the County money to do community use events, i.e. concerts. Mr. Scalione, Syracuse Chiefs, noted that the language of the proposed lease agreement talks about making at least 30 days per year available. If they can get more than 30 days to book use, they plan on doing that. They are going to go out and try to get as many events as they can. They book into the stadium all the baseball tournaments and events that come to them and hope there is more that they can plug into the open dates. They hope to get additional concerts--great opportunities for the ball club and community. Mr. Fisher said that when an event comes to the Chiefs, they won't pay for the use. Currently, the facility is rented from the County, because you can't give away taxpayer property.

Mr. McMahon asked if all community events are revenue generating uses or, for example are championship Little League games included. Mr. Scalione said that all community use events with the Chief are not income generating to the Chiefs. Anything that a particular event raises, belongs to that particular organization. The Chiefs don't charge them. The stadium is made available, and has the ability to recover costs, i.e. cleanup.

A motion was made by Mr. Stanczyk to approve item. 7a. Chairman Knapp said that there has been discussion on this; it is a complex issue, and anticipates that more questions will come up. He does not want to call for a vote at this time. Mr. Stanczyk said that the local law has to be on the desks today, thinks the committee should take a vote on whether the County should engage in a lease with the Community Baseball Club and wants to move it.

Mr. Holmquist noted that he generally supports all of this, but the process is too fast. He recognizes deadlines; there is a sense of urgency, which was perhaps unavoidable in this case. He does not serve on County Facilities Committee. He has reached out to the Chiefs to try to get caught up on it--wishes the legislature would have been involved in it earlier. He knows the Executive Dept. enters into contracts and does a fine job on many fronts. In trying to get arms around it, he feels it is still evolving. Frequently when big issues come in, the legislature is asked to make tough decisions and wants to make sure the legislature has an opportunity to do full due diligence. Prefers the committee not vote on it today. He does not want to vote against the agreement; feels there is more work to do between now and session.

Mr. Stanczyk said that local law has to be on the desks by 5:00 today to be able to be considered on Feb. 7th. Negotiations have been going on for months. A delay will be costly to the organization. The parameters of the agreement are that the County continues to support AAA baseball and the community organization that runs it. There is an opportunity to set something in place that reduces County's expense and hopefully will encourage private ownership of the facility, which will further reduce county costs. It is appropriate for Ways & Means Committee to vote. Mr. Holmquist said that he is not looking to delay it; realizes it has been worked on for months, but the committee has only been working on it for hours. Would like to get a better handle on it, hopes to make some improvements to it. Mr. Fisher noted that the Executive side spoke extensively to the Democratic and Republican caucuses last year. The chairman at that time participated in a stadium meeting. Regular updates have been provided -- there has been input from both sides. They tried to consult extensively with the legislature last year. Opening date is coming up; there is a concessionaire ready to come in. There has been a lot of information and consultation provided. They are available to answer any questions between now and session.

Chairman Knapp stated that it is his intention to have this on the table by 5:00 p.m. today so that it will go to the February session.

Mr. Kilmartin appreciates that Mr. Fisher updated the former chairman and majority leader. He knows there has been a great deal of work going on behind the scenes with all of the parties. To Mr. Holmquist's point, the legislature doesn't see the product, until they see the product. It was only recently that the Law Department finalized a tentative form of agreement with the Chiefs. That is when legislators were able to get their hands around it.

Mr. Kilmartin referred to Section 4 ... *The County Executive is hereby authorized to enter into an agreement for the lease of the Stadium...* he questioned if when it was drafted if it was presupposed that the option to purchase would be embedded in that lease, or is a separate resolution or local law needed for the sale component. Mr. Cuffy said that it is his anticipation that they would come back with a local law. A SEQR is needed. Mr. Kilmartin said that it can be done that way or the sale option can be referenced with the lease and would have to contemplate a SEQR with it. Mr. Cuffy agreed. Mr. Kilmartin asked if that is feasible to coordinate prior to session; Mr. Cuffy indicated that it is.

Mr. Kilmartin recommended that a vote not be taken on this matter at this time. Regarding 7b, it has been discussed and analyzed, which prepares for action to be taken on it at session. He recommends not taking a vote on 7b as well, as it is so closely tied to the lease agreement.

Mr. Stanczyk withdrew his motion.

Mr. May said that he not 100% confident in the purchase price. He understands it, and knows it is very difficult to come up with a number. He would like to have confidence by 5:00 p.m. that the number being put in the contract is the right thing to do. It needs to be defensive for all of us and the taxpayers.

No vote was taken on items 7a and 7b.

8. PURCHASE:

a. Revenue Contract Report (attachment # 2) -- Sean Carroll, Director

Mr. Carroll:
Hopkins Road Management:

- Most of the funding for staff to manage Hopkins Rd baseball/softball facility was removed in the 2012 budget. Intention to issue RFP to have a private firm come in and manage it.
- 2 RFP responses – vendor selected
- Alleviates Parks Dept from all financial responsibilities as far as what was addressed in the budget
- Cash exchange from vendor to County for right to manage that facility

Mr. Stanczyk asked how much; wants details with income contracts; asked for a comparison sheet. Mr. Carroll said that regarding the vendor that was not selected, there was a requirement for the County to pay approx. \$12k toward utility maintenance. The County would pay them, and there was an assumption that there would be some advertising income, and the County would be entitled to a portion of it. It did not offset the \$12k utility charges and did not produce a cash inflow. The other vendor offered to take all of the administrative costs, so there was no cost to the County; with a cash infusion - \$10k if in lump sum, \$12k if taken monthly. The trade off was that there was not a revenue sharing plan considered with small advertising (i.e. banner in outfield).

Mr. Stanczyk said that the Ways and Means Committee of the Legislature has full budgetary responsibility for the entire government. Regarding income contracts, the legislature does not have a purview; the County Executive can sign them. The Committee insisted that it should have an understanding of what is going on with income contracts, because basically they deal with public property. There was a wonderful Lights on the Lake display. Now to get to the Lights on the Lake display, you have to go through a gauntlet of advertising. Hopkins Rd. Park is beautifully maintained. There was a proposal to farm it out to a private organization and not have to pay for it. Now there is going to be advertising there and doesn't know what the liabilities are -- have fallen into an area where we are privatizing some of our areas which have basically been our jewels. Things have happened in the past that shouldn't have happened and wants to be on top things – needs detail provided in the report. **Mr. Carroll indicated that he will include further detail in future reports. For today's purposes he will provide the detail to the Clerk. Chairman Knapp noted that Mrs. Maturo will forward it to the members.**

Mr. Carroll:

Correction's video visitations:

- Left option for discussion with vendor as to whether County should be taking revenue or providing this to the community
- No responses came in from the RFP – questioned why with vendors that had come to them
- Vendors concerned about restrictions on how the wiring needed to be done
- There are considerable costs; considerable requirements as to type of equipment because it is a detention facility; requirements for timeframe that the hardware can be run
- Not a dead issue – revisiting it

Upcoming - variety of vending contracts:

- Chips, soda machines, etc.
- 24 hr facilities require more out of vending machines than chips or soda, i.e. sandwich
- Over 18 months they execute 3 or 4 RFPs for vending
- Looking at possibility of consolidating them into one contract

9. **FINANCE:**

a. **Letters of Distribution Report** – James Rowley, CFO

Mr. Rowley:

- Local law passed last month requires him to report on monthly basis re: work performed by county employees for other departments beyond what is captured by interdepartmental billing and containing a list of positions that are current paid pursuant to letters of distribution
- GEPB226 Report – voluminous – contains every employee in county that is paid, sorted by index code – don't think that is what legislature intended
- Prepared a report similar to what was distributed during budget review (*on file with Clerk*) – sorts employees that are charged between departments or between departments and grant and project accounts
- Did not list all grants for DA, Forensic Center or Health, because it would be voluminous – a lot of grant funded positions – can provide the detail

Mr. Stanczyk asked for clarification - referred to Management & Budget, the administrative intern is an employee of Personnel and is charged to WEP. Mr. Rowley said that she is actually sitting in his department – it is a little bit of a misnomer. She is working for WEP, but isn't physically at WEP. She is borrowing office space in his department. WEP has two admin. interns – one is doing Save the Rain projects and the other one is working in the fiscal office. Mr. Stanczyk referred to the Confidential Assistant to County Attorney II. Mr. Rowley said that it is a person in the Law Dept., specifically doing WEP work. Mr. Cuffy said the idea behind it was because there is so much interaction with WEP; the person is not an attorney. Mr. Stanczyk questioned what they do. Mr. Cuffy said that they get records. Mr. Stanczyk questioned how it is a WEP expense. Mr. Rowley said that the person is exclusively doing WEP work. Mr. Fisher said there is a lot of work through the ACJ; there are RFPs and RFQs that go out there. There is a separate fund; it is a question of should that expense be placed on the taxpayers that are within the sewer district, or should the expense be borne by all the taxpayers. Mr. Fisher said that it in this case that person spends enough time with the attorneys that work in the sewer fund, so that it where it gets charged, and those taxpayers appropriately pay rather than hitting all of the taxpayers with that cost. Mr. Cuffy added that confidential assistants are more effectively investigators; they gather records, run errands, organize files in preparation of litigation.

Chairman McMahon said that this type of billing is common practice at city hall. Mr. Rowley said that the practice has been in place for decades. Mr. Seitz said that there are positions that are partially funded with grants; they do a letter of distribution to charge the salaries to grants. They try to hustle more grants to spend more grant dollars and less local dollars. In IT's case, they have come to committee; the committee has supported IT people sitting in another department and their salary paid via letter of distribution.

Mr. Jordan said the question that has been raised is how the percentages charged are determined; he asked if records are kept of time spent. There was no back up documentation to show appropriate allocations of the cost. Mr. Fisher said it is a legitimate concern; the Comptroller has written an audit, and they are responding to it. In the case of the Deputy Co. Exec. for Human Services, she does a spread sheet for indirect cost plan purposes. It gets filed with the A87 Indirect cost plan and those numbers are used. There is a different methodology for others. Some don't have a methodology, and they are looking at it. They are in the process of making some tweaks. Mr. Rowley added that there was some analysis behind it, DMB weighed in some percentages. Mr. Jordan said that it would be prudent to have a methodology.

10. **EMERGENCY COMMUNICATIONS:** Bill Bleyle, Commissioner

a. **Amend 2012 Budget to Accept NYS Division of Homeland Security and Emergency Services Funds for the Onondaga County Department of Emergency Communications, and Authorize the County Executive to Enter Into Contracts to Implement**

this Resolution (\$331,446)

Mr. Bleyle:

- Grant is part of an Office of Interoperable Communications grant
- Part of wireless 911 surcharge--instead of State giving a large amount, they have a competitive grant program
- Seeking narrow banding – required by FCC that by Jan. 1, 2013 to narrow band all radio systems
- Current County OCICS radio systems is narrow banded
- Have some legacy systems in place – UHF Med channels, a radio system used to communicate by ambulance, EMTs, paramedics in field directly with emergency rooms and doctors
- UHF Med Channels system have to be maintained, very valuable – national interoperable hospital system that most counties have

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

11. WAYS & MEANS, MISC.:

a. Memorializing the Governor and the Legislature of the State of New York to Enact Legislation Providing for the Elimination of County Contributions to the Cost of Medicaid (Sponsored by Mr. Jordan, Mr. Liedka)

Mr. Jordan:

- Memorializing resolution passed last year asking State to pass a law instituting Medicaid reform – to take over the cost, instead of shifting it the county
- Senate and Assembly resolutions pending to phase in takeover of Medicaid costs by the State over 8 yr. period
- This resolution memorializing Governor and State Legislature to enact those proposals and to state it is the policy of this legislature that every dollar realized from the State takeover will be dedicated to a debt reduction in real property taxes

Mr. Stanczyk said that he is supportive of this resolution. He noted that one of the reasons the local sales tax was increased from 3% to 4% was because the then county executive said that there was increased Medicaid expenses. A deception was created that replaced the words “county property taxes” on people’s bills with “state mandated services”. People in the local villages and towns also think it is deceitful. He is hopeful that there will be promotion in truth in setting tax rates and in explanation to people as to what is what when they get their tax bill. He will sponsor a resolution and asked the members get on board. He has maintained that if someone from outside of the city received the tax bill and contested it, there is no legal authority for Onondaga County to collect a tax based on verbiage of “state mandated services”.

Mr. Kilmartin said that the top of the bill reads “town and county tax bill”, and asked if Mr. Stanczyk felt it addresses it sufficiently Mr. Stanczyk said that he does not; it is deceitful and it is incredible that it has continued for years. If talking about taxes, it is time to step up to the plate and say it is a tax. Mr. Jordan said that if Albany takes over all of the mandates, it will be a moot issue because there won’t be a state mandate line on the tax bill. The bill will go down and sales tax can be reduced as well; right now mandated costs are 118% of the real property tax levy.

A motion was made by Mr. Kilmartin, seconded by Mr. Holmquist to approve this item. Passed unanimously. MOTION CARRIED.

b. Appointing Two Directors to the Onondaga County Tobacco Asset Securitization Corporation (Casey Jordan, David Knapp) (Sponsored by Mr. McMahon)

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

12. LAW DEPARTMENT: John Sharon, Senior Deputy County Attorney

a. Settlement Briefing

A motion was made by Mr. Jordan, seconded by Mrs. Ervin to enter into executive session to discuss the matter of Tanner vs. County of Onondaga. Passed unanimously; MOTION CARRIED.

A motion was made by Mr. Jordan, seconded by Mrs. Ervin to exit executive session and enter regular session. Chairman Knapp stated that no action was taken during executive session. Passed unanimously. Passed unanimously; MOTION CARRIED.

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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