

Office of the Onondaga County Legislature

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Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE FRENCH
Deputy Clerk

ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – OCTOBER 17, 2012 MICHAEL E. PLOCHOCKI, CHAIRMAN

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

Members Absent: Ms. Williams

Also Attending: see attached list

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

Chairman Plochocki commented that Honeywell was supposed to be the field trip for October committee but it has been postponed. The temporary facility they were going to have put up is not yet finished and may not be finished for next month either. If the facility is up for next month, then the field trip will be in November.

1. WATER ENVIRONMENT PROTECTION: Tom Rhoads, Commissioner

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

Chairman Plochocki stated there are a series of capital projects that need approval for a public hearing then votes on the projects. Mr. Rhoads will be breaking it up between this month and next month. It is best that the Legislature approve the hearing on all capital projects now even though the details of some projects will not be discussed until next month's committee. Mrs. Rapp asked when the public hearing will be. Mr. Rhoads responded they have been requested to have a December 4th public hearing. Mrs. Rapp commented this way they can have the public hearing, and then decide on the projects.

Mr. Rhoads responded to Mr. Meyer that resolution 1a has a 'whereas' clause which talks about the various projects being brought forth.

- Disinfection of the Metro bypass
- Phosphorous treatment engineering work
- Pump replacement for the Metro Waste Water Treatment Plant
- Oneida Lake pump station improvements

Mr. Rhoads stated item 1a is calling for the Legislature to hold a public hearing for the projects (WEP has had their public hearing). Chairman Plochocki responded to Mrs. Rapp that it is a session day. Mr. Rhoads responded to Mr. Meyer that there were no issues, questions or comments at WEP's public hearing.

Chairman Plochocki stated the committee will wait until after discussing the projects to vote on item 1a.

b. Authorizing and Ratifying the County of Onondaga to act as Lead Agency for the Design and Construction of New Tankage or the Retrofit of Existing Clarifiers and Installation of Associated Equipment to Meet NYSDEC Permit Requirements Under the State Environmental Quality Review Act ("SEQRA") and the State Environmental Review Process ("SERP"), Determining the Classification of a Type 1 Action, Adopting a Negative Declaration, and Authorizing the Publication, Circulation, Service and Filing of the Environmental Assessment Form, and the Negative Declaration

Mr. Rhoads:

- Metro Waste Water Treatment Plant - \$20.2 million bypass project; requires WEP to explore EFC (Environmental Facility Corporation) funding

- Followed all steps of SEQRA process very properly
- Special SEQRA approval – because it is an unlisted action, following type 1 action plan; requires formal environmental assessment form; circulated with all parties – municipalities, DEC, State Historic Preservation office
- Project would have negative declaration of adverse environmental impact
- County Legislature has to accept what has been done - assessment of project; asking to accept environmental SEQRA process; full assessment form so if able to receive eligibility, then better position for low interest loans
- Operation - permitted capacity of plant; takes so much wastewater during normal dry conditions; after about 126 million gallons, have bypass up to 240 million gallons receives primary treatment
- Primary treatment means screened and settled so solids taken out; bypass has only partial disinfection
- Improvement of Onondaga Lake - occasional bypasses (40/year, 400 mil gallons/year); goes into lake in partially disinfected capacity
- Required to install full disinfection and de-chlorination; have to chlorinate the bypass water, then de-chlorinate so there is no residual chlorination going into the lake; requires large amount of process flow tanks
- Hold water (generally 30 min) to have contact with chlorine to kill pathogens then additional time after
- Looking at process tankage to hold volume of water - existing tanks, 6 tanks that are a little less than 1 million gallons built in 50's; exploring repurposing the tanks or new tanks; define after ability to do additional engineering
- If event lasts only 30 minutes; could use only one tank; if event lasts 8 hours, could use all tanks
- Capital Project funding over 20 year bond; look at physical improvements; industry standard says mechanical equipment lasts 30 yrs; electrical component lasts 20 years; structural components last 45 yrs +
- Cost – if don't get EFC funding, below \$8 on unit charge; if get EFC funding, less than \$7 on unit charge

Mr. Meyer asked if there will be more treatment, will there be tweaking to the operating budget. Mr. Rhoads responded he does not have that number but will try to get an answer.

Mr. Rhoads:

- Permit item - DEC requiring to do; owe to tax payers to spend money wisely and provide important services
- Honeywell clean up – Where to go when discharging ½ billion gallons of unsanitary water/year into lake from bypass?
- DEC does not see it as acceptable; if WEP does not comply, then in consent judgment condition which will require WEP to do it; generally found they bring down additional clauses, funds and responsibilities
- Not looking for acceptance of bond and project, just approval on environmental assessment; discuss willing to pay for or let DEC mandate; not good position to tell constituents County required not voluntarily handling
- If WEP doesn't comply, then will get fined; also consent judgment which could perhaps be criminal
- Today approving SEQRA only; SEQRA - happening on Metro campus, not disturbing environmental areas, not creating additional odors, and improving environmental condition; no items of historical significance; no adverse environmental impacts the project would create
- Using old tanks – will know more after getting into it; probably can be repurposed but with significant rehabilitation

Mrs. Berger responded to Chairman Plochocki that the committee has to accept the SEQRA. Mr. Rhoads agreed with Chairman Plochocki that the vote is ratifying Onondaga County to be the lead agency under the SEQRA, as well as affirming the negative declaration. Mr. Rhoads stated as long as everything moves forward, the bonding will be on November's agenda.

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

Mr. Meyer asked when they did the SEQRA, did they assume they were replacing the tanks. Mr. Rhoads responded it was assessed either way. There is a small tank to do the process, and have the abandoned tanks so it assumed either one. The choice is to take the small tank that is not functioning, completely abandon it and replace it with a larger tank, or use the old tanks.

Passed unanimously; MOTION CARRIED.

c. A Resolution Approving the Construction of a Sewer Collection System for the Clay Industrial Park in and for the Onondaga County Sanitary District of the County of Onondaga, New York (Sponsored by Mr. Jordan)

d. A Resolution Authorizing the Issuance of \$5,614,000 Bonds of the County of Onondaga, New York, to Pay the Cost of the Construction of a Sewer Collection System for the Clay Industrial Park in and for the Onondaga County Sanitary District in and for Said County (\$5,614,000) (Sponsored by Mr. Jordan)

Mr. Rhoads:

- 1c is approving construction for a sewer which works with 1D, the bonding resolution
- Sewer force main connecting the Clay Industrial Park (or White Pine Commerce Center) to Oak Orchard Waste Water Treatment Plant; makes park shovel ready by providing sewer infrastructure for tenants anxious to occupy the park
- Onondaga County Sanitary District – in the current sanitary district; expanding not an issues; within boundaries
- Not expanding district boundaries; expanding infrastructure and providing service to property within sanitary district

Chairman Plochocki asked counsel to confirm the interpretation of “in and for.” Mrs. Berger responded that she does not know about the project but will connect back with the Chairman. Chairman Plochocki stated, unless the verbiage is incorrect, the committee would be approving this assuming it is within the district. If it is not within the district, it is a mute issue. Mr. Meyer commented it is unless there is a change in district lines. Mr. Rhoads responded this is within the current district lines.

Mr. Meyer asked if all the construction is going to be within the parcel, or will it be hooking up to lines going north. Mr. Rhoads responded this project was prepared by OCIDA. It will connect across current highway right of way, and then it goes to the MWB right of way for several miles (south then west). Mr. Rhoads agreed with Mr. Meyer that this will bring it to the site, not work on the site. This is the connection force pipe so they will pump the sewer in a pump pipe line from the White Pine Commerce Center to Oak Orchard WWTP. The funding is the connective pipe. Mr. Meyer asked if this will provide service to the residential properties along the way. Mr. Rhoads responded it is not intended to provide service for those residential properties. They will not have the option because there is not the existing capacity at Oak Orchard to treat a significant amount of additional property in that area. This project will consume the majority of the BOD (Biological Oxygen Demand) capacity. Mr. Meyer stated the residents will have their street dug up and the pipe, but will not have the opportunity to hook up. Mr. Rhoads commented there will be a temporary disadvantage to the public right of way being opened and closed for the sewer work, but it will not take away from the properties, and will not cost the residents anything. Mr. Rhoads responded to Mr. Meyer that the time table for making this ready is 2014. The goal is to make the park shovel ready as soon as possible. Chairman Plochocki commented it is his understanding that the only option for those residents to have the opportunity to hook on would be to spend more money to upgrade Oak Orchard. Mr. Rhoads agreed.

Mr. Rhoads responses to Mrs. Rapp's questions:

- 20 properties to skip, need permission – some conditions associated w/existing MWB right of way; people would have to be approached to allow existing to entertain pump water and sanitary sewer; currently on septic systems
- Right of away concerns being dealt with
- Is this the beginning? Or more? How to tell constituents that they can't hook up – important things to explore
- Industrial commerce center shovel ready – currently don't have a dry rock to put employment creating campuses onto
- Do need industrial development opportunity in the community
- Connection is a force main - under pressure; residents would have to have own pressurized sewer and pump station in order for it to work, otherwise things under pressure would come back the other way; requires infrastructure
- Trying to prevent adjoining property owners from having significant 100 home development with its own force main, sprawl, transportation and other issues which Oak Orchard doesn't have capacity to treat
- Here to ask and seek approval for extending this for economic development; approving project and \$5 million bonding

Mr. Rhoads responded to Mrs. Tassone that this type of sewer is being installed because it is flat land, and there is no way to get from the White Pine project site to Oak Orchard without force main.

Mr. Meyer asked if this requires any action by the Town of Clay. Mr. Rhoads responded he believes the town's actions are just the development actions. They are an involved party in the SEQRA context. The sewer work itself does not require any action by the town. Mr. Rhoads replied to Mr. Meyer that he believes the town board has been briefed by the IDA but WEP has not briefed them. The IDA has done an engineering concept, and has shown the maps and options for the sewer to the Town of Clay as part of the SEQRA process. Mr. Meyer asked if this requires pump stations between the site and plant. Mr. Rhoads responded this proposes one pump station to be built in the future by the industrial tenant so there would be one pump station on the White Pine campus, and none in between. This is just for the pipe which is not atypical. Mr. Rhoads agreed with Chairman Plochocki that the work on the campus itself will be done by the tenant.

Mrs. Rapp stated they talked about the tax payers being paid by the sale of the land. Mr. Rhoads commented he's not privy to that information. Mr. Rhoads stated this action is for the sewer pipe connectivity, and not the park. There are DOT considerations and property considerations that are in the belly wick of others.

Mrs. Rapp read from the resolution: *"...the use of monies appropriated herein shall be limited to funding only the design, engineering and permits of said capital improvements, until such time as all requirements under SEQRA are satisfied."* Mrs. Rapp asked what this means. Mr. Rhoads responded that the actual final SEQRA determination has not been arrived at, so this authorizes the work. It does take into consideration that the construction work cannot proceed until the SEQRA has been adopted. Because this is a project being conducted by OCIDA, the OCIDA board is the lead agency. In the case of the OO2 bypass, WEP and the County itself was the lead agency.

Mr. Rhoads responded to Chairman Plochocki that the way this resolution is formatted is that in the \$5.6 million there are adequate funds to do the engineering, design, construction and the construction inspection. This resolution does not provide authorization to begin the construction work until the SEQRA is approved. This allows the construction to proceed without additional resolution but the Bond Counsel requires that it states no construction shall proceed without the appropriate SEQRA approval. Mr. Rhoads stated he recommends the Legislature to continue with this form because each time there is a step, it takes sixty to ninety days. They may miss construction windows and opportunities in the 2013 construction season. Mr. Rhoads commented that this is why it makes sense to have everything included in one resolution; everything can stay on track.

Mr. Rhoads replied to Mr. Meyer that the sewer lines parallel the existing roads. The park itself will have a separate access, and this will follow an adjoining side street that would not be the park access road. The sewer line will not follow the road within the park.

Chairman Plochocki asked the committee if they would want to wait to vote until next month understanding that time is of the essence on this project. Mr. Rhoads responded to Mrs. Rapp that the public hearing on November 9th is scheduled the day of session. Chairman Plochocki explained that the hearing will be before the next committee meeting but these resolutions will go to Ways and Means committee in October. Mrs. Rapp stated she would be willing to support the public hearing. Mr. Rhoads commented that there was a resolution adopted on October 9th already approving the public hearing on November 9th so it is on the agenda. This would be the resolutions to approve the project for construction and bonding.

Mrs. Rapp stated she would like to abstain from the vote and let it go to Ways and Means. Mrs. Rapp would like to have the public hearing for any feedback, and then vote on the day of session. Mrs. Tassone and Mr. Meyer agreed.

Mr. Meyer asked if this is a complicated project because it is not scheduled to be complete until 2014. Mr. Rhoads stated one construction season is shot. It will be several miles of construction line so there is a significant amount of construction to be done. Most of the construction will be open trench so it is seasonally driven. These are the reasons for the expeditious schedule. Mr. Rhoads responded to Mr. Meyer that the design, bid and construction will be done in 2013, and the campus will be shovel ready in 2014. They have been working on the engineering concept for a better part of six months. The recommendation is to get this done; otherwise the County will lose another year of being able to provide an economic development tenant.

Chairman Plochocki asked if the committee does not take action either way, can it still be considered by Ways and Means, and then voted on in general session. Mrs. Berger agreed with Chairman Plochocki that it has to be considered by at least one committee.

Chairman Plochocki stated for the record that there will be no vote on items 1c and 1d which will not be interpreted as opposition to either item.

e. Further Expanding Onondaga County's "Save the Rain," Green Infrastructure Program, and Authorizing the Executive to Enter into Contracts

Mr. Rhoads:

- Proposal of project - follow up w/Suburban Green Infrastructure Projects; 2011 – adopted \$3 million project
- Proposing \$2 million project – similar to suburban green projects; purpose of projects to come back with town and village recommendations for approval of those projects
- Green infrastructure and other innovative/cost effective inflow and infiltration projects within sanitary district outside of combined sewer area

- Bonded money

Mr. Rhoads responded to Chairman Plochocki that the \$3 million grant WEP received was not for these types of projects. Mrs. Rapp stated the County supplanted the money because WEP already bonded the money. Mrs. Rapp said the Legislature elected to take it to expand the range of Save the Rain. Mr. Rhoads responded that the last time the Legislature did borrow the \$3 million for this project, and this time WEP is coming back with a \$2 million funding proposal.

Mr. Rhoads' responses to Mr. Meyer's questions:

- WEP does weight the projects that have local match; give them additional consideration; projects funded last time - not everyone got all the money they wanted
- Process – approve project but not approving bonds; go out with project approval; solicit from towns and villages what they would propose; then back to committee with recommendations of which projects to fund and why
- At that time, the Legislature would agree or not agree to the bonding to fund those projects

Mr. Meyer stated it was a communication issue last time, and also the towns are in budget now. So if they have to come up with a certain percentage of the money for these projects, they will need to know. Mr. Rhoads commented he does not disagree. All of the projects that WEP and the Legislature approved in May or June are just now reaching the final contract phase. WEP goes to solicit in the beginning of the year, they get the projects in March, then they go through the County Executive's office approving and recommending the projects to the Legislature, and by the time these projects are ready, they will be in the 2014 budgets. Mr. Rhoads responded to Mrs. Rapp that where the rubber meets the road for town budgets it will be 2014. Mr. Meyer commented that he does not think the towns can enter into a contract unless they have the money available. Mr. Rhoads replied they can probably enter into a contract with the anticipation that they can fund it. Mr. Rhoads stated what they would like to see and encourage is more local match which means more projects to fund, and more INI to do. The last go around there were one or two projects already in Community Development funding, and WEP's project approval became a match for some of those. It is not a perfect process. Mr. Rhoads said where they make the announcement, he would be happy to let them know that the more INI they capture and the more local match they provide, then the higher the project will score in the anticipated process of review.

Mrs. Rapp asked if the towns were planning projects for storm water abatement. Mr. Rhoads responded he would have to get back to Mrs. Rapp. Mr. Rhoads commented there are a lot of things going on with storm water. The projects are designed to remove the clean water from the sanitary system. Mr. Rhoads said they want the run off to be clean run off going into the streams, the receiving water into the ground, and not getting into the sanitary system because they don't want to treat it there.

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

Chairman Plochocki asked for a motion on item 1a.

A motion was made by Mr. Meyer, seconded by Mrs. Rapp to approve item 1a. Passed unanimously; MOTION CARRIED.

2. LAKE IMPROVEMENT: Tom Rhoads, Commissioner
a. ACJ Update (ACJ monthly report on file with Clerk)

Mr. Rhoads:

- Progress report for December; talked about substantial completion of projects, meaning the asset starts to serve its function; starting to see benefit of green infrastructure
- 13 projects; OCPL - 5 renovation projects; now performing and assets performing
- Some projects have punch list items – little housekeeping items
- Substantial completion: projects now starting to serve purpose of stopping rain water from getting into sanitary system
- Honeywell restored dredging work; WEP receiving flow; no interruption to serve except in wet weather events
- Heavy storm – wet weather procedure, let Honeywell now WEP can't accept flow for period of hours
- Mercury – responsibility to manage sources of mercury; one source could be from sanitary sewer system
- Source Control Division - visiting dental practices; check side board tanks to ensure materials captured; potential source of mercury; Lake is getting so clean, now measuring parts per billion
- Small amount of mercury in total can change the composition of the receiving waters
- Visiting and communicating w/dentists so they know how to manage the materials; coming down in law – help them understand the laws and do WEP's part
- Bio-solids and solid materials – most comes back to Metro campus; do anaerobic digestion; 3 old digesters built in 50's, and a fourth tank; all going through primary cleaning process
- Result of process – completed two of three; \$5 million to clean; better digestion; solids from low 20% to 40% solids
- Reduce amount of material that is land filled; hopefully able to create better bio-solid; RFQ to see landscape for fertilizer material rather than land fill material; capital projects reduce long term operating costs
- Added benefit - generate methane gas from anaerobic digestion; now have combined heated power system - 300kw of electric energy to serve Metro campus; waste heat from Caterpillar equipment to heat campus
- INI reduction – reviewing 2,000 plus miles of pipe; inspected 299 manholes in June; 401 manholes in July/Aug; 251 in Sept; found 47 defects and repaired 42 of those; 4 million gallons of inflow kept out of sanitary system per year
- 4 million gallons is ½ of 1% of dry water
- Town of Dewitt had main break in December - in news that people were seeing discoloration in Butternut Creek; old town forced sewer broke; rupture caused raw waste to spill into creek; Flow Control Team responds to event
- Brought in aquatech trucks; vacuum sewer waste out of pump station pit, put in tanker truck, move by honeywagon to disposal point; trucking waste and did throughout emergency repair
- WEP's responsibilities and equipment are to service towns and villages; town does not have that sort of equipment; WEP serves important service mission with equipment and environment

Mr. Rhoads' responses to Mr. Meyer's questions reference mercury and fluorescents:

- Dentists – collection system; old cavities made with mercury contained material so drilling out concentrated substance with mercury; mercury is heavy so they put traps in plumbing equipment by the chair and in the basement
- Need to make sure traps are there and functioning properly; when trap full of waste, gets properly disposed of; it is supposed to be there now; dentist practice with process that may involve amalgam need to have the traps

- Fillings now use polymer and shine ultraviolet light; continue to have mercury source for decades in environment
- Measuring mercury in parts per billion; 7/10 of part per billion is NYS Ambient Water Quality Standard
- 1 second in 31.7 years is a part per billion; infinitesimally small; Great Lakes standard
- Reaching new horizon with Onondaga Lake - no longer receiving 100 lbs of mercury from legacy industrial problems
- When cleaned up, will still have Lake with minute sources of pollution
- Other source of mercury – atmospheric deposition; cold power plants in mid-west have fraction of mercury in coal; mercury is a liquid that boils at low boiling temperature, vaporizes inside combustion, then carried via environment
- Fluorescents and amalgam – fluorescent is smaller of the issues; understand that amount of mercury in typical compact fluorescent is about the size of a period at the end of a sentence; more amount of mercury in old amalgams

Mr. Rhoads responded to Chairman Plochocki that dentists having traps is the law. WEP is helping to remind people it is the law, and helping them to understand the best management practices. All the chairs sold today have traps, so dentists need to be reminded to clean the trap as well as empty it, and send it to the right place.

Mr. Rhoads replied to Mrs. Rapp that the anaerobic digesters are doing a better job at digestion which reduces the liquid amount. It breaks down the cell structures and digests the waste so it can be better separated between solid and liquid. The liquid is recycled in the plant and further treated so there is less solid disposal. Mrs. Rapp asked if they quantified what the savings would be. Mr. Rhoads responded he will come back next time with an answer. Solids management is about \$4 - \$5 million annually. If a significant portion is taken away, then there will be a reduction of the disposal portion of that. Mr. Rhoads answered Mrs. Rapp's question that WEP would like to clean the tanks once every three years, because waiting over ten creates buildup that has to be sand blasted and chipped away at. They will take the tanks down and clean them internally so the tanks will not have the buildup they had this time around.

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,

Jamie McNamara, Assistant Clerk
Onondaga County Legislature

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COUNTY FACILITIES COMMITTEE MINUTES – OCTOBER 17, 2012 **JUDITH TASSONE, CHAIR**

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

ALSO PRESENT: *see attached list*

Chair Tassone called the meeting to order at 10:40 a.m. *A motion was made by Mrs. Rapp, seconded by Mr. Dougherty, to waive the reading and approve the minutes of proceeding of the previous committee meeting. MOTION CARRIED.*

1. ONONDAGA COUNTY PUBLIC LIBRARY:

a. Confirming Appointment to the Onondaga County Public Library Bd of Trustees (Merike Treier)

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

b. Amend the 2012 Budget to Accept NYS Division of Library Development Funds for the OCPL, and Authorize the Co. Executive to Enter Into Contracts to Implement this Resolution (\$13,844)

Ms. Dailey:

- 2nd year of 2-year grant funding - Access to Books and Computers Program
- Money in second year to be used for a project director, a part time librarian assistant
- Materials/equipment for the project purchased in first year of grant

A motion as made by Mr. Dougherty, seconded by Mrs. Rapp to approve this item.

c. Amend 2012 Budget to Accept Funds for the OCPL for the Syracuse Peace Council Microfilm Project, and Authorize Co. Executive to Enter Into Contracts to Implement this Res. (\$6,734)

Ms. Dailey:

- Grant to be used to microfilm local paper from Syracuse Peace Council
- Will contract with a professional firm to do the microfilming

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

d. Amend 2012 Budget to Accept Additional NYS Aid Funds for the OCPL and Authorize the County Executive to Enter Into Contracts to Implement this Resolution (\$105,722)

Ms. Dailey:

- Were on a trajectory of NYS reducing funding for libraries
- When budgeting for 2012 it was projected that NYS would again reduce by 3.5%
- NYS did not reduce and actually added about 3%
- Budget projections did not match
- Waiting towards end of the year to see where the funding would be best used
- Will help with unexpected Verizon costs

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

e. Amending 2012 County Budget to Appropriate \$4,700,000 of Bonds Authorized Pursuant to a Bond Resolution Dated October 11, 2011 for the Issuance of Bonds in the Amount of \$5,200,000 for the Reconfiguration of the Central Library (\$4,700,000)

Chair Tassone stated that this item is for informational purposes and a vote will not be taken on the item today.

Doreen Milcarek, OCPL:

- Beginning in 2010 it was necessary to restrict 3 floors of the library because staffing concern
- Until 11:00 there is only public access to 1st floor
- County invested in material in other floors; services that people don't have access to – not the intent
- Reducing the number of floors will allow them to correct it

Ms. Milcarek distributed and reviewed the following:



In Support of Resolution for the Reconfiguration of the Central Library



Why act now?

- Current resources will be managed more effectively
 - Size of the space + size of the staff = 3 floors closed to the public 14.5 hours each week
 - Already using \$4.4 million of taxpayer funds each year for the Central Library. Need to maximize that investment
- The way people use libraries has changed since 1988
- NYS grant funding is earmarked for the project:
 - \$2 million Empire State Development
 - \$616,000 Library Construction
- Fits with current goals of Gallery owner
- Contain costs going forward through technology and right-sizing



Central Library Users

□ In 2011:

- ▣ 273,817 visits
- ▣ 340,664 items checked out
- ▣ Computer usage: 65,287 sessions
- ▣ Children/teens
 - Programs: 237
 - Attendance: 3780
- ▣ Of total Central materials checked out:
 - 63% checked out at Central
 - 37% checked out at other libraries in County


Known that at least a third of the people that check out don't live in City – are obviously downtown workers

Assessment Process (2010-11)

Aaron Cohen Associates LTD

Exploration of alternative locations and examinations of the associated costs

- ▣ Facilitated meetings with community leaders and elected officials
- ▣ Four on-site visual scans conducted with library users, community leaders and suburban library directors
- ▣ Two on-site focus groups of OCPL and suburban library staff
- ▣ Meetings with library administration, OCPL Board members and County officials



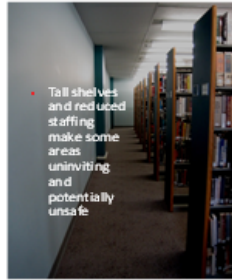
Have gotten questions about moving somewhere else. Have discussed with consultant and community. The general agreement is that they are in a good spot and to keep the library where it is.

Findings

Aaron Cohen Associates LTD

The current space does not meet community needs

- Technology has changed how people use libraries
- The need for community space cannot be met
- Focus groups scored the Salina Street entrance, the auditorium, and the third floor with a "C" or "D" grade.
- From Cohen Associates: "Overall, the Central Library and the System were graded at a C+, indicating that a reorganization of OCPL is required in the near future."



It was a great library 25 years ago – needs have changed. Aaron Cohen, consultant, recommends staying in Galleries and agrees that there is a need for a street level presence.

Other opportunities – consolidate space, shrink square footage

Key Recommendations

Aaron Cohen Associates LTD

Structural enhancements at the current location would be too expensive to duplicate elsewhere. Therefore:

- OCPL (the Central Library and the System) should reside at The Galleries of Syracuse for the next 10-20 years. To support this endeavor the library should:
 - Provide more space on the Ground Level and improve access from the street
 - Invest in new technology to reduce operational costs over the long-term
- In the next 1-3 years, OCPL should undertake a remodel of the Central Library. The reorganization should consolidate, improve and enhance the children's library, Local History space, adult reading areas, program/meeting space, materials handling and system operations.
- OCPL System Headquarters offices should remain on the 5th Level to reduce renovation/reorganization costs.

System headquarters on 5th fl – would be very difficult to replicate elsewhere – recommendation to leave where it is – some space will be re-purposed for materials less often used

Recent Actions

Board of Trustees Building Subcommittee

An OCPL Board of Trustees Central Library Building Subcommittee has met with OCPL's Executive Director, Central Library Administrator, and Director of Administrative Services on June 6, June 27 and August 29, 2012

Board members serving on the subcommittee are Board President Ginny Biesiada, Board Secretary Bob Manning, Board members Tim Dodge and Rich Engel.

OCPL Board of Trustees

Resolution

February 9, 2011

Resolution: 11-06

Whereas, The OCPL Board of Trustees previously approved the Lifecycles Assessments and entered into the strategic planning process, results of which are found in the approved OCPL Path to Excellence; and

Whereas, the Central Library Plan for Excellence affirms the values specified in the OCPL Path to Excellence; and

Whereas, both the Path to Excellence and Central's Plan for Excellence respond to budgetary adjustments with the intent to maintain services that provide benefits for its users; and

Whereas, the Plan led the Executive Director in the hiring of Aaron Cohen Associates LTD, to make recommendations to improve efficiency, effectiveness, and public access at the Central Library; and

Whereas, Alex Cohen of Aaron Cohen Associates LTD, has met with the various constituents on this project to complete his report and it has been presented to all vested parties; now, therefore be it

Resolved, That the OCPL Board of Trustees will work closely with the County Executive's Office and the Galleries Management to achieve the goals outlined in Alex Cohen's Executive Summary Report in a timely manner.

Board accepted Aaron Cohen executive summary report.

Looked at Addis Bldg. as potential Space – was decided it wouldn't work.

OCPL Board of Trustees Resolutions

July 13, 2011

Resolution: 11-15

Resolved, That the OCPL Board of Trustees approves moving forward a resolution to the County Legislature for bonding for property acquisitions, feasibility study, and the architectural and engineering studies for the Central Library Reorganization Project.

Resolution: 11-16

Resolved, That the OCPL Board of Trustees approves the expenditure of up to \$2,500 from the Smith Hawley Fund to hire a consultant for the Central Library Reorganization Project.

October 19, 2012

Resolution: 12-21

Resolved, That the OCPL Board of Trustees approves moving forward a resolution to the County Legislature for the appropriation of funding for the construction, furnishings and technology phase of the Central Library Reorganization Project.

Board has been actively involved. worked along with them for 2.5 years, understanding the problems and helping to shape the plan. A subcommittee meets regularly and appraises the Board if its progress.

Onondaga County Resolution 493

October 11, 2011

Minutes Made By Mrs. Page

RESOLUTION NO. 493

WHEREAS, the Onondaga County Public Library is a vital part of the community and the Onondaga County Legislature is authorized to appropriate funds for the construction of a new Central Library; and

WHEREAS, the Onondaga County Legislature is authorized to appropriate funds for the construction of a new Central Library; and

WHEREAS, the Onondaga County Legislature is authorized to appropriate funds for the construction of a new Central Library; and

Onondaga County Legislative Resolution 494

October 11, 2011

Minutes Made By Mrs. Page

RESOLUTION NO. 494

WHEREAS, the Onondaga County Public Library is a vital part of the community and the Onondaga County Legislature is authorized to appropriate funds for the construction of a new Central Library; and

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Onondaga County Legislative Resolution 495

October 11, 2011

Minutes Made By Mrs. Page

RESOLUTION NO. 495

WHEREAS, the Onondaga County Public Library is a vital part of the community and the Onondaga County Legislature is authorized to appropriate funds for the construction of a new Central Library; and

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Design Goals



Usage, comfort, and security will be increased by a layout that's easy to understand

- ✓ Clear sight lines
- ✓ Movable shelving and furniture
- ✓ Collections arranged for browsing and accessibility



Open up space - clear sight lines – needs to be fewer walls;
Needs better description of space – will increase usage; more user friendly, will increase security

Moveable furniture – have heard from other libraries that space has to be adaptable for other uses.

The design will improve OCPL's ability to take advantage of current and future technologies

- Self check-out
- Automated check-in
- Movie dispensers (like Red Box)
- Automated sorting



Self check out – popular in libraries – patron doing their own check out
Automated check in - smarter, better, more accurate way to manage inventory
Movie dispensers – popular, small learning curve, increased security for materials
Automated sorting – important as Central Library does sorting for all 32 locations in county; more than 2 million items handled back and forth each year

People of all abilities and ages will find the street level entrance makes the library more accessible



Access currently is tricky; they know that people need access from the street. It will be more inviting and easier to navigate.

A donor-supported enhanced educational environment for children for early literacy

**Before: Rows of Shelves
In Children's World**



**After: Interactive Tiny
Town**



Services to children are a role of all libraries. A unique role downtown – think that instituting Tiny Town will be a big draw – a unique child's scale learning environment – very popular in other implementations. It is designed to be play – young children learn by place, will be supplemented with literacy actives.

***OCPL's world-class Local History and
Genealogy resources will be enriched***

User-friendly features will support researchers from around the world.

- Displays and programs
- Study areas
- Will make possible new collaborations with local historical and genealogical associations
- Lockers

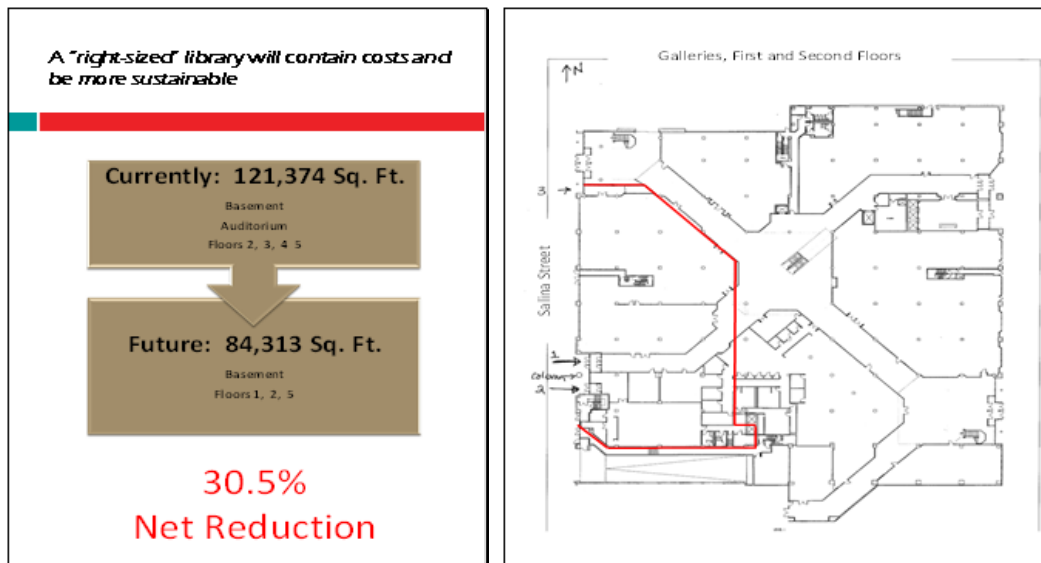


History & Genealogy resources used by locals and people all over the world. Lockers were requested – need a place to put their materials when here for days at a time. Want to bring in more local history materials and display them.

***Small study rooms and larger meeting rooms
will meet the needs of individuals and groups***



Can't currently provide small study rooms, medium, or large size meeting rooms. Plan calls for a significant meeting room with a separate entrance, can be open after library hours if needed.



Main entrance (1) – current entrance to be repurposed into library proper. There would be no entrance internally from Galleries into library. Second floor – roughly follows the same foot print.

Plan Advantages

- Increases overall efficiency and quality of operations
- Includes cost containment measures such as
 - Green building practices
 - Updated HVAC controls
 - Operations at reduced 2010 staffing levels
- Improves public access and enhances the revitalization of downtown
- Incorporates 21st century technology
- Supports library mission and goals of Onondaga County
- Builds in flexibility to meet future needs
- Provides access to library services now restricted at certain times

Enthusied to be part of downtown revitalization. Studies re: civic development, land use, urban development show that if there is a vibrant city center with street level activity, it increases likelihood that more people would use the area and feel safe.

Timeline

- April 2012
 - Supplemental Cohen report on potential of Addis site for library project
- August 2012
 - Completion of schematics and cost estimates by library staff and consultants from QPK
- September 2012
 - Submission of detailed project application to Empire State Development
- October 2012
 - Empire State Development action on detailed project application
 - Bond appropriation Resolution presented to Legislative Committees
- November 2012
 - Resolution accepting Empire State Development grant presented to Legislative Committees
 - Onondaga County Legislative vote on bond appropriation Resolution
- December 2012
 - Onondaga County Legislative vote on grant acceptance
 - Award of RFP for Architectural and Engineering Services
- June 2013
 - Construction bid awarded
- August 2013
 - Construction begins
- July 1, 2014
 - Occupancy of new space, vacate Levels 3 & 4; Grand Opening!

Will hear tomorrow on Empire State Development grant - \$2.5 million.

Reconfiguration Costs

2013-2018 Capital Improvement Plan Central Library Reconfiguration #s in 000s

Estimated Cost

351-7351 Preliminary Planning	\$ 76.0
352-7352 Technical Services	\$ 717.0
355-7355 Construction Cost	\$ 4,340.0
356-7356 Furniture and Equipment	\$ 472.0
357-7357 Miscellaneous	\$ 1,221.0
358-7358 Contingency	\$ 960.0
375-7375 Debt Issuance Costs (1% of Subtotal)	\$ 77.0
	\$ 7,863.0

Estimated Revenues

Cash on Hand	\$ 47.0
Authorized Borrowing	\$ 5,200.0
State Aid	\$ 2,616.0
Total	\$ 7,863.0

Average sq. ft. cost: \$93

Reconfiguration Detail

DETAIL

75.57 - Miscellaneous		
Interior signage	\$ 50,000	
Library technology plan	\$ 97,163.4	
Relocation of collections	\$ 60,000	
Communications systems	\$ 20,000	
Security systems	\$ 38,326	
Printing expenses - bid sets	\$ 2,000	
Construction material savings	\$ 25,000	
Utility costs during construction	\$ 4,500	
NYSERDA grant applications	\$	
LEED certification - USGBC costs	(10,000)	
LEED - professional services-	\$ 5,400	
admin/template	\$ 18,000	
LEED - energy modeling	\$ 15,000	
LEED - commissioning (basic)	\$ 52,872	
	\$ 1,210,928	
75.58 - Contingency		
Design contingency	\$ 65,100.0	1.5%
Escalation to 2015	\$ 150,206	3%
Construction change order contingency	\$ 256,072	3%
	\$ 1,057,306	



Mr. Ryan referred to automated sorting – would like to have it quantified. He understands the plan is to make the business more efficient, but also a lot of money is being spent. He would like to see a return on taxpayers' investment. Ms. Milcarek said they are beginning to have discussions with vendors, as they have the same question. It looks promising so far; but needs verification. There are other implementations of this throughout the country; they have been contacting them to see how it works. Every library she has talked to said that they are glad they did it and wished they had done it sooner. **Mr. Ryan asked for justification for it, and if it will be saving money.** Ms. Carmer said that there are currently four part-time people who are doing this; while someone would be needed to watch the machine, there will be some savings there.

Mr. Dougherty asked about utility savings. Ms. Milcarek said that with a 25 year old building, they will be replacing HVAC and whatever else is needed for LEED certification.

Mrs. Rapp referred to the meeting rooms and asked if the rooms can be subdivided. Ms. Milcarek said that is what the consultant has recommended to make it flexible.

Chair Tassone asked if there is a large demand for the meeting rooms. Ms. Milcarek said that they have to turn people away for a variety of reasons. There is a huge demand downtown. Currently can only approve non-profit agencies; the agency has to hire a guard and there are limitations on access to the library. There is a large request for medium size rooms.

In answer to Mr. Dougherty, Ms. Milcarek said that they do not have any small study rooms. Research shows that people need to be in a public space without access to everyone else. Mr. Dougherty asked who would be using the rooms. Ms. Milcarek said that they have students now that do group work. They find a quiet nook, but it doesn't always work. Also there are a lot of tutors, and home schooling. Ms. Dailey said that independent business people need a temporary office when on the road.

Mr. Ryan asked to be provided with facts on how many people need meeting rooms – who is interested, how many, if people are being turned away, what size they want. Ms. Dailey explained that their current policy restricts the use of rooms to not for profits or government agencies. If they had the ability and could administer it, she would ask the board to change the policy so that room could be more integrated with downtown and the business community.

Mrs. Rapp asked if there is a charge for the use of the room. Ms. Dailey said that there isn't, but the groups have to pay for a guard. Hopefully with the new configuration, a special guard won't be needed. Mrs. Rapp asked if the library could charge for room use. Ms. Dailey said that it is aboard policy that could be looked at.

Mr. Dougherty questioned why the policy restricts use to 501C3s. Ms. Dailey said as soon as you open the room to a category, you are totally inclusive of that category. However, right now she is encouraging the Board to make the policy broader than it is now. In answer to Mr. Dougherty, Ms. Dailey said that the room is used approximately two times per week currently, not counting library use. Ms. Carmer noted that it is a good facility for training – has audio/visual technology and it is used by other government agencies.

Mrs. Rapp noted that the \$1.2 million miscellaneous is mostly technology. She questioned 15% design contingency. Ms. Carmer said it is 15% of the estimated construction cost of \$4.3 million. Mrs. Rapp questioned 15% being high, as typically most projects have about a 10% contingency.

Mr. Dougherty questioned the LEED certification. Ms. Dailey said that it lines up with the grants, and experts say it gives a check list of things that should be thought about. Mr. Dougherty said that he is not debating that; feels it is good idea. What is being done to make it LEED compliant or certifiable is the right thing to do. There are a lot of efficiencies and comforts that come from it, but questioned why the Library is going through the LEED certification process, as it is expensive and he doesn't see the benefit. Ms. Dailey said that other libraries who have the certification say that they want to model behavior that they would like other organizations and individuals to emulate them—it is a symbol of educating the community. Also, it is a County priority and the library wants to support it. Mr. Dougherty asked the library to think about it more, as it is awfully expensive.

Mr. Ryan asked if any of the grant money is contingent upon obtaining LEED certification. Ms. Dailey responded "not that I know of".

Chair Tassone stated this item will be sent to Ways & Means Committee.

2. CNY ARTS:

a. Amending the 2012 County Budget to Appropriate Additional Surplus Room Occupancy tax Revenues to CNY Arts for Distribution to Musical Associates of Central New York, Inc. (\$40,000) (Sponsored by Mr. McMahon)

Mr. Fisher:

- Follow up resolution to one passed in October – amending 2012 budget to appropriate \$120K, but only released \$40K
- Resolution requested the Executive Director of CNY Arts to provide a monthly report beginning in November and continuing into 2013 regarding delivery of musical performances by Musical Associates
- CFO requested to provide copy of contract with CNY Arts providing for distribution of funds. Mr. Morgan plans to provide it when contract is executed
- CFO to appear before W&Ms to provide monthly report on installment payments
- \$40K appropriated immediately; other appropriations in installments
- Today's resolution appropriates the 2nd monthly installment
- CNY Arts Board has set up a subcommittee to oversee the money that is being regranted to the new symphony organization for the money coming from Onondaga County and from City Foundation

George Nardone, Board Member, said that when looking at the performance of the symphony they look at how the symphony has been drawing or executing in their original performance plans. They have done it fairly well at this point. One performance was done at Oswego State, which went very well. They have received a payment, per agreement, of \$10,000. They are in the process of executing a contract with Syracuse Opera; there is an agreement signed for an additional \$39,000. They have pretty much matched the seed money given to them by this legislature. At this point the Board is comfortable with process and the direction the symphony is going in.

In answer to Mrs. Rapp, Mr. Nardone said that the attendance was fairly strong at the first performance. He does not have exact figures yet.

A motion was made by Mrs. Rapp, seconded by Mr. Shepard to approve this item. AYES: 4 (Tassone, Dougherty, Rapp, Shepard); NOES: 0; ABSTENTIONS: 1 (Ryan). MOTION CARRIED.

3. PULLED

4. PULLED

5. PARKS: Bill Lansley, Commissioner

a. A Resolution Authorizing Park Improvements in and for the County of Onondaga, New York, at a Maximum Estimated Cost of \$2,565,000, and Authorizing the Issuance of \$2,565,000 Bonds of Said County to Pay Costs Thereof (\$2,565,000)

Mr. Lansley:

- Bonding for 2 projects
- Rosamond Gifford Zoo – HVAC at main building, which has reached its last legs in usefulness, 25 year old facility. A full assessment was done through Facilities Management, it is has been engineered, and the recommendation is that there is no alternative but to do a full replacement
- Lake Project, \$1.265 million with \$750,000 dedicated toward the planning of bridge going over CSX Railroad, State Fair Blvd exit over Honeywell property
- Have application in for the Local Water Front Rehabilitation Project – grant through NYS to assess and see what the availability is to loop he lake
- Working with FOCUS – combining all of the plans done over the years on how to loop the lake into one document
- \$750K grant would be used to assess feasibility to get around the lake
- Honeywell is completing their revitalizing and rehab of their property – they will leave a trail bed in there that will be a continuation – the plan is that it will be available to Parks Dept.
- Timeline- remediation of property to be finished in 2014/2015

Mrs. Rapp asked if the \$750,000 is just for design; Mr. Lansley said it is for the construction of the bridge with could run parallel to Rt. 690 from Honeywell property to cross railroad tracks.

Mr. Lansley reviewed maps of the property. He noted that the project will open up the lake to Geddes, Camillus, Solvay – access points along the lake with ability to get down to Armory Square.

Mr. Ryan asked if Honeywell can incorporate any of this into their plans while they are down there working. They would have to go back to the Town of Geddes Planning Board and City. There is construction going on now, and they won't be done there for another year. He asked about working together with them to facilitate this project; possibly Honeywell would build it and deed it over to the County. Mr. Lansley said that in conversations with Honeywell, they have been very open to the public comment. They worked with FOCUS, they are very aware of the natural progression of the trail system going from the Solvay exit through their property. They have pretty much agreed that they will have the trail bed in there. They want to open their property for public access. There will be a lot of activity on the west shore trail.

Mrs. Rapp asked if it was designed to connect with the Creek Walk; Mr. Lansley said it is – can connect from Hiawatha Blvd. the shoreline, or further in.

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

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

* * *

PUBLIC SAFETY COMMITTEE MINUTES – OCTOBER 17, 2012
Attachment No. 1

* * *

HEALTH COMMITTEE MINUTES - OCTOBER 25, 2012
DANNY J. LIEDKA, CHAIRMAN

MEMBERS PRESENT: Mr. Meyer, *Mr. Shepard, Mr. Jordan

MEMBERS ABSENT: Ms. Williams

ALSO PRESENT: Chairman McMahon, also see attached list

Chairman Liedka called the meeting to order at 9:34 a.m. ***A motion was made by Mr. Meyer, seconded by Mr. Jordan to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

Chairman Liedka took the agenda items out of order.

2. HEALTH: Cynthia Morrow, M.D., Commissioner

a. Informational: Medical Examiner's Office--Contract with Oneida County

- o Oneida County is moving from a coroner system to a medical examiner system effective January 1, 2013
- o Been in discussion with Dr. Stoppacher and Catherine Unger for last several months; recent talks w/CEO through Ann Rooney, made determination to have Onondaga County assume all responsibility for all medical examiner services
- o Have county contracts for autopsies if medical examiner case; this a new system - assuming complete responsibility
- o For those reasons, need to let Legislature know what's going on and what the proposal is; would need support
- o OCMEO under Dr. Stoppacher would assume responsibility; anticipate hiring 4-6 contracted positions in Oneida
- o Individuals living in Oneida for Field Investigators – will go to scene and determine if it's medical examiner case which are unattended, unexpected, unnatural deaths; need field investigators on site to make the determination

*Mr. Shepard arrived at the meeting.

If ME case, then referred to the County; require investigator, external or internal autopsy

- o Personnel – need to hire 4-6 Field Investigators; part time contracted positions on per case cost in Oneida County
- o Additional positions - Forensic Investigator, Administrative Aid, Forensic Technician, and Pathologist
- o Oneida County may need full service so did ask for unfunded position
- o Administrative Aid, Forensic Technician and Pathologist are existing unfunded positions; no need to create new
- o Nov – request Pathologist; moving and interviewing expenses; can take months to a year
- o Dec – come back with specifics of contract
- o 100% of cost (salary, fringe, retirement, etc) will be covered by Oneida County; no cost to Onondaga County
- o Cost of contract includes all cost - working with budget and MEO

Dr. Morrow's answers to Mr. Jordan's questions:

- o 4-6 field investigators are people who have medical backgrounds and determine at scene if ME case or not
- o Field Investigators will be part time, like EMTs, nurse practitioners or PAs

Dr. Stoppacher commented that the basis for this model is based on what is done state wide with other medical examiner systems (i.e. New Mexico, Vermont and Maryland). All of these have a medical examiner system that covers the entire state out of one central office. The work itself is done at the office, and then there are field investigators; EMTs, PAs, Coroners with training. These Field Investigators will be trained by the MEO and report directly to the MEO. Dr. Stoppacher stated they are trying to establish a regional system in

Onondaga County. It is a tested model that is used elsewhere. Dr. Morrow commented the positions will be contracted. The case load is expected to go up around 200, and possibly 400 total. The Onondaga County positions are the Forensic Investigator, Administrative Aid, Forensic Technician and a Pathologist. Dr. Morrow responded to Mr. Jordan that there will be four positions but they are unfunded. Mr. Jordan asked if the County will be charging them per case or a flat fee. Dr. Morrow replied it will be different then the other contracts because the current contracts are charged per case per autopsy. The County is assuming the services whether it's 100 cases or 200 cases. Oneida County will be covering the cost of the positions. They are not being charged per case but for the services which will include the positions. Dr. Morrow responded to Mr. Jordan that the prices are determined based on the County's cost including the cost of the positions, the cost of the hires and the cost of the MLR. Mr. Jordan asked if they do 200 autopsies verses 400 autopsies, then wouldn't the cost be higher so the charge wouldn't be known until after the fact. Dr. Morrow commented that supplies would be included but are a nominal part; personnel is the largest part. Dr. Stoppacher stated the calculation is based on the MEO's budget, the percentage of 200 cases from Oneida County, and a certain percentage of the budget which includes supplies, interdepartmentals and a number of other things. This is then added to the cost of personnel. They will not be charged per autopsy. The infrastructure is here so doing more autopsies does not cost twice as much. Dr. Stoppacher responded to Mr. Jordan that there will be more work but also more staff. The absolute workload will increase but the per person workload will decrease. Mrs. Rooney agreed with Mr. Jordan that the cost will be fact based, and there will be a mechanism in the contract for reconciliation at the end of the year. If there are 50 more cases where the part time field workers are needed, then Oneida County will be billed for that. Oneida County is fully aware there will be reconciliation at the end of every contract year to ensure Onondaga County is covered for 100% of the cost. If supplies are higher or anything, then there is a great accounting system that accounts for all those costs.

Dr. Morrow replied to Mr. Meyer that Oneida County is unhappy with their current system. Dr. Stoppacher stated they feel that the coroner system wasn't efficient and not adequately meeting the needs they had. Oneida County was interested in changing their system to something more up to date and responsive. Coroners are elected positions versus Medical Examiners that are appointed, and they wanted more accountability. Dr. Stoppacher responded to Mr. Meyer that every other county around here has a coroner system. Mr. Meyer asked if this is a short term deal so Oneida County can create their own ME system. Mrs. Rooney answered that they have had several conversations with Mr. Picente, County Executive of Oneida, and they looked at many options. The determination was made last year to move away from a coroner's system. One option was to create their own medical examiner's office but they came to the conclusion to go with Onondaga County because of the reputation and proximity. Oneida County asked if Onondaga County was willing to take this on with full cost reimbursement. This is a wonderful opportunity for the County to explore regionalization, and there may be opportunities with other counties when they see Onondaga County doing this.

Dr. Morrow commented:

- Reasons structuring based on personnel – liability; variation based on anticipate increase in people
- Win/win for everyone; more predictability based on personnel then per case
- All costs covered with personnel; less liability for County in terms of personnel; minimum of 4 people

Dr. Morrow responded to Mr. Meyer that the cost for capital has been calculated. Mrs. Rooney stated the District Attorney in Oneida County was very interested in this because when they prosecute a case, the reliability of a MEO leads to a better chance of prosecution.

Mr. Meyer asked if the DA or police driven cases are decided by the Oneida County DA to be an ME case. Dr. Morrow answered that the Field Investigators will be determining that. Dr. Stoppacher commented the Field Investigators are steering the bus but the MEO is the gas pedal. Mr. Meyer asked if the DA says it is but the Field Investigator says it's not, who wins. Dr. Stoppacher replied that it is ultimately the MEO's decision. If there are legitimate concerns brought out by the DA where it might be a ME case, then the MEO would assume jurisdiction.

Dr. Morrow's answers to Mr. Meyer's questions:

- Position worried about is Pathologist; difficult to hire; more Pathologists County has, better lifestyle for them
- Make due with 3 but 4th would mean less calls; hope to attract a Pathologist
- Dr. Stoppacher goes to conferences, and will get the word out; in meantime – asking 3 Pathologists to pick up extra work; going to be challenging but 4th position at some point
- Contract Pathologist that occasionally supports; certainly if needed to extend contract, will do so; all costs will be covered in contract; everything can anticipate is covered in contract and reconciliation clause
- Do have back up if this doesn't work in short; when find Pathologist, will need to come back to committee to ask for advance step; cannot hire at current level
- Oneida patients and Onondaga Patients – lot of OT for day or two; Who is charged – look at specifics of situation and do the best assessment; initial estimation is a decrease in OT because there will be more people
- Part of reconciliation - really bad situation with 10 deaths and OT, would have to look at proportionally; if 9 deaths are Onondaga County, then the County will take most of the OT and vice versa
- If had 10 that were Onondaga County, then would have to do OT anyways
- MEO goal - local tax payers not paying bill; will do everything to make sure contract is as tight of contract as possible
- Oneida County understands they are assuming 100% of cost of this no matter what

Mrs. Rooney stated that Oneida County knows that once the employees are hired, the County will be training them in 2012. The contract will start in 2013 but will go backwards to accumulate all those training costs so Oneida County will be reimbursing Onondaga County for them. Dr. Morrow commented when they come back in December they will have all the specifics and will try to answer every question. The intent is to minimize any potential liability, and there will have to be an amendment to the contract. Mr. Meyer stated he could see after the fact the Oneida Comptroller going through and saying there were things that were missed. Mr. Meyer wants to make sure the tax payers are not paying anything.

Dr. Stoppacher stated they are talking about approximately 200 cases per year which is less than one a day on average. There is certainly likelihood that there could be an overabundance of cases but in general it averages out to around 200. It is enough that it can be handled with the current staff. Dr. Stoppacher responded to Mr. Meyer that he wants to reassure the committee that they are not taking on double the entire case load.

Mr. Jordan asked how the County will figure out the costs allocable to the Oneida County contract versus Onondaga County tax payers. Mrs. Rooney responded Oneida County is aware they will be paying full freight on the employees plus the Field Investigators, supplies and more. There will be an allocable share based on the number of autopsies. Oneida County will also be charged for indirect costs. Mr. Morgan responded to Mr. Jordan that the County will hire a base amount of resources to support Oneida County which will be paid for right off the bat. So if there are four people hired and six part time investigators, Oneida County knows they are responsible for that. If

there is an unforeseen event with extra costs associated with servicing them, Oneida County will be allocated those costs. There will be four people hired for the MEO, and if they perform one autopsy a month or none, Oneida County will take on the cost of that. Mr. Jordan asked what happens when one of the Onondaga County Pathologists is working on an Oneida case. Mrs. Rooney responded that they are all Onondaga County Pathologists. Mr. Morgan agreed with Mr. Jordan that the additional hires will be charged to Oneida County. Mrs. Rooney commented if there are no Oneida cases and twenty in Onondaga County, then the Pathologist is working on those. Mr. Morgan responded to Mr. Jordan that there was an initial analysis done to determine the amount of resources needed to take over for Oneida County. There will be tracking of the autopsies done and the costs associated. If there is a point where the cost is higher than that anticipated, then they will negotiate with Oneida County. Mr. Morgan stated the County is not going to hire four people and say whatever the cost is, it is; it will be monitored. Mr. Jordan asked if the County is going to track the amount of time spent on Onondaga County cases and Oneida County cases. Dr. Stoppacher answered that the percentage of cases he will do for Oneida County will not be tracked. That is a wasted effort because Oneida County is paying for the entire system which includes those four hires. The MEO can allocate where needed. Dr. Stoppacher gave the example if there are ten cases in one day with zero from Oneida County, and the next day there are ten from Oneida County, then the net is the average. This is what was taken into account when originally deciding the amount of County positions needed. Dr. Stoppacher stated he understands what Mr. Jordan is saying in tracking the amount of time spent on Oneida County cases, but that is not what is done with any of the other contract counties. It does not matter where the cases come from because the County is getting paid for that position. What can be tracked is the supplies and other costs related to those cases. It is much harder to do on a personnel basis. Mr. Jordan commented that he disagrees as he does this everyday with his profession.

1. **VAN DUYN:** Lori Tarolli, Chief Deputy County Attorney

a. Scheduling a Public Hearing Pursuant to Not-For-Profit Corporation Law Section 1411 to Consider the Transfer of Van Duyn Home and Hospital to the Onondaga Civic Development Corporation

b. Authorizing the County of Onondaga to Act and be Designated as Lead Agency Under the State Environmental Quality Review Act, and to Circulate the Environmental Assessment form and Proposed Determination of Significance in Regard to the Proposed Transfer of the Van Duyn Facility

- County in discussions with Upstate Services Group reference the transfer of Van Duyn Nursing Home
- Two resolutions – one calls for the public hearing and the other is a SEQRA
- SEQRA resolution – 2 step process starting with declaring status, sending letter to Department of Health as other involved agency letting them know they can review findings and lead agency status; 30 days to respond - NYS law
- Part 2 of the SEQRA, assuming they don't object to findings, then adopting SEQRA
- Public hearing - one thing to consider is possibly transferring Van Duyn to Onondaga Civic Development Corporation
- LDC's are created by state law and derive powers from state law; County Legislature appointed members; 3 former legislators serving on OCDC
- To transfer Van Duyn to OCDC, state law requires holding a public hearing
- Still working with Upstate on terms; LDC has greater flexibility than municipality as far as finance transactions
- How financed is still subject of negotiation; under Not-Profit Corporation Law, LDCs nimble with respect in terms of financing a transaction
- Board members are not compensated; mission statements, comply with AVO, reporting requirements; documents on file on AVO website and as well as their own website

Chairman Liedka asked if the asset is transferred, who is responsible for the operations. Mrs. Tarolli responded the transaction would contemplate a sale to the LDC but operations would stay with the County until such time as Upstate would get their CON. It would be seamless. Chairman Liedka asked what authority the Legislature has if there was something they wanted to look at it. Mrs. Tarolli replied that the LDC is a not for profit organization, but this Legislature has three appointments and a joint appointment with the County Executive so there is some appointing authority.

Mr. Jordan asked if the LDC is purchasing the facility. Mrs. Tarolli responded they are working with the bond counsel to see what the options are with respect to the transaction. It has not been determined yet. This resolution is calling for a public hearing in the event the County sells to the LDC. Mr. Jordan asked what happens if the LDC does not have the money to make the payment, or defaults. Assuming the LDC is purchasing the facility, Mr. Jordan asked if they will sign a promissory note and a mortgage, so if they default the County would foreclose, or would it be a land contract. Mrs. Tarolli answered that those are all things they are looking into now. Mrs. Tarolli stated they are working with bond counsel to see what counties can do themselves versus what an LDC can do. OCDC's mission and statutory goals are job creation, job retention and economic development. Their online mission statement talks about protecting the citizens of Onondaga County so part of the reason it would be this LDC is because it is an alignment of the missions. Mr. Jordan commented he feels it is premature to have a public hearing when there are no details worked out. It is hard for the public to voice pertinent input without knowing what is being proposed.

Mrs. Tarolli's responses to Mr. Jordan's questions:

- Other opportunities for public comment before session
- Once deal negotiated and deal concrete, will discuss with committees and Legislators
- Reasons to hold now because the sale contemplates a sale to LDC and lease to County for operations, while group took time to get CON; time frames to get CON - tight time frame so the thought is to get going
- Pre-requisite to following the steps; state process lengthy; law requires the County to hold a public hearing
- Months of negotiations - realizing from private purchase, a lot of time and money in process; don't want to speak for purchaser but a lot of time and money in CON process to get to final point; in order to move, want clarity up front

Mrs. Tarolli responded to Mr. Meyer that Van Duyn's debt is \$5 million, and they are working with bond counsel to resolve it. Mrs. Tarolli replied to Mr. Meyer that the debt is improvements with some grant money. Mrs. Rooney commented there were improvements done in anticipation of sale or transfer. There was elevator repair, fire alarm systems, and sprinklers that would prepare the building for a new owner. Mrs. Tarolli answered Mr. Meyer that they have been talking with bond counsel to figure out what they can do with the debt. One thing they have to figure out is what they can do legally with the outstanding debt. The bond counsel is looking into it, and giving options; it is very complex. Mrs. Tarolli asked them to get back as soon as possible. The County may or may not have to do something about the debt.

Mr. Meyer asked about the lease. Mrs. Tarolli stated the deal terms are still being negotiated, the documents are being drafted and they are in the midst of everything. In respect to the sale the idea is to sell to the LDC, and lease back to the County so it would be a seamless operation until the point of sale. Mrs. Tarolli responded to Mr. Meyer that the County would be operating it. Mr. Meyer asked if the County is confident Medicaid funding will not be interrupted during this. Mrs. Rooney responded the license will not be transferred. Mrs. Tarolli commented they are working with Tom Dennison to make sure that is all seamless. Mrs. Rooney responded to Mr. Meyer that the

potential buyer is working with the County, and putting the terms together for the transaction that will ultimately transfer from OCDC to the new buyer. For the potential buyer to apply for their CON, they need a signed agreement. The process to get a CON typically takes about nine months so Mrs. Rooney is hoping that at December session everything will be in place. This way the potential buyer can file their CON. They have had tremendous success with the state because they had to go through competency reviews. They have a wonderful reputation with the NYS Department of Health, so the County Executive's office is not anticipating any stumbling blocks. Mr. Morgan replied to Mr. Meyer that they do not anticipate any cost to the County, and the only issue is with S1; the building that is vacant.

Mr. Shepard asked if there is a possibility of transferring this to OCDC, and the deal with Upstate falls apart. Mrs. Tarolli responded that they are building in provisions along the way; protections for the residents and for the County. Mrs. Tarolli reiterated that they are building in the protection needed from the time of the sale to the time Upstate receives their CON, and they operate it. Mr. Shepard asked if OCDC will have title to the building even when Upstate is operating it, or will Upstate buy the property. Mrs. Tarolli stated the concept calls for a closing. OCDC will sell Upstate the assets, and the County will be out of the business. Chairman Liedka asked if the money then goes back to the County. Mrs. Tarolli replied that they are working on that right now.

Mr. Jordan asked if the property is being transferred to OCDC and they sign a promissory note, then where is the money coming from. OCDC will then transfer the property to Upstate, and Upstate will be paying OCDC. Will OCDC then take that money and pay off the balance owed on the promissory note? Mrs. Tarolli responded that no one will owe any money until Upstate steps in as the purchaser. OCDC will have title for the period of time but there will not be any money coming in. When Upstate buys the property from OCDC, then there will be some sort of payments to work out. Chairman McMahon responded to Mr. Jordan that the money coming back to the County can be worked out in legislation. Mr. Jordan stated there is so much negotiation and formation that a public hearing is premature. Mrs. Tarolli commented that the only unknown at this point is the deal terms. The concept is the sale and lease back with agreements for the sale, lease back, and for OCDC. Mrs. Tarolli explained the money will come from OCDC through an agreement. Mr. Meyer asked if they can hold a second public hearing. Mrs. Tarolli stated the legislature can hold its own public hearings.

A motion was made by Mr. Meyer, seconded by Mr. Shepard, to approve item 1a. Ayes: 3 Abstentions: 1 (Jordan); MOTION CARRIED.

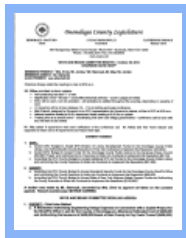
A motion was made by Mr. Shepard, seconded by Mr. Jordan, to approve item 1b. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 10:27 a.m.

Respectfully submitted,

Jamie M. McNamara, Assistant Clerk
Onondaga County Legislature

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