

### Office of the Onondaga County Legislature

Court House, Room 407 \* 401 Montgomery Street \* Syracuse, New York 13202  
(315) 435-2070 Fax: (315) 435-8434

DEBORAH L. MATURO  
Clerk

J. RYAN McMAHON, II  
Chairman

KATHERINE FRENCH  
Deputy Clerk

### ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – MARCH 14, 2012 MICHAEL E. PLOCHOCKI, CHAIRMAN

**MEMBERS PRESENT:** Mrs. Tassone, Mrs. Rapp, Mr. Meyer

**MEMBERS ABSENT:** Ms. Williams

**Also Attending:** see *attached list*

Chairman Plochocki called the meeting to order at 9:04 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.***

1. **LAKE IMPROVEMENT:** Tom Rhoads, Commissioner
  - a. **ACJ Update** (*on file with the Clerk*)

#### HIGHLIGHTS

- Construction continues on Lower Harbor Brook conveyance and Clinton CSO
- Weather allows for start of green infrastructure construction; Magnarelli Community Center green roof and county library, library bids due April 2nd
- A number of vacant lots Save the Rain projects for 2012

Referring to vacant lots, Chairman Plochocki stated he loves it when a question is asked one month, and automatically answered the next month, without having to re-ask the question.

- Vacant lots - 2 @ 50% design phase, 8 @ field work phase, at least 8 @ concept phase, require coordination with stakeholders, city and neighbors to ensure vacant lot will serve both Save the Rain and community ideals
- Previously put in treatment plants, now enjoying opportunity to improve neighborhoods, working side by side with neighbors to build assets

Mrs. Rapp asked if houses were taken down. Mr. Rhoads stated the lots were already empty. They are looking at some with homes but this type of work would involve the city and its demolition program. In answer to Mrs. Tassone, Mr. Rhoads stated the lots are located in different watersheds throughout the city. In answer to Chairman Plochocki, Mr. Rhoads confirmed that the lots are currently vacant brown spaces.

- Metro SPDES permit still in review; largest treatment plant serving the City, Salina, Camillus, DeWitt, Geddes and much of Onondaga
- DEC draft report for Total Maximum Daily Load (TMDL) to be released as early as next week, phosphorus TMDL is for all sources in Onondaga Lake watershed, part of ACJ, phosphorus removal from the Metro plant could range from \$0 - \$700m

In answer to Mrs. Rapp, Mr. Rhoads stated he is hopeful that we will not need \$700m but believes we will see some additional treatment work. The lake is getting to much nutrition, causing algae growth, the algae dies and creates problems with dissolved oxygen. We are advocating for a management strategy; continue to watch how all the tremendous improvements made will fall into place. This approach is something that is still very much in negotiation with the DEC. They are more inclined to dial back the load on phosphorus. The MS4's made improvements to clean up their stormwater, a zero p phosphorus law went into effect, and significant improvements at Metro went online in 2006. DEC is required to deliver the TMDL in final form by the end of June, extended from December 2011 deadline. All phosphorus load will be governed by this, including Metro, MS4's, Marcellus and other industries.

- 1950's photo of Metro plant construction displayed, pointed out structure for natural gas manufacturing plant on site, manufacturing caused containments; contaminants currently being removed by National Grid from Metro campus

- Old infrastructure - 60 yrs old buildings, main intercepting sewer 100 yrs old, maintaining other parts over 120 yrs old; not only building new green and gray but maintaining unique and antique infrastructure

Chairman Plochocki asked if National Grid was dumping the contaminated dirt anywhere in Onondaga County. Mr. Rhoads stated he did not know but imagined that they would farm a lot out, with the heavily contaminated soils going out west to Modern. The work is directly in front of the fleet building on the Metro campus and will close down the first access to Metro, closest to Carousel Center.

#### GRAY PROJECTS

- Harbor Brook interceptor just about complete
- CSO 44 complete by June
- Clinton CSO project working 2 or 3 shifts per day
- Lower Harbor Brook conveyance, small closing of Hiawatha Blvd, busy project
- Falter Construction working on CSO underground storage facility

#### GREEN PROJECTS

- 88 projects in some form of design, construction or concept
- 50 projects last year, believe the same for this year
- Working on Magnarelli Community Center green roof
- Street tree planting large part of 2012; more details next month

#### GIF

- Number of projects being evaluated

In answer to Mrs. Rapp, Mr. Rhoads stated that the application deadline was extended through March 30th. He anticipates that they will be getting at least six applications. He did not know if applications were received from Salina or DeWitt. He has spoken with Mr. Nicotra. Mrs. Rapp stated that Salina was going to submit an application. Mr. Rhoads stated he would reach out to him, noting the deadline extension from March 6th to March 30th.

Mr. Rhoads expressed his appreciation to Mrs. Rapp for her note in the weekly; really helped to get the word out.

#### FINANCIAL

- Continue to seek state grants and EFC funding
- Over \$3m grant for Clinton storage
- 2nd most aggressive EFC loan entity - NYC 1st, continue to apply, anticipate sizeable long term role of EFC loans this season

In answer to Mrs. Rapp, Mr. Rhoads stated EFC funds were loans that have to be paid back. EFC loans for funded ACJ projects total \$188m for the short term and \$46m for the long term. Short term is 0% interest for 3 years then rolled over into long term, which is basically half of the market rate. Current market rate is 3% or 4%.

Mrs. Rapp stated with regard to the TMDL, she recalls Mr. Corbett stating they were working with DEC to change the level of acceptable phosphorus. Mr. Rhoads interjected, "and the bio availability of that phosphorus". Mrs. Rapp continued stating reducing it down to the level they were talking about would not create any measurable difference. She asked if this ever happened. Mr. Rhoads responded that this is what they are currently sparing over. The type of phosphorus emitted in the Metro primary effluent is about 30% bio available. Because of the chemistry used in coagulation and settlement it will pass through Onondaga Lake without becoming part of the nutrient system. One of the things that we are arguing, don't include this load as a pound for pound phosphorus. DEC is wed to their total phosphorus strategy. We have provided them with 15 different model runs which show projected impacts on the lake for the next 48 years. Have even done some hindcasting; tired to look at the condition of the lake in its pre-colonial era. All sorts of boundary modeling has been completed to try and identify what the changes in the lake will be, with the hope that we would get the state to understand our perspective. Allow for continued monitoring and see how the continued improvements with the green and gray projects improve the lake, rather than investing more money. They are leaning towards investing a little more money. We are now into the shades of gray.

Mr. Meyer asked if they were looking to have the phosphorus level back to pre-colonial. Mr. Rhoads responded that they were not. They are looking for a phosphorus level of 20 nanograms. This is what they set as a guidance value statewide. Mr. Meyer stated he had no idea what a nanogram was. Mr. Rhoads responded that it was a very small level in the lake. We have met the 20 nanogram level 3 out of the past 4 years but it is not always a guarantee. They are looking at everyone in the sewershed, not just Metro. We are suggesting that Metro is already doing its part. Also suggesting that things like the zero p phosphorous law will have an impact, give us some time to observe.

Mr. Meyer asked what his best guess was on the amount of phosphorus coming from Metro verses all the other sources. Mr. Rhoads responded that if they include our total load, even though not all of it is bio available, Metro is probably contributing 33% - 35% of the phosphorus to the lake. If it were bio available, we would be a much smaller fraction of the total load.

Mr. Meyer stated that we are not going to make a big dent in these numbers, unless we have a total approach. Mr. Rhoads responded that they are getting to the point where the lake is so much cleaner now, every little drop does count. Now we see it when a little bit of litter goes into the lake. We see the impacts of a little bit of fertilizer. They were completely invisible a decade ago. It is the 80/20 rule. We have removed 80% of the phosphorus load but now they are asking us to continue to remove from the 20%. Mr. Meyer responded that we have reduced this from Metro. Mr. Rhoads responded that some of the MS4's have done a good job. Most of the municipalities in the metropolitan stormwater have had to implement controls to remove the stormwater. We are still waiting to see the impacts from the zero p phosphorous law. It is a balanced approach and it's not over until it's over.

#### **2. WATER ENVIRONMENT PROTECTION:** Tom Rhoads, Commissioner; Robert Kukenberger, Vice President, CDM/C&S

##### **a. Authorizing the Acceptance of the Option to Purchase a Permanent Easement for the Construction, Operation and Maintenance of the Midland Avenue CSO Abatement Project (\$3,000)**

Mr. Rhoads stated as a result of some interesting dynamics during construction, they needed a small piece of private real property. Our construction managers negotiated the price and will reimburse us as a credit on their bill. We will not be using any county or WEP funds. He appreciates the way Mr. Kukenberger and his team have stepped up.

Mr. Kukenberger passed around photographs and stated it would be helpful in explaining what happened and why they as the construction management team, feel that they should step up.

- Large concrete structure required to be built on location for sewer separation
- Pipelines under street not as shown on old records, dates back to early part of last century
- Structure was moved over a couple of feet in the field rather than delay construction, very disruptive to community, made field decision to keep going, move caused 8 inches to be on easement
- Property owner and community very cooperative during construction, made life easier, thought it best to negotiate easement rather than have the county pay for appraisal, probably would have been much less for small sliver of property
- \$3k allowed them to move on without construction delay, delays can be very expensive
- Feel they should step up, no appraisal or opportunity to comment before it happened, coming in after the fact

Chair Plochocki asked how the \$3,000 was calculated. Mr. Kukenberger responded that it was a straight negotiation, not calculated. They started out with \$1,500 - \$2,000, he asked for \$3,000. After two meetings it was agreed to go with the \$3,000.

In answer to Chairman Plochocki, Mr. Kukenberger stated the old drawings did not show where the pipelines actually were. The pipeline had been moved at some point, dating back to when the city owned the sewer lines, before the county took them over. Chairman Plochocki stated eight inches was very small. Mr. Kukenberger responded that the tank could have been redesigned to a different shape but that would have slowed down construction. A field decision was made to move it, met with Mr. Wilson to let him know we would be encroaching his property and price was negotiated. Considered the impact on the community if construction was delayed, project is very disruptive and has gone on long enough.

In response to Mrs. Rapp, Mr. Kukenberger confirmed Mr. Wilson was fine with this processes.

Chairman Plochocki commended CDM/C&S. He believes character is defined not just by doing the right thing at first but if something goes wrong or is questionable, when a person does their best to make sure that it is remedied appropriately; even with something as small as eight inches. This is a compliment to their quality control. Upon noticing what happened, they brought it to the attention of the county and did all that they could to remedy the situation, without additional costs to the county. When things happen like this, this is how we want them to be handled.

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

Chairman Plochocki updates:

- Met with Mr. Sanford and Honeywell members, updated on Honeywell projects; very pleased with Onondaga Lake project
- Honeywell fieldtrip for committee spring/summer 2012
- FOCUS Greater Syracuse community outreach meeting March 16th @ 7:30, discussing future of Onondaga Lake; committee members encouraged to attend

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

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk  
Onondaga County Legislature

\* \* \*

**PUBLIC SAFETY COMMITTEE MINUTES – MARCH 14, 2012  
AT EMERGENCY COMMUNICATIONS, 3911 CENTRAL AVENUE  
KEVIN A. HOLMQUIST, CHAIRMAN**

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

**ALSO PRESENT:** See attached list

Chairman Holmquist called the meeting to order at 10:38 a.m. ***A motion was made by Mr. May, seconded by Mr. Dougherty to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

1. **SHERIFF:** Captain James Rinella; Dan Schuster, Director of Administrative Services

**a. Authorizing an Agreement with the Town of Lafayette for the Onondaga County Sheriff's Office to Provide Enhanced Police Services**

- Done at Van Buren, Salina, and Pompey – many years; another township

Mr. Rinella responded to Chairman Holmquist that there would not be an objection if the 2nd to last resolve clause in the resolution was changed to have an annual review by the Legislature.

Mr. Dougherty commented that \$5,000 is not much compared to Clay who has a contract for \$1 million. Mr. Rinella responded that this contract is only enhanced services, and targets specific times and areas. Mr. Schuster commented that Lafayette is looking for help with Apple Fest, and they can use this for other times as well. Mr. Schuster responded to Mr. Dougherty that this amount will be the total for the year. Mr. Schuster replied to Chairman Holmquist that this is the first year with a contract.

Chairman Holmquist responded to Mr. Dougherty that the Legislature should be made aware of any changes to the contract. He commented when the town has changes, the legislature is kept aware of it. This is a trial.

Mr. May stated the process needs to be the same, and the expectation for any contract; more for Lafayette's benefit. It will guarantee additional support and protection. Mr. Rinella stated the biggest issue is traffic and parking.

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

**b. Overtime Update (Attachment No. 1)**

Mr. May stated he was not sure when questions were posed reference overtime but there should be a point of order. Mr. May commented that Mr. Meyer made a point to stay centered on policy and process of management as opposed to individual personnel issues. The flavor of the questions is inconsistent with the purpose.

Chairman Holmquist stated he would like to work with the Sheriff to address this before budget. The contract is up this year. He supports the employees, the policy should represent tax payers, and it should be discussed.

Mr. Rinella:

- Please come and visit the Justice Center; operations; mandates
- Someone harms themselves in jail – liability on County; not individual thing
- Contract structured; following contract; seniority very important; if need for change, then that's what needs to happen
- Chief Balloni believes in transparent partnership; work together - best ability; adverse relation does not benefit anyone
- Research and development – training for department; running academy; state mandate for training and additional training; basement of Justice Center; Corrections has certain mandates as well
- IT has 3 – 4 in Custody and Police Department; Paul Silverstein oversees IT office; civilization - deputy retired
- IT able to organize, set tasks that need to be done; run into issues – car component down - custody police has ability to fix where contracted individual can have delay in response
- Sergeant replaced with civilian; Dan Schuster replaced Captain; fiscal now civilian; IT should have discussion
- Fiscal administration – if person not doing fiscal admin, could they alleviate overtime; in theory yes; have to have discussion in depth and look at positions
- Move someone from one and back fill with another; want a good relationship
- Grant manager – held by deputy, now to custody deputy; need knowledge of agency for writing
- If need to civilianize grant manager, and there is cost benefit, then no one should have a problem with it
- Creating more positions would need to be discussed in depth
- Compliance administrator - custody role; compliance rules from NYS; don't know job description
- Booking – custody deputy; potential to civil but have union issues; claim exclusivity; need to discuss
- Agree to using other people in other jobs to combat overtime but is it doable; some stumbling blocks
- Chief in negotiations with County Executive with a lot of issues; use fewer personnel; bring some proposals forward with County Executive; not falling on deaf ears
- Ways to do business better; in compliance; keeping deputies safe; keeping inmates safe

Mr. May stated he doesn't think micromanagement is the intention but rather the policy and structure of what's in place. He commented that overtime is being allocated to select people for seniority; long-term liability for county tax-payers and artificially inflated earnings. Mr. May doesn't believe it's appropriate as a legislature as whole to micromanage and evaluate individual employees. It is not necessarily germane to the process and problem to fixing it.

Mr. Rinella commented the contracts expire this year, and the County Executive will start negotiating before the end of the year. Chairman Holmquist responded the legislature does not want it dropped in their laps at the last second. He would appreciate the legislature being updated regularly on what the status is.

Mr. Rinella suggested holding the next committee at the Justice Center. He stated the committee should take a tour and see the operation. Questions they have, they may be able to answer by observing.

**c. Air 1 – Update / Mandate Relief**

- Air One in for overhaul in PA; 10 days into; possibly back in service in 3 – 4 weeks; overhaul being paid out of forfeiture assets; not tax payers; those assigned to Air One are temporarily reassigned to patrol
- Air one foundation – at Home and Garden Show; exposure to public; raise awareness and money
- Cayuga County College and Future Business Partners of America – Daddy Daughter Air One Ball; April 20th in Auburn
- Dawn Perrault organized ball – inspired to help Air One; both sons injured and air rescue available; read statement
- People stepping up and helping; approximately fund-raised \$50,500 – dance; benefit ball
- Jefferson and Lewis counties working on \$10,000; Oswego donated; Cayuga donating \$5,000 all along
- Reference Part 135 - Chief Balloni working with law to begin to charge; getting issues addressed – be in position to charge medical air lifts; originally overhaul 4 – 6 weeks

Chairman Holmquist thought this year was to recoup 1/3 of operating expense through 135, then next year half. He asked if this is a fair estimate.

- Depends on medical air lifts; who is in service with medical staff, who is the closest available; that's how dispatched
- Medical transport from A to B – funding stream for shift during day; goal to reach milestones; minimize impact on tax payers; moving in right direction
- Recently received 32nd public service – it's on foundation website; video of public service in support of Air One; working with local news media to get it out

Mrs. Tarolli responded to Chairman Holmquist that Oswego will be a model contract. Mr. Rinella stated Jefferson and Lewis counties are in the process, and he is not sure if they will be in the 2013 budget. Mr. Rinella responded to Mrs. Tassone that some counties may be waiting to see where the state budget falls before committing to a donation.

Mrs. Tassone asked during the overhaul of 4-6 weeks, who steps in. Mr. Rinella responded that no one really picks up the availability; sometimes the closest ship could be in Pennsylvania. He also stated it might not be an air lift; over 400 people in 2010 should have been air lifted. The primary mission has been police, fire and EMS; working hard to fulfill the legislative mandate.

Mr. Rinella responded to Mr. Dougherty that there was a transport done that was billed, but it has not been paid for. Chairman Holmquist asked if they require a Certificate of Need. Mrs. Tarolli responded she is not working on the issue. Mr. Dougherty asked if the County is able to bill for air lifts already completed. Mr. Rinella responded he does not know the answer but can look into it. Mrs. Tarolli stated she will look and see if the County will be able to bill for previous flights. She said Chief Balloni is working with a company to do the billing. Mr. Dougherty stated the amount of money from the counties pales in comparison to the amount for transports. Cayuga's donation is

less than one transport. Mr. Rinella stated the Sheriff is working on the Certificate of Need, working on the process and the ship is down. He will look to see if they can charge for the flights that have been done. Mr. Dougherty responded he is more concerned with the next "x" number of flights. The county should be charging as soon as possible, and he does not expect them to collect on all but at least some. Mr. Ryan agreed with Mr. Dougherty, and said being able to bill counties is essential. Mr. Ryan asked about Cortland and Madison counties. Mr. Rinella replied Cortland is in the process, and Madison is not certain if they will be able to do it. Mr. Ryan wished they would step up to the plate as it is unfair to fly out there and not get reimbursed.

Mr. May stated the progress with the foundation is fantastic. However, he believes all efforts and priorities should be given to the sustainability of the program. Mr. May commented Air One needs to go past a contribution from other counties, and move towards a functional draw arrangement. This presents a better opportunity for other counties, and puts funds in an escrow account. Mr. May believes the hourly cost of operations needs to be realistic and aggressive in terms of need. There also has to be consideration for the long run including reserving money for a new helicopter. Once there is a clear picture, then, towards next budget, issue a memorializing resolution requesting specific consideration for support by neighboring counties. This may help counties make a decision, and the public will be more informed.

Chairman Holmquist commented if 2 counties are interested, then they should have skin of the game. Cover costs when leaving, and medical billing to defray 50% more of the cost. He would agree that an escrow to bill for services and draw out is a great step, and better than ever before. Mr. May stated the County cannot recover everything but if the program is structured so every effort made is cost effective, then that's the best the County can do, and the best the tax-payers can expect.

Mr. Rinella responded to Mr. Ryan that they are currently in negotiations with road patrol, making progress and getting close to the economic issues.

Mr. Rinella responded to Chairman Holmquist that there are no new updates on the Police Academy.

## **2. EMERGENCY COMMUNICATIONS:**

### **a. Tour**

The meeting was adjourned at 11:26 a.m.

Respectfully submitted,

Jamie M. McNamara, Assistant Clerk  
Onondaga County Legislature

\* \* \*

## **HEALTH COMMITTEE MINUTES - MARCH 15, 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 9:31 a.m. *A motion was made by Ms. Williams, seconded by Mr. Jordan to waive the reading of the minutes of the proceedings of the previous committee meeting; MOTION CARRIED. A motion was made by Mr. Jordan, seconded by Mr. Shepard to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.*

## **1. COMMUNITY SERVICES ADVISORY BOARD:**

### **a. Confirming Reappointment to the Community Services Advisory Board (Karen Virginia)**

*A motion was made by Ms. Williams, seconded by Mr. Jordan, to approve this item. Passed unanimously; MOTION CARRIED.*

## **2. AGING & YOUTH: Lisa Alford, Commissioner; JoAnne Spoto Decker, Project Director; Lisa Farewell, Accountant II**

### **a. Authorizing the County Executive to Enter into Contracts with the Town of Elbridge for Transportation Services**

- Requesting to execute contracts with the Town of Elbridge for \$30,000
- 2 year period – curb to curb for older adults, and those with disabilities in the Town of Elbridge; travel within a 40 mile radius
- For physicians, shopping, essential functions
- Pays for gas and upkeep on bus; drivers are volunteer; can only be used in areas with sparse or no public transportation
- To identify someone in need of service – work with community centers and congregate dining site; neighbor advisors can identify
- No fee; JET program; this is specifically for Jordan Elbridge
- Baldwinsville Express - looking to bring on board with this funding
- Biggest need for seniors in rural areas; getting older and can't drive to social activities and/or physicians
- Centro goes to Elbridge occasionally for services; bus that goes Syracuse to Auburn but not regular route
- CALL-A-BUS only eligible for a certain distance
- Scheduler gets stipend for coordinating trips
- Town of Elbridge owns the bus; helping to sustain what is in place; scheduler only a stipend, not a new salary

*A motion was made by Mr. Meyer, seconded by Mr. Jordan, to approve this item. Passed unanimously; MOTION CARRIED.*

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

Respectfully submitted,

Jamie McNamara, Assistant Clerk  
Onondaga County Legislature

\* \* \*

**PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MINUTES – MARCH 15, 2012  
AT CAROUSEL CENTER  
KATHLEEN A. RAPP, CHAIR**

**MEMBERS PRESENT:** Mr. Liedka, Mrs. Ervin, 1Mr. Plochocki, 2Mr. Knapp

**ALSO ATTENDING:** Mr. Kilmartin, *See also attached list*

Chair Rapp called the meeting to order at 10:35 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.*

1Mr. Plochocki arrived at the meeting.

**1. COMMUNITY DEVELOPMENT:** Robert DeMore, Director

**a. Reclassify 01 103520 1771, Housing Rehabilitation Aide, Grade 06 @ \$35,070 - \$38,745 to Administrative Aide, Grade 07 @ \$37,685 - \$41,650 effective April 7, 2012**

- Met with Comptroller's office, needed help on draw downs – once contractor work completed apply to HUD for funds, did not have the staff
- Rehired person March/April 2011, currently working at incorrect level
- HUD funded no local tax dollars

2Mr. Knapp arrived at the meeting.

In answer questions, Mr. DeMore confirmed:

- person placed into correct title for additional \$3,000
- position will be reclassified, same position number new title, no position to abolish
- no impact to the County; person currently doing more work than they are being paid for

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

**b. Amending the 2012 County Budget to Accept a Housing Rehab Grant from the N.Y.S. Housing Finance Agency for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)**

- Rehab 50 low income occupied units throughout county
- Objective to prolong the useful life of housing, lead safe and decent sanitary living environment; enables owners to stay in their homes
- Primarily enter homes for lead from list, may fix other items as needed such as roof or furnace
- No current match for homeowner
- Met with HUD last week for review, may be change in the future, considering 50% back via no interest mortgage
- Currently add 5 yr mortgage, disappears at the end of 5 yrs
- Other counties draw money back in
- Funds are being cut, % back used to prolong and better the program
- 50% percent return standard throughout the country
- Just excepting grant today, will report any future changes

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

**c. Amending the 2012 County Budget to Accept a Purchase-Rehab Program Grant from the N.Y.S. Housing Finance Agency for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)**

Mr. DeMore stated all of these grants were competitive, received close to \$1m in grants. Chair Rapp stated that we have received these grants in the past. Mr. DeMore responded, similar ones. They will be applying soon for next year. He reiterating that the grants are competitive, not everyone gets them.

- Supports purchase and rehab of 10 single family homes, \$30k each
- Purchaser gets bank mortgage, we provide \$30k mortgage with no repayment costs over 10 yrs, going forward may have some form of repayment however not part of this grant
- 15 homes in inventory when he took office costing a lot of money, current inventory 8 - 4 newly purchased fall 2011 and 4 older homes sold not yet closed
- Homes advertised, offers submitted, if more than 1 offer per home name drawn from hat for grant winner
- Future consideration for \$15k to be returned at no interest over 10 yrs, funds would be used to replenish program; will not apply to this grant

Chair Rapp stated that personal responsibility wasn't a bad deal. Mr. DeMore agreed, adding this would still be a good deal.

In answer to Mrs. Ervin, Mr. DeMore:

- Houses located throughout the County, not in the City, City has their own program
- Work with the City, applied for joint grant, did not receive it; will work with university and apply together for additional grants

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

**d. Amending the 2012 County Budget to Accept an Access to Home Grant from the N.Y.S. Housing Trust Fund for the Community Development Program and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)**

- Accessibility improvements to 25 homes, ramps and bathroom
- Work from list
- 7 yr mortgage on home, if home sold during this time funds are repaid

In response to Mrs. Ervin, Mr. DeMore stated that everything is income based. Chair Rapp added that they also have to be within certain housing tracks in the county.

In answer to Mr. Liedka, Mr. DeMore stated that contractors publicly bid on the jobs. They have a list of qualified persons; some have to go to classes for the lead programs, are just general contractors. This money goes back into the community in the form of jobs for local contractors.

In response to Chair Rapp, Mr. DeMore responded that there is a lengthy list. They have contractors but will run out of money before they run out of homes.

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

**e. Amending the 2012 County Budget to Accept a Restore Grant from the N.Y.S. Housing Trust Fund Corporation for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$75,000)**

- HUD money coming through Albany for low income seniors
- Work from list

Chair Rapp stated this used to be a lot more than \$75k. Mr. DeMore:

- Everything used to be a lot more, to keep the program running considering partial repayment
- Complete about 10 homes
- Did away with master list, HUD agreed not a good idea to have list they would never be able to complete, now have smaller senior list
- Ramps and bathroom modifications

Mr. Knapp stated item d was low income in general and item e is for low income seniors. In answer to Mrs. Ervin, Mr. DeMore stated all are low income; seniors could apply and receive both d and e.

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

Mr. Knapp asked how he saw the land bank working with Community Development. Mr. DeMore responded that the land bank could apply for some of these funds. For County purposes he sees the land bank more for inner city and inner circle of towns; Salina, Geddes and part of Nedrow. Chair Rapp added parts of DeWitt. Mr. DeMore agreed.

Mr. Knapp asked if he saw his department collaborating with them. Mr. DeMore responded, yes adding that he plans to do more work with the City. HUD personnel confirmed that this is the direction things are going, they would expect the City and County to work together. Chair Rapp added, make sure some of that land banking is done in the suburbs.

## **2. ONCENTER:**

### **a. Confirming Reappointment to the OnCenter Board of Directors (Gary J. Lavine)**

Mr. Liedka stated he could speak very favorably of Mr. Lavine. His track record is impeccable, great person for this board.

***A motion was made by Mr. Liedka, seconded by Chair Rapp to approve this item.***

Chair Rapp stated he has really made a difference on this board and comes to us with 20 years of experience on the Javits board where he has also been really helpful.

***Passed unanimously – MOTION CARRIED.***

## **3. CAROUSEL CENTER: David Aitken, Team Member; Bruce Kenan, Partner**

### **a. Expansion – Informational / Tour**

Mr. Aitken:

- Pilot reaffirmed 10 yrs ago, original pilot enacted in 2000
- 25 yrs ago Mr. Kenan and Mr. Congel developed original master plan for lakefront area
- Motivation - drive investment, create jobs, bring people in from out of town
- \$1.2b investment over 25 yr period to Carousel, Franklin Square and Clinton Exchange
- Expansion into Destiny set forth to help drive additional tourism, increase sales tax
- Sales tax hit \$300m in Onondaga County for the first time in 2011
- 2011 sales up 11.5% at Carousel, number of reasons – anticipation of expansion, new brands added
- Pride themselves on the fact that the more unique the brands are the further people will travel and the more diverse products offered, the longer they will stay
- Team selling Syracuse daily either on the road or hosting tenants in house
- When staff meets brands in outside areas, asks them to canvas for other brands that can be located here

Mr. Kenan stated that H&M is a Swedish Company that is huge in Europe. Their store in Carousel was only the 2nd or 3rd in America. Trips were made to Sweden to advance them, convincing them of the merits in operating here.

Mr. Aitken's presented the following:

- Syracuse hometown for their company, 115 people operate portfolio from the Clinton Exchange, all leasing services, accounting and legal services are headquartered here
- Field operations for 17 facilities throughout NY & MA, 13 in NY, 4 in MA; 33k people employed
- Privately held company





Most Visited Shopping Malls - Travel and Leisure 12/2011

| Rank  | Shopping Center      | Location            | Year Built | Visits | Size |
|-------|----------------------|---------------------|------------|--------|------|
| No. 1 | Mall of America      | Bloomington, MN     | 2001       | 40     | 4.2  |
| No. 2 | Aventura Mall        | Aventura, FL        | 2008       | 28     | 2.7  |
| No. 3 | Eastland Center      | Tomball, TX         | 2005       | 27.6   | 2.2  |
| No. 4 | Woodlands Mall       | Schaumburg, IL      | 2001       | 27     | 2.2  |
| No. 5 | Savanna Mall         | Savannah, GA        | 2004       |        |      |
| No. 6 | King of Prussia Mall | King of Prussia, PA | 2000       |        |      |
| No. 7 | Carousell Mall       | Carousell, NY       | 2004       | 20     | 1.7  |

The Carousell Mall is morphing into a 2.4-million-square-foot regional mega-mall called Destiny USA that will launch in Spring 2012 with 100-plus new shops, a three-story atrium, and the goal of luring 29 million annual shoppers—which would make it No. 2 in the nation.

Travel and Leisure 12/2011

| Rank   | Shopping Center | Location    | Year Built | Visits | Size |
|--------|-----------------|-------------|------------|--------|------|
| No. 14 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 15 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 16 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 17 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 18 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 19 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |
| No. 20 | Walden Galleria | Buffalo, NY | 2005       | 14     | 1.6  |

3



- 4 of the top 20 visited malls owned by Pyramid
- Today, Carousell is the 14th most visited shopping center
- Mall of America 40m visits, Destiny will draw 29m annually, up from 20m currently
- 81st largest MSA, however 130m people within 1 days drive



- Additional investment into Walden Galleria 6 yrs ago, new restaurants
- Canadian visitation increased, increased sales from \$450 per sq ft to \$550, industry average is \$350, Carousell currently at \$510 – will see increase with Destiny





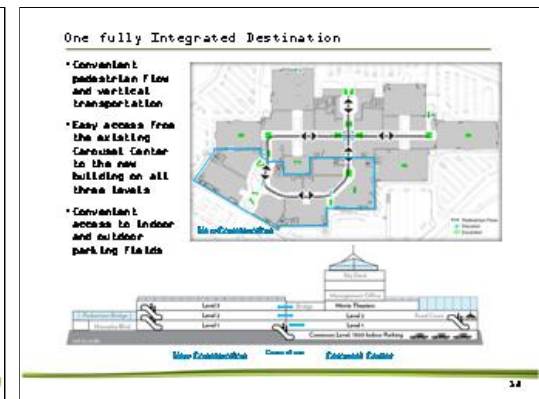
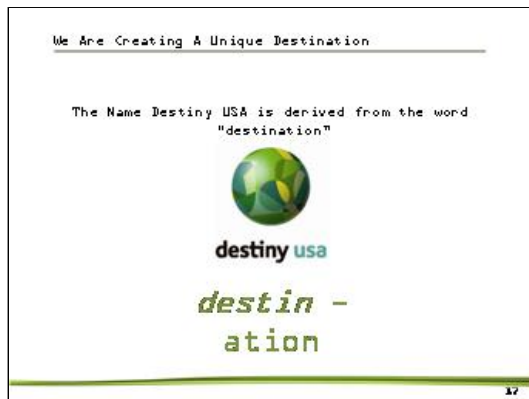
- Looked at marketplace, buzzwords today are outlet shopping, value priced retail, affordability, placed heavy emphasis on luxury outlets and off-price retail, not much competition but consumer respond well
- Adding additional company stores and several sit-down white tablecloth restaurants
- Heavy emphasis on entertainment geared toward adults and families to extend stay within facility, goal of drawing people from further away to the destination
- Target markets analyzed via license plate survey, American Express data, etc.
- Treat Canadians different than tourist, number of them within short drive time, 12-15% of sales from Canada today
- 215k college students in primary trade area



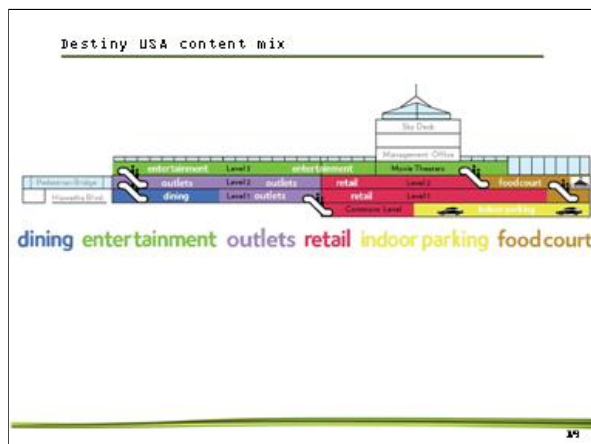
- Before and after photos, recognizing the project is not yet complete
- 14 yrs to acquire some of the Oil City properties, still dealing with environmental remains



- Close proximity to Inner Harbor, downtown, connections on the Creek Walk, opportunity to connect with Loop the Lake Trail

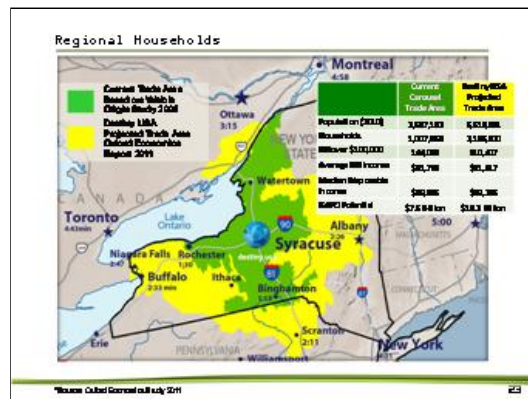
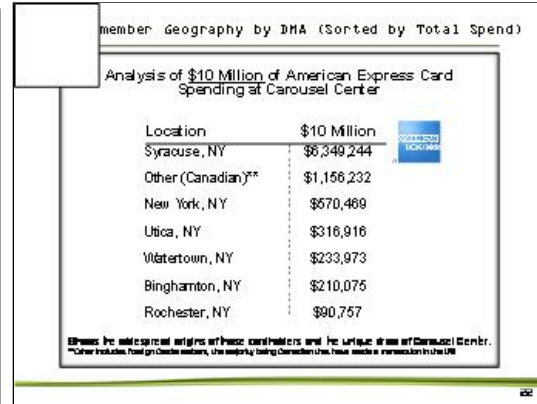
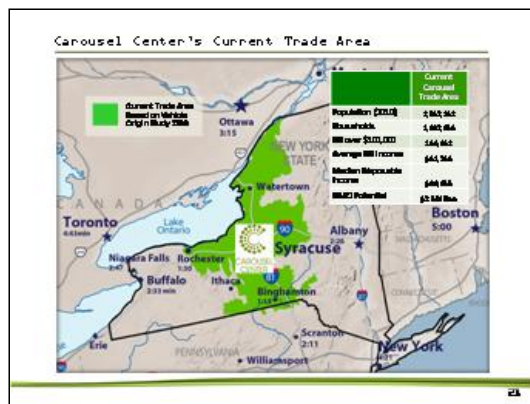


- Connectivity is key, from center core have the ability to connect in 4 locations from Commons Level to Level 3 and 2 locations by Lord and Taylor

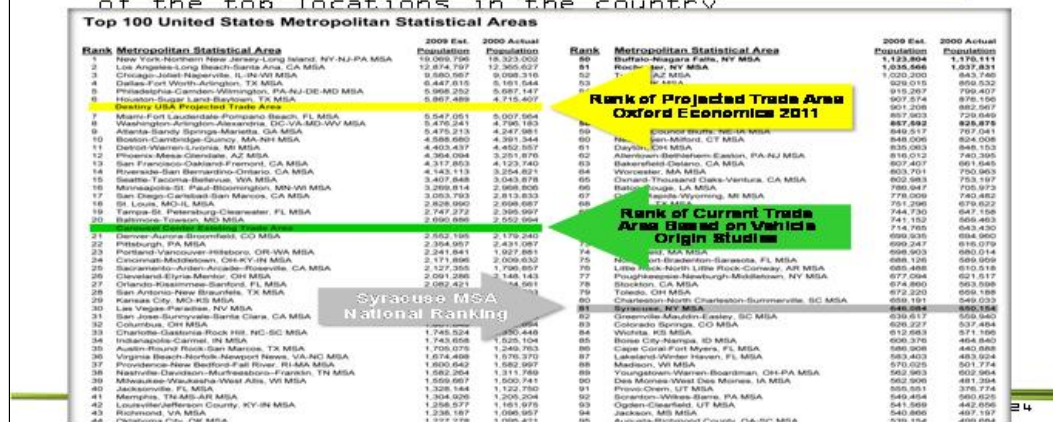


- Level 1 higher end luxury brands with dining in Canyon area
- Level 2 food court, retail and mainstream outlets, pedestrian bridge crossing Hiawatha to additional parking lots
- Level 3 move seamlessly from movie theaters to other entertainment venues
- Turn shopping experience into overall complete experience, turning day visits into stay visits
- Resolved City Group 1 yr ago, brought in 9 lenders, selected JPMorgan, January 27th closed on \$420m financing, other key items during this timeframe
  - received TCO, new stores opened fall 2011, received certificate of occupancy, majority of 2011 had 200-225 people working in the space on a daily basis, tenants now beginning to do their work with build outs, 133 people signed in this morning

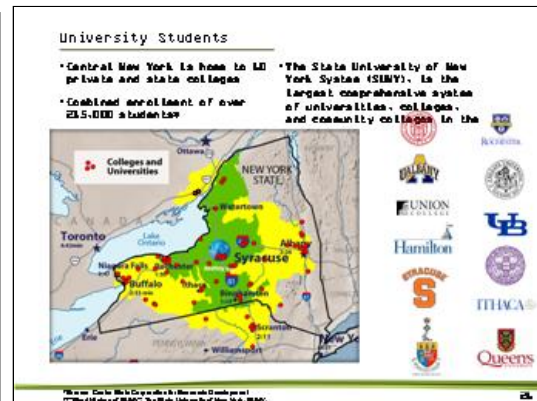
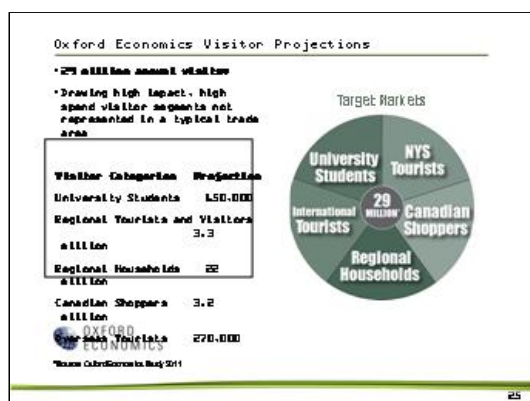




Today, Carousel Center outperforms the Syracuse MSA. Destiny USA's added draw will make it one of the top locations in the country.



- As result of banking crisis very few projects coming online directly out of the recession, have a facility they can plug right into, an asset that is working well



### Regional Tourists and Visitors

- **Destiny USA** is located in the "crossroads" of New York State and attracts approximately 20 million leisure visitors annually
- Only 35 miles from Turning Stone Casino and Resort
- **Destiny USA's** location and tenant mix make it an ideal destination for regional tourists

**Tourism Spending (2010)**

- New York State: \$49.5 Billion
- International spending was \$11.4Billion
- Canada: \$2.4Billion
- Central New York region: approximately \$1.1Billion
- Syracuse County: approximately \$520 million

Sources:  
Syracuse Economic Mkt Tourism Study 2009  
The Post-Standard: Tourism Economics Study 2009

### Canadian Shoppers

- Canadians spend an average of \$750 on shopping per trip to the U.S.
- New York State hosts 30.4 million day visitors from Canada per year
- Carousel Center already taps into a strong market from Ontario Canada (42 million annual visits)
- Carousel Center hosts an average of 300 registered buses from Canada each year

SYRACUSE

- Opportunity for tourism, sell Syracuse, packaging what we have as a shopping and overall experience with the other assets in the marketplace, make CNY stand out as a destination, begin to connect with other regions of upstate
- Meeting today with Mr. Holder's colleges and the PR firm for the I Love NY brand, further sell Syracuse goal

### Turning Stone Resort & Casino

- Opened by the Oneida Indian Nation in 1999
- 15 miles east of Destiny USA
- Includes three championship golf courses rated among the top 10 in the state: the Shenendoah and Kaluhyas, designed by Rick Smith and Robert Trent Jones Jr., respectively, and Atunoyote, the crown jewel
- The fifth-largest tourist attraction in New York State and draws 4.5 million visitors
- Hosts entertainment year round featuring many well-known musicians: Kelly Clarkson, Carrie Underwood, Tim Allen, Carey, Gwen Stefani, No Doubt, Jordan Sparks, Alicia Keys & Wayne Newton, comedians (Bill Cosby) & other

### International Shoppers

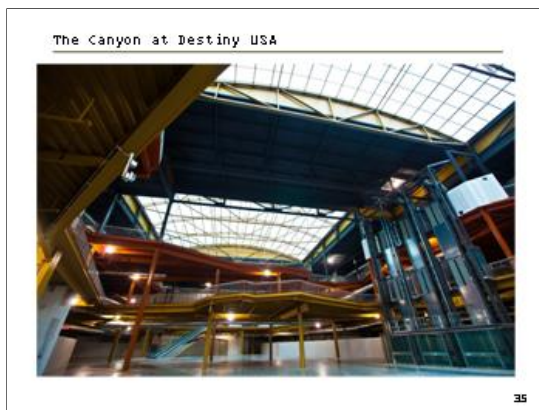
- New York City is the main port of entry into the United States for overseas travelers
- Bus tours run from NYC to Niagara Falls and Toronto - Destiny USA will offer a great shopping, dining and entertainment experience at the midway point in the bus trip CANADA
- Hancock International Airport has daily direct flights to Toronto
- Greyhound offers bus service from Ottawa to the Syracuse Airport

### Positioned to Capture Traffic Between Major Cities in the U.S. and Canada

### Competitive Outlet Malls in Projected Trade Area

| #  | Mall name            | Location                      | Retail space GLA / Sq. feet | Stores |
|----|----------------------|-------------------------------|-----------------------------|--------|
| 1  | King of Prussia Mall | King of Prussia, Pennsylvania | 2,753,200 square feet       | 400+   |
| 2  | Mall of America      | Edina, Minnesota              | 2,779,242 square feet       | 522+   |
| 3  | South Coast Plaza    | Costa Mesa, California        | 2,700,000 square feet       | 280    |
| 4  | Milwaukee Mall       | Elmhurst, Pennsylvania        | 2,600,000 square feet       | 241    |
| 5  | Aventura Mall        | Aventura, Florida             | 2,400,000 square feet       | 275    |
| 6  | Sawgrass Mills       | Sunrise, Florida              | 2,383,906 square feet       | 380    |
| 7  | The Galleria         | Houston, Texas                | 2,259,420 square feet       | 375    |
| 8  | Roosevelt Field      | Garden City, New York         | 2,244,581 square feet       | 294    |
| 9  | Woodfield Mall       | Schaumburg, Illinois          | 2,224,000 square feet       | 300    |
| 10 | Palmecenter Center   | West Nyack, New York          | 2,212,322 square feet       | 400    |





Destiny USA is LEED Gold

- The council awarded the certification Feb. 1
- The U.S. Green Building Council (USGBC) has awarded gold LEED certification to the 1.3 million-square-foot expansion
- The gold level is the second highest in the council's LEED

(Leadership in Environment)

*"Destiny USA is of a size and significance that it has a unique opportunity to educate the thousands of customers who visit each day about high-performance, energy-efficient, healthy green buildings. It's a tremendous model for other retail and commercial enterprises for whom sustainable construction and development are operational imperatives."*

Rick Fedrizzi, USGBC President and CEO

37

- LEED Gold certificate largest in the country for its size, 3rd largest in the world, unique marketing angel, requiring all 100 businesses opening on site to be LEED certified
- Sneak peek of expansion opened in November, tenant build-outs underway, 2/3rd's of space committed, tenants will continue to open, rebranding and grand opening to be announced at appropriate time

Mr. Aitken's stated they appreciate the support they've received from the County and look forward to working with them as they go from building to operating.

Chair Rapp stated there is a lot of talk in the community about all the money going to this project; asked if any money has come back to the county. Mr. Kenan responded that the market funds Mr. Aitken's pointed out, from tourism, the Canadians, and college students, are all imported money. They did an internal study, now 2 years out of date, from the beginning of the project in the late 1980's until that date, Onondaga County government had received more than \$200m in excess of any expense you could attribute to the building of the shopping center. In answer to Chair Rapp, Mr. Aitken's stated for the County the funds came principally from sales tax. Mr. Kenan added that it takes into account the people who are employed and what they do with the money they earn; whether buying groceries, paying rent or taxes on a house. Not everyone employed was receiving government assistance but some were. The more people you can employ, the less burden there is on the County. The City also received all most \$200m more.

Mr. Kenan stated that they paid a lot of money into pilot, which has gone to the City and the County. They prepaid \$60m in fees to the IDA, equivalent to them building \$6b worth of work, which they haven't done yet. The \$60m was distributed to the City and the County. \$5m went into an Armory Square hotel, doesn't recall the numbers but some went into the O'Brien and Gere building, and projects in the lakefront that aren't theirs. A very large part was distributed to the other economic development projects in CNY and they're hoping they will do the same someday.

Chair Rapp asked about the \$4m capital fund and ongoing negotiations with the City. Mr. Aitken's responded that at the closing there was a \$5.4m fund that was used for projects throughout the lakefront area. There was also \$60m but a flat \$4m is not coming to mind. Chair Rapp stated Mr. McMahon told her that \$1.4m may be coming to the County. Mr. Aitken's stated this may relate to the Intermanual Pilot Provision, not set forth until they build the next subsequent phase.

Mr. Kenan stated it was significant to note that in this building about 3,500 jobs were created. It is hard to look around this community and find an equivalent job generator that appeared new on the landscape in the same time period. Another 1,600 jobs will be created with the addition. All of this creates wealth in the community.

Chair Rapp asked about changes to the outside of the building. Mr. Aitken's responded that they have removed some of the precast, adding another glass entrance, each of the tenants will have representation on the outside of the facility, and architectural elements will be phased in over the next several months.

Chair Rapp asked for pictures. Mr. Aitken's stated there were no pictures. For 25 years Carousel has been an asset. In terms of self reflection, they went through a period of showing a lot of pictures, dreaming and working with the community very publicly. They have determined what they do best is to do the work and have the product show for itself. This has been a very conscious shift over the past few years.

Mr. Aitken provided copies of an article from Value Retail News:

- Top 15 states with overnight visits by Canadians, NY ranked 3rd - 3.5m visits, 9.7m nights, spending \$1.3b
- Growing Canadian market place key, Montreal, Ottawa, Kingston and Toronto

Chair Rapp asked what the anticipated sales tax would be once this phase is completely open. Mr. Aitken's responded that \$32m was coming cumulative from Carousel today. They conservatively estimate adding another \$300m in sales, generating \$24m in sales tax; total \$56m with \$28m each to the state and county. This is just the direct impact from on property.

Mr. Aitken's stated 43% of their guests come from outside of Onondaga County. They want to grow this through advertising and working with the CVB additive to this, grow the number of people coming in from out of state. Their goals are very straight forward. Chair Rapp commented that she was happy to see Mr. Holder in attendance, adding that this is the biggest CVB draw we have. To know that they are working together and leveraging each other's assets is important. Mr. Aitken stated this was critically important for them. Chair Rapp added that as we start on the destination marketing study, it seems there are a lot of factors that can interweave going forward.

Chair Rapp asked when the hotel and next phase was coming. Mr. Aitken responded that they were excited about the hotel in Armory Square. They will finish this phase and then look at what comes next; certainly have enough land.

A tour of the new construction was provided by Mr. Aitken and Mr. Kenan.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk  
Onondaga County Legislature

\* \* \*

**WAYS AND MEANS COMMITTEE MINUTES – MARCH 26, 2012**  
**DAVID H. KNAPP, CHAIRMAN**

**MEMBERS PRESENT:** Mr. Jordan, Mr. Holmquist, Mr. Kilmartin, Mrs. Ervin, Mr. Stanczyk, Mr. May  
**ALSO PRESENT:** Chairman McMahan, *see attached list*

Chairman Knapp called the meeting to order at 8:45 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. WATER ENVIRONMENT PROTECTION:**

a. Authorizing the Acceptance of the Option to Purchase a Permanent Easement for the Construction, Operation and Maintenance of the Midland Avenue CSO Abatement Project (\$3,000)

**2. AGING & YOUTH:**

a. Authorizing the County Executive to Enter into Contracts with the Town of Elbridge for Transportation Services (\$30,000)

**3. COMMUNITY DEVELOPMENT:**

a. Amending the 2012 County Budget to Accept a Housing Rehab Grant from the NYS Housing Finance Agency for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)

b. Amending the 2012 County Budget to Accept a Purchase-Rehab Program Grant from the NYS Housing Finance Agency for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)

c. Amending the 2012 County Budget to Accept an Access to Home Grant from the NYS Housing Trust Fund for the Community Development Program and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$300,000)

d. Amending the 2012 County Budget to Accept a Restore Grant from the NYS Housing Trust Fund Corporation for the Community Development Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$75,000)

*A motion was made by Mr. Jordan, seconded by Mr. Kilmartin to approve all items on the consent agenda. Passed unanimously; MOTION CARRIED.*

**REGULAR AGENDA**

**1. TRANSPORTATION:** Marty Murphy, Senior Deputy County Attorney

a. Authorizing the Settlement of Condemnation Proceedings for the Acquisition of Real Property Necessary for the Thompson Road Improvement Project (\$4,500)

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

**2. SHERIFF:** Chief John Ballone

a. Authorizing an Agreement with the Town of Lafayette for the Onondaga County Sheriff's Office to Provide Enhanced Police Services

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

Mr. Stanczyk:

- Sheriff's Dept. is supposed to make sure we have law and order throughout the county
- Patrol function is primarily used to plug the holes of communities that have decided not to do their own policing
- In terms of cost of public safety, there is an incredible disparity
- 24% of Sheriff's patrol costs, expenses goes to Town of Salina, which has no policing force
- New town hall built in Onondaga--contracted with Sheriff to put a substation in so Onondaga could be patrolled because they don't pay for any public safety; about 18% of patrol function
- Because the Sheriff signs a contract for enhanced police services, they get overtime and the communities aren't paying for much of anything to begin with

- City of Syracuse has its own police force, but citizens also pay for Sheriff's function; Town of Dewitt has its own police force and also pays for Sheriff's patrol function
- Need to look at the whole picture and object to this which normalizes and legitimizes overtime, continues dysfunctional, disproportionately appropriated costs for public safety in this community

In answer to Chairman Knapp, Chief Balloni said that right now there are 5 small contracts for enhanced services. Mr. DeMore said that in the past Fabius had some areas that needed attention and the contract was a big help. Mr. Stanczyk said that if there is a problem, the Sheriff should know it and focus on it rather than having a contract; and everybody that gets benefits from the service should pay for it. Mr. Knapp said that LaFayette uses this contract for help with the Apple Festival and for the Community Day celebration. It is for specific events; not for helping out with road patrols or speeding.

In answer to Mr. Kilmartin, who referred to the 2nd RESOLVED clause, Chief Balloni noted that fringe and benefits are included. Mr. Kilmartin said that debate will continue on this topic until there is either: 1. A county wide police force with elimination of all smaller police forces in towns, villages and city; or 2. Until such time that each town, village, city has their own police force on top of the Sheriff's Dept. being existence.

Mr. Stanczyk said there has to be an acknowledgement that everyone in the community is responsible for policing costs. If a town decides that they are not going to pay for policing costs in their municipal budget, there should be a contractual or formulaic way of determining how much money they should pay Onondaga County for police efforts that the Sheriff conducts on their behalf. There is an inequitable distribution of cost in the system right now. There are a number of residents right now being tremendously benefited by others.

Mr. Jordan said that the Sheriff Dept. provides certain level of coverage throughout the county, but certain towns or village like having that personal touch; it gives them a level of comfort. Also some communities don't want to have a local police force, but want to have a local presence so they are willing to pay extra to have a sheriff's substation in their town where they can have dedicated to patrolling. If a village tax payers want to pay additional money to have their own police force, then that it their prerogative. By the same token, the people in the Town of Dewitt should not be subsidizing what the people in North Syracuse want – certain towns and municipalities want to have more than just the basic coverage that every portion of the county receives.

Mr. Stanczyk said that the coverage in Dewitt is not the same as the coverage in Onondaga or Salina. The Sheriff is well aware of the fact that there is no police force in Onondaga or Salina. Mr. Jordan said that there will always be some inequities – there will always be more criminal activities in certain areas, and it makes sense to dedicate more resources where the crimes are actually occurring.

Chief Balloni said that he ran town and village agencies for 9 years and that for this type of service would have always been paid with overtime--special events or major traffic detail. It can't be done in conjunction with local patrol. This makes it more equitable, because if it were paid for on their own overtime, it would be on the taxes of the full county. The town or village that is actually using it is paying directly for the overtime and expenses.

Mrs. Ervin said that the bigger picture is that it is not just for the big crime areas, everyone is paying in their taxes for this protection, and everyone should get protection no matter what. If a village decides to have its own police force, the Sheriff should still be there so that it is equitable across the whole county.

***Passed unanimously; MOTION CARRIED.***

3. **FINANCE:** James Rowley, CFO  
a. **Create R.P. 01 103910 1863, Clerk II, Gr. 05 @ \$32,313 - \$35,681 effective April 3, 2012**

Mr. Rowley:

- Create Clerk II on 101 payroll
- Presently have a Clerk II on 103 payroll
- Budgetary savings – half time position. For benefits on the 103, a person has to work 20 hrs/week; for benefits on the 101, the person has to work 17.5 hrs/week
- Dept. is in state of flux; 2 people retired under ERI, this person was brought in as a replacement for those 2 people

***A motion was made by Mr. Stanczyk seconded by Mrs. Ervin to approve this item.***

Mr. Kilmartin noted that this is a creation of a 101 position being filled half time; a net savings. He asked if it is a net savings in terms of salaries, or does it incorporate the cost of benefits. Mr. Rowley said that it is primarily for salaries, some savings in FICA; some pension cost savings. Health insurance is a fixed cost.

Mr. Kilmartin asked if the current 103 position will be abolished. Mr. Rowley said that it is the department's discretion to create positions on 103, but have to have a budget in place to fill a position. Mr. Seitz said the 103's are temporary. The position is needed for more than 3–5 months; it will be permanent part time. In answer to Mr. Kilmartin, the person has been on staff for less than 2 months. In answer to Mr. Kilmartin, Mr. Rowley explained that the 103 position will go away, but the funding won't. Mr. Kilmartin asked if the position will be abolished or unfunded. Mr. Rowley explained that they can create positions on the 103 at will as long as there is money there. It is designed to be a temporary allocation of resources. Mr. Kilmartin noted that typically if there is a create, there is a corresponding abolish so that there is not a growth in the aggregate number of positions. Is it appropriate to abolish the position they are leaving or ensure that we are not adding a 101 and then keeping the same level of 103. Mr. Rowley said that is not the intent; they are trying very hard to stay within the budget. Mr. Rowley thinks that they will have to move some of the 103 money budgeted to the 101 to cover some of the costs.

Mr. Jordan noted that there were two full time positions. Mr. Rowley said that there were two higher level positions, which retired under the ERI, an account clerk II and a tax clerk. Mr. Rowley noted that they are unfunded right now; they both elected to retire permanently. One of them has agreed to come back part time if they need help. Mr. Jordan said that it seems that the two positions that are vacated, and still on the roster, should be eliminated. Mr. Rowley said they don't want to eliminate the positions because if either of them comes back, even part time to help out, they want to give them their old title back. He is not sure if the same thing can be accomplished on the 103 line. Mr. Troiano said that the 103 line has limitations in terms of hours and compensation as opposed to the 101. Mr. Kilmartin asked if the purpose of the 103 is for temporary stop gap when necessary, for short periods of time. Mr. Rowley said it is to a point, but there are limitations on how you can slot people. If there are more senior people on the 101, and they are brought back part time, from the perspective of fairness, they should be given their old salary back. Mr. Jordan questioned how they would be brought back – this



position is being created because these 2 people left; now there is discussion about them coming back – are they coming back part time or full time; now the roster is being increased. Mr. Rowley said that they are trying to be flexible in the department with all of the changes going on there. If these people came back, they are not coming back full time. They have retired. There is no intention of filling those positions full time. It would probably be the last year for it, until they get their hands around the department operationally and what is needed in terms of personnel.

Mr. Stanczyk said that some flexibility has to be left so that when the people come back they are able to make whatever their pay and grade was before. If there is anybody that the legislature trusts in terms of setting the budget and making sure there are the budgetary controls, it has to be the budget director.

Chairman Knapp questioned eliminating one position and leaving the other one intact for flexibility.

Mr. May asked for clarification--are the vacated positions unfunded. Mr. Rowley said that if they are funded, then they are salary saved; it is semantics - don't have the budget dollars. Mr. May asked if the 103 is dictated by available funds; is there a definition on how long one can work on the 103 line. Mr. Troiano said that it is less than half time, temporary appointments of 18 mos. or less depending on the nature of the assignment. In answer to Mr. May, Mr. Troiano said that it is possible that someone can work a year on that line.

Mr. Fisher noted that there are two ways that the legislature essentially has control on how money is spent in any department. One way is through the budget; a budget is adopted specifically in the 101 line for regular salaries, which is where this newly paid position would come out of. Whether the position is created or not, the CFO can't overspend that line. The Comptroller is making sure not more is spent than what is in the 101 acct. A certain amount of money is appropriated in the 103 account – whether part time positions are added or not, the amount can't be overspent in that budget. The other form of control is the roster. The legislature creates and deletes the roster positions. If everything were very stable, there wouldn't be a need to have the extra roster positions around. Two things have happened in the last couple of years – layoffs and early retirement. They have taken the number of FTE's down by 500 in the County Executive's first term; now 3800 FTEs. To make do with fewer people, they need the flexibility to staff county government which sometimes ebbs and flow. In this case, where some skills that left county government due to ERI, bringing those skills back at the 103 isn't very practical, which is why they want to leave the 101's around for awhile. They are happy to revisit this in next year's budget, and should expect the CFO or any department head to defend what roster positions are still there and vacant. At this point in time, they would like to leave these positions alone.

**AYES: 2 (Ervin, Stanczyk); NOES: 1 (Knapp); ABSTENTIONS: 4 (Jordan, May, Holmquist, Kilmartin). MOTION CARRIED.**

**b. Letters of Distribution Report – James Rowley, CFO** *(Copy of report on file with Clerk)*

- All admin interns are 18 mos. positions
- MWB – admin intern position started 3/11, terminated in 2/12
- Comptroller – new admin intern position, person terminated from MWB, half time position; will expire in Sept.
- Working on change for next month – hope to have a resolution for next committee

Mr. Jordan asked about grants funding, Health, DA, DSS, Center for Forensic Sciences – report indicates *position and titles various*; there isn't any details. Mr. Rowley explained that Health, for example, charges a tremendous amount of their salaries off to grants, 50–100 positions. Some of them are funded at 50%, some at 75%; some at 100%. He didn't think it gave much value to understand the details of letters of distribution for positions that stayed within the department, but stayed within fund 30 and fund 01. There is a lot of it.

In answer to Mr. Stanczyk about grant funding, Mr. Rowley explained that there is federal money that flows down through the State and made available to the County. There is State specific money as well. Mr. Stanczyk said that there are some things to discuss coming up about the budgetary impact of the State mandates. He asked if the same calculations are done to find out what benefits the county is getting from State aid and federal aid and how much money flows in because of these sources. Mr. Rowley said it is done; it is more department specific. In answer to Mr. Stanczyk, Mr. Rowley said that between 20%-30% of monies are Federal and State aid; he will provide a better number.

Mr. Jordan asked for further breakdown, even if it is simply an allocation of 101 and grants, to have an idea of positions and the amounts funded by grants and the 101 line. He would like it done at least once. Mr. Kilmartin suggested that a percentage be provided.

**4. PURCHASE:**

**a. Revenue Contract Report – NONE** *(memo on file with Clerk)*

**5. COMMUNITY DEVELOPMENT:** Robert DeMore, Director

**a. Reclassify 01 103520 1771, Housing Rehabilitation Aide, Grade 06 @ \$35,070 - \$38,745 to Administrative Aide, Grade 07 @ \$37,685 - \$41,650 effective April 7, 2012**

- Move current housing rehab aide, gr. 6 to a gr. 7
- Employee worked for department from 2007-2010; left, and has returned
- In conversations with Comptroller and when he came in as Director last year, it was clear that more help was needed in drawing down the monies from HUD
- Falling behind in submitting paperwork, created a cash-flow problem
- Employee has mastered the complicated process and is working out of her grade

***A motion was made by Mr. Stanczyk to approve this time.***

Mr. Kilmartin asked about reclassifying the title. Mr. DeMore said that the employee's old title will stay; someone else in the department has the same title, but no new position will be created. Mr. Troiano explained that the existing position will be reclassified; no additional positions are being added. It is reclassifying the same position. Mr. Kilmartin asked if there is a net increase of a position. Mr. DeMore said "no".

***Mr. Jordan seconded the motion. Passed unanimously; MOTION CARRIED.***

**6. WAYS & MEANS, MISC.:**

Chairman Knapp noted that items 6a and 6b are similar in topic and would be discussed together.

**a. Declaring the Policy of the Onondaga County Legislature with Respect to Limitations on the Amount of Overtime that Individual County Employees May Accrue, and Providing for Quarterly Notification to County Officials When Employees Have Reached \$5,000 in Overtime Pay (Sponsored by Mr. Stanczyk)**

**b. Declaring the Policy of this Legislature that Stacking of Overtime Should Be Eliminated, Calling for Reporting on Overtime, and Requesting Negotiations Consistent With This Policy, All to the Extent Allowable by Contract and Applicable Law (Sponsored by Mr. Kilmartin, Mr. Plochocki, Mr. Knapp)**

Mr. Kilmartin:

- At the last meeting there were conversation on this matter with both sides of the aisle; he referenced that he would work with Mr. Stanczyk to try to advance a resolution with bipartisan support
- Last week he submitted a resolution to Mr. Stanczyk and has reviewed it with him. The Republican Caucus has reviewed the resolution and has offered comments and suggestions
- Mr. May had some thoughtful comments and revisions; replacement 6b incorporates some of those changes
- Essence is an effort to reduce the cost of pension liabilities to the taxpayer
- In recent years employees have worked under the contract that has been provided to them
- Considering what has happened with the economy recently, and significant increases in pension liabilities to tax payers with the ebb and flow of pension fund, managed by State of New York, there have been significant increases in tax liability for taxpayers
- Issue has been referenced by Governor, County Executive, many mayors from different parts of the state
- Resolution proposes that department heads and elected officials, including legislature, take action to change procedures and policies for how the County of Onondaga manages its overtime
- Overtime pay is a significant part of pension liability
- An issue of policy to try to prevent or eliminate in the future the stacking of overtime based on seniority solely
- Calling on revisions of policies/procedures such that overtime is distributed and allocated proportionately amongst all employees based on necessity, merit, and expertise of an employee as opposed to strictly on seniority
- Pension liability grows exponentially when there is a situation where each and every employee in a department might gross up their pay significantly in their final 3 years. It maximizes the employee's pension to the greatest extent possible to their benefit, but it is a significant cost to the taxpayer

Mr. Jordan said this is an issue that has to be dealt with; pension costs are unsustainable. Some type of limitation should be set with the department heads. He knows that the legislature can't bind their hands and say they can't have more than a certain amount. Also, there are certain positions, because of the expertise, that are going to exceed it, but more guidance should be provided. Perhaps, i.e., a person should not have more than 25% of their base salary as overtime. If they exceed it, the department needs to come to the legislature and explain why. It may be because a position has very particular expertise, and they can't just give the overtime to anybody else. There are other situations where people are getting more than 25% of their base salary in overtime because they may have higher seniority. The issue is that people are significantly increasing their salaries solely based upon seniority, and it is really impacting our pension costs. He would like included the resolution that the goal is to not have an employee exceed a certain percentage of their base salary as a benchmark not a ceiling. The legislature can't prohibit it, but can say that it is a goal.

In answer to Chairman Knapp, Mrs. Tarolli said that the issue is, under the Taylor Law, that the negotiations of these contracts are an executive function. Mr. Troiano said that the legislature can announce its policy. The legislature appropriates money when bargaining agreements are brought over and settled. Certainly the policy could be a back drop and could be recognized by the unions as something that needs to be accomplished. Mr. Jordan said his point is more of an instructional aspect; letting everybody know that this is the mindset/goal and asking all parties involved to do everything possible to work towards accomplishing that goal.

Mr. Stanczyk said that the first thing this government has to do is limit the amount of overtime. Certainly when people want to be employed, and there are a number of people that are unemployed who would like to be employed, the onus is on the legislature to see if we can restrict overtime by hiring more people. The Sheriff's Department says that they have gone through the calculations and that it is much more beneficial to run overtime. It is patently untrue; they haven't calculated the ongoing cost of the pension roll up that they have been involved in. It has been an entirely mangled system. Mr. Kilmartin's resolution asks for basically a reporting of all of the overtime in all of the positions involved—feels it is too much information. A parameter should be set up; at a certain level these things are waiving red flags. At the end of a quarter – want to see all the positions that have “x” amount of overtime or more, have departments come in and explain. To date, they have been allowed to do it on their own and have completely abused the privilege. The legislature also has budgetary control of this. He wants to see how the Sheriff's Department is better off running overtime.

Mr. Jordan agrees that we need to see how one stacks up against the other; but disagrees that there is misrepresentations. He can envision where it is less expensive to have people working overtime, even though it may bump up their pensions. With employees, there is post retirement health insurance cost, fringe benefit costs. While they are working, there are training costs, etc.

Chief Balloni said that the issue needs to be addressed, but it needs to be addressed statewide, not just locally. The pension rate paid locally is based on a statewide calculation. If it is not fixed statewide, pennies are saved as opposed to dollars. The Sheriff's Department is happy to report anything desired; a resolution is not needed; they keep track of it 10 different ways for management purposes – by individual, by what the overtime is used for. They are consistently and continuously managing this issue. Mr. Jordan noted that the Sheriff's department has always been willing to provide any information asked for; the point behind the resolution is more about putting everything out there/communications.

Chief Balloni noted that the Sheriff's Department has produced, on paper, at least twice in the past year the cost of overtime vs. hiring with pension costs included. He will provide it again if desired. They did not provide the cost of post-retirement medical, but even without it, it is more expensive in general to hire new people. Tier 6 may change that; they will recalculate it based on Tier 6. Up to this point, it has not been cost effective.

Mr. Kilmartin said that he is happy to work with anyone on parameters, percentages, fixed amounts, etc. They weren't included in this draft, as he thought there could be potential for us to be arbitrary with that. The Chief might have a ballistics expert in his department, who is the only one – if acquisition for guns from crimes is up, that individual might have a significant increase in overtime in June and July. It might lead to a cap that the legislature puts in place, even if just a memorial cap, making it arbitrary. Mr. Stanczyk said that the idea of a cap was for a reporting parameter. The idea is not to say they can't earn more than \$5,000; it is that if at some certain number it becomes clear that there could be a potential problem – trying to identify the areas where the red flag starts waiving. There needs to be reporting of it and a discussion about it; put pressure on the whole thing to make sure it is corrected. Mr. Kilmartin welcomed legislators to

submit parameters or thresholds; the issue can be worked on between now and session. The resolution can be further narrowed by the amount of information that needs to be provided to the legislature so that it will be easier to see the red flags.

Mr. Kilmartin noted that Bob Antonacci, Comptroller has communicated with the State Comptroller's office. He is looking into some of the issues that Chief Balloni brought up. In order to have a significant impact, this has to be a statewide initiative, in order to have a significant savings to the taxpayer. Also, Mr. Antonacci commented that this is on the right track. In the past, the Sheriff's Dept. has been very good at bringing about change, i.e. billings at OCC, overtime at OCC, how the Academy is administered. This might be another opportunity to achieve something good financially at the end of the process. Globally, the reality is because of the unsustainable costs of the current system, this is something that if we are focused on preserving jobs for tomorrow, some kind of reform has to be brought about today.

Mr. May said that a change that he originally provided to Mr. Kilmartin was to eliminate the reporting in nature. After further discussion, he feels thresholds at a reasonable level to provide the benchmarks would be a good thing. The gist of the changes he submitted focus more on the idea that we have a flawed system. We don't have employees per say stacking overtime hours; we have a system that accommodates, facilitates, and almost even promotes it. It is the pension system itself that is creating this situation by way of benefit calculations right up through Tier 5. He tried to focus more on the process, the system, the practice, and not so much on the people, so that as a group, the legislature is reigning in more on a policy set, as opposed to focusing on people that are not necessarily doing bad things. They are working within a system that is really flawed. Mr. Jordan agreed – it is not to point fingers, and to say that anything improper was occurring, but to say that the system is flawed and the County is reaping the consequences of that now. He suggested that copies of this legislation go out to all other counties as well as state representatives; this needs to be addressed at the State level. Hopefully, Onondaga County can be the spring board for a statewide movement.

Chairman McMahon said that Mr. Kilmartin's resolution takes a comprehensive approach. One of the ways we can lead is with our own bargaining opportunities at the negotiating table this year. Tier 6 gives new opportunities. It is important to realize that we are not out of the woods – there is still a structural deficit. This opportunity needs to be taken seriously because the word "layoffs" is still on the table for departments. If there is a \$20 million structural hole, that \$20 million can't be passed onto taxpayers.

Mr. May noted that it is really important that the resolution respect the Taylor Law. If we start getting into specific goals and numbers, it almost initiates the bargaining process outside of the bargaining process. He is concerned and cautious as to how we go about this.

Mr. Stanczyk said that he is comfortable supporting Mr. Kilmartin's resolution, as long as there are some sort of parameters included so that there is reporting. Mr. Kilmartin suggested that maybe it should be narrowed as to reporting to make it easier on the departments; it is not so much putting a cap on something; it is saying what we would like reported.

Mr. Stanczyk referenced examples wherein in Onondaga County legislation prompted state and/or federal legislation.

**Mr. Stanczyk pulled item 6a**, as long as there has some inclusion in 6b prior to session concerning a parameter for reporting and keeping the focus in Onondaga and around the state. Mr. Kilmartin asked that no vote be taken on item 6b; he will distribute a proposal to legislators, narrow this and try to get a concession prior to session.

**c. Declaring the Policy of the Onondaga County Legislature that the Real Property Tax Bill be Clear and Understandable, with the Amount of County Real Property Taxes Readily Identifiable (Sponsored by Mr. Stanczyk, Mrs. Ervin, Ms. Williams)**

**d. Declaring the Policy of the Onondaga County Legislature to Revise the Form and Content of the Real Property Tax Bill (Sponsored by Mr. Plochocki, Mr. Knapp)**

Chairman Knapp stated that as items 6c and 6d are similar in topic and would be discussed together.

Mr. Kilmartin noted that this resolution is a hybrid of what Mr. Stanczyk originally proposed. There is a line item on the town and county tax bill or the city and county tax bill which is confusing. There has historically been only a line item for state mandated services. This resolution changes to form and content of a typical town and county tax bill such that there is a specific line item for county tax – it is clear, understandable and concise. It is consistent with one of his goals to provide for full disclosure and a little bit of context about what is comprised in the county tax bill. It is relevant for people to know that while this is a county tax bill, there is a significant percentage of it, more than 100%, allocated to state mandated services. It clearly and explicitly puts forward *County Tax* with a foot note of *percentage of tax applied to State Mandated Costs*.

Mr. Stanczyk said there are many things that are State mandated. The State says that the County is a sister/child of municipal government and because it is the County has to do these things. Onondaga County is claiming, by the statement on the tax bill, that it is only taxing you because it is forced to because there are things that it has to do. There are a number of things that the State doesn't mandate, that the County does, i.e. enhanced services, a number of grant items pulled in and contributed to. The same tortuous calculation is not done to find out how much additional costs the County is putting on by providing enhanced services which are not mandatory. There is not talk about how much money comes in from the State or Federal government to support the County budget. It has always been an ugly half truth; a deceptive practice that has to change. This resolution is a step in the right direction; will support item 6d. He also supports item 6c; does not know if he will have it on session; will probably coalesce on 6d.

**A motion was made by Mr. Kilmartin, seconded by Mr. May, to approve item 6d. AYES: 6 (Knapp, May, Holmquist, Kilmartin, Stanczyk, Ervin); NOES: 0; ABSTENTIONS: 1 (Jordan). MOTION CARRIED.**

**e. Amending Resolution No. 521-2011 Regarding an Agreement with the Town of Geddes to Reimburse Town Costs Related to Preventing Potential Back Up of Sanitary Sewers in the Bronson Road Area, \$74,000 (Sponsored by Mr. McMahon)**

Chairman McMahon:

- October 2011 – Legislator Corbett addressed a county sewer issue in the Town of Geddes, 100–200 blocks of Bronson Rd. had sewage back up from county sewer pipes
- County allocated \$40k
- As work started, residence of the 300 – 400 block came forward with insurance receipts noting that they too had sewage in their homes
- Initial \$40k was to install overflow units; this request would finish the job on the 300–400 blocks of Bronson Rd.

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

**f. Amending Resolution No. 15-2002 Regarding Carousel Center Expansion to Remove the Requirement for Certain Pilot Payments to be Held in an Escrow Fund and Provide for Payment to the City and County (Sponsored by Mr. McMahon)**

Chairman McMahon:

- Amending existing PILOT with Pyramid Cos. through negotiations with the Mayor
- In lieu of extensions on the current phases where an escrow fund set up in 2001 would be held for infrastructure improvements, at some point by the developers, is now going to be released to City of Syracuse and County of Onondaga in the form of a PILOT payment

Mr. Fisher distributed a handout (*attachment a*):

- 2002 legislature approved a PILOT; PILOT payments would normally go into an escrow fund and remain for 5 yrs.
- SIDA is the authority over the fund and would get to decide what to do with that money
- Under the PILOT agreement, one of the allowed uses was for Pyramid Co. to use it for public uses
- At end of 5 years if they hadn't used the money for that, it would then be distributed to City and County proportionate to property tax levies in the city
- With revised agreement - rather than waiting 5 years, payment comes in immediately in quarterly payments to City and County
- County tax this year is about 32% of total; City is about 68%
- Interim annual payment = \$4.4 million; County gets approx. \$1.4 million, 4 payments of about \$350k ea. for remainder year

In answer to Mr. Stanczyk, Mr. Fisher confirmed that the money would go into the general fund.

In answer to Mr. Kilmartin, Mr. Fisher stated that the payments are all in the County's calendar year, but spills over two City years. If the City's tax rate changes July 1st, it would change the apportionment a little. All \$1.4 million will be received by the County this calendar year.

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

**7. LAW DEPARTMENT:**

**a. Authorize the Settlement of the Action Filed with the Supreme Court of the State of New York, Co. of Onondaga, Donna Price-Lynch, Individually and the Parent and Natural Guardian of Philip Lawrence Lynch, and as the Administratrix of the Estate of Timothy John Lynch, Deceased V. Mike Water as Fire Coordinator of the Co. of Onondaga and the Co. of Onondaga**

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

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

\* \* \*

To Provide Feedback About the Disability Accessibility of An Onondaga County Department's Website, [Click Here to Access the Department's Contact Page](#)

© 2001- 2022 Onondaga County, New York All Rights Reserved. | [Ongov.net](#) | [Privacy Statement](#) | [Directions & Parking](#) | [Language or Disability Access Assistance](#)