

### 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

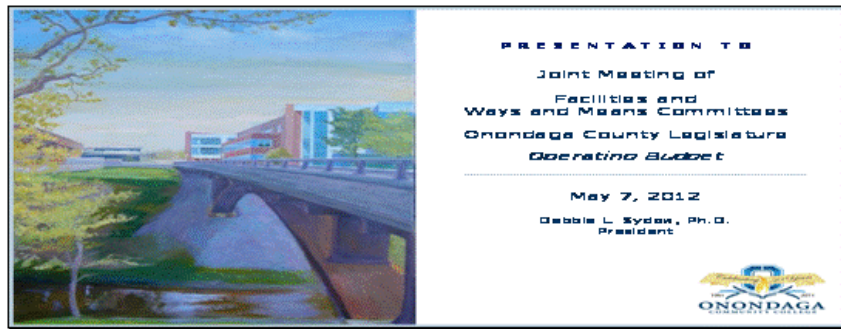
#### JOINT MEETING OF COUNTY FACILITIES COMMITTEE AND WAYS & MEANS COMMITTEE MINUTES - MAY 7, 2012 CHAIR JUDY TASSONE, CHAIRMAN DAVID KNAPP

COUNTY FACILITIES MEMBERS PRESENT: Mrs. Tassone, Mr. Ryan; ABSENT: Mr. Shepard, Mr. Dougherty  
WAYS & MEANS COMMITTEE MEMBERS PRESENT: 1 Mr. Knapp, Mrs. Ervin, Mr. Holmquist, Mr. Jordan, 2Mr. Stanczyk,  
Mr. Kilmartin, Mr. May  
ALSO PRESENT: Chairman McMahon, Mr. Liedka, Mr. Plochocki, *see also attached list*

Chairman Knapp called to the meeting to order at 8:54 a.m., noting that there is one agenda item being the Onondaga Community College budget presentation. A lot of information was received late last Thursday and Friday; members are at various stages of digesting that information and he does not intend to call for a vote on any resolutions today.

Chair Tassone stated that she had asked for information prior to today's meeting regarding the percentage of where any money from the arena is specifically being spent. No vote will be taken until that information is received. The legislature wants to know where the money is going; need to know what is coming in and if it can offset what the taxpayers are giving. Dr. Sydow said that it can be broken down; they attempted, in the graphic, to show where the expenditures are going to pay both direct cost and overhead. Mr. Murphy said the chart provided (*attachment 1*) is a snap shot in time that identifies the revenues collected as a result of events in the arena during the time period discussed, as well as expenses associated – not just for arena, but for Allyn Hall Gymnasium, Murphy Field and the whole complex. The arena is not a building that sits alone like other facilities with measuring a profit/loss statement. It is part of the campus, in an academic building, that happens to have a six-lane track in it. It is utilized by students, YMCA community, by the academic side of the institution on a continuous basis. When the facility isn't utilized for those activities, instead of leaving the facility idle and incurring the expense (utilities, etc.), it is being utilized in a way that can generate the revenues outlined on the sheet. Mrs. Tassone said that she doesn't understand where the revenues brought in are being spent. She asked if college employees are used in the arena; were any new people hired for it. Mr. Murphy said that there are 5 employees that work full time in the arena. The building is being maintained like any other building on campus, with college personnel. It is cleaned by college personnel, repairs and maintenance are done by college personnel. The 5 people operate in cooperation with YMCA, student body, academic programs to coordinate operations and activities within this college facility. **Mrs. Tassone asked that the legislature be provided with more detailed information, including salaries.**

Dr. Sydow noted that this is her 12th presentation; thanked the legislature and it's predecessors who have supported the college. She recognized members of the Board of Trustees, and President Elect Meg O'Connell.

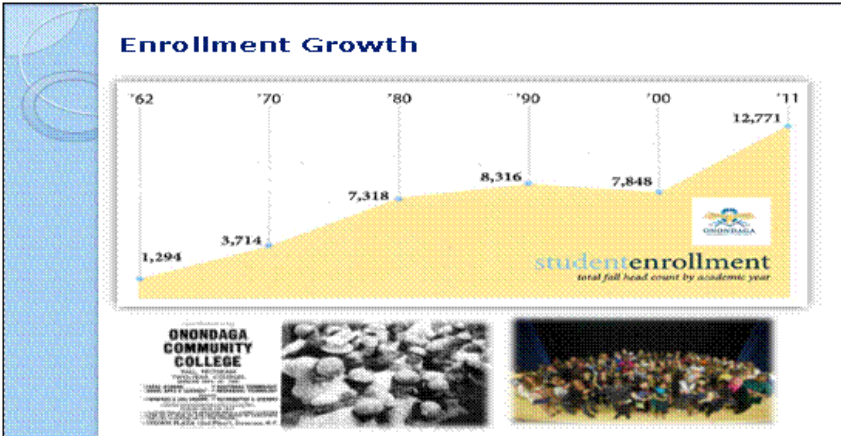


Slide 2

1998 Middle States Reaccreditation Evaluation Team Recommendations:

- "As the Onondaga community changes, the College needs to reinvent itself to the extent necessary to meet the needs of a changed society...."
- "The College should raise the priority of the activities designed to attract new students and retain them once they choose to attend..."

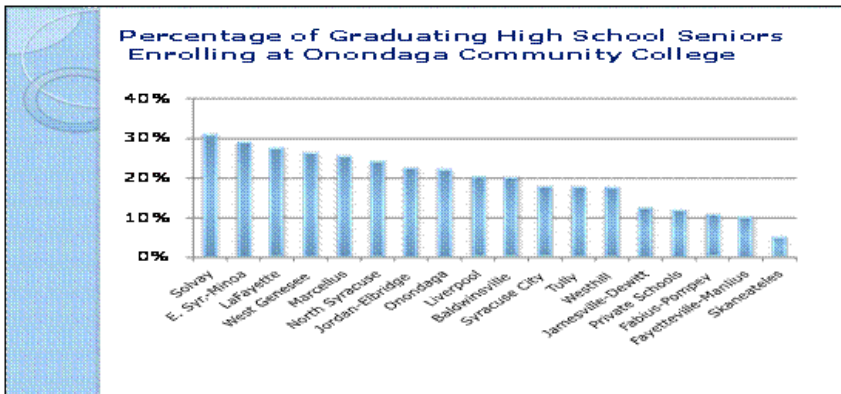
Slide 3



Dr. Sydor:

- Dramatic enrollment growth
- Changing demographics – more laid off workers from local manufacturing companies, more students with more financial need; more returning veterans-- more than 300 today; more students with special needs
- Quality improvements – academic programs and facilities – would not have been able to address needs of local population had the county not invested in capital improvements at the institution
- Able to make advances to create the whole college experience for students – added residents halls, developed athletics program

Slide 4




- Increase in yield rates of high school graduates who are choosing OCC as their first college of choice
- Consistent increase in yield rate over last decade

### Regionally and Nationally Recognized Institution

- Ranked among top 10% of community colleges nationwide by the Aspen Institute College Excellence Program, based on high standards for learning, completion without delay, and job placement
- Recognized as a national model for its support of student veterans by the American Council on Education/Walmart Foundation and named 2012 Military Friendly School by G.I. Jobs
- Named a 2010 Model of Efficiency by *University Business Magazine*
- Athletics – 8 National Championship Teams (1961–2011); 7 NJCAA Exemplary and Superior Academic Award recipients and 7 Academic All-Region players (2010–11)

- OCC ranked as one of the best community colleges in the nation

### Partnerships with Educational Institutions Strengthening the Educational Pipeline



The slide displays logos for five partner educational institutions: SUNY ESF (State University of New York College of Environmental Science and Forestry), Empire State College, University at Buffalo (The State University of New York), Binghamton University (State University of New York), and KEUKA.

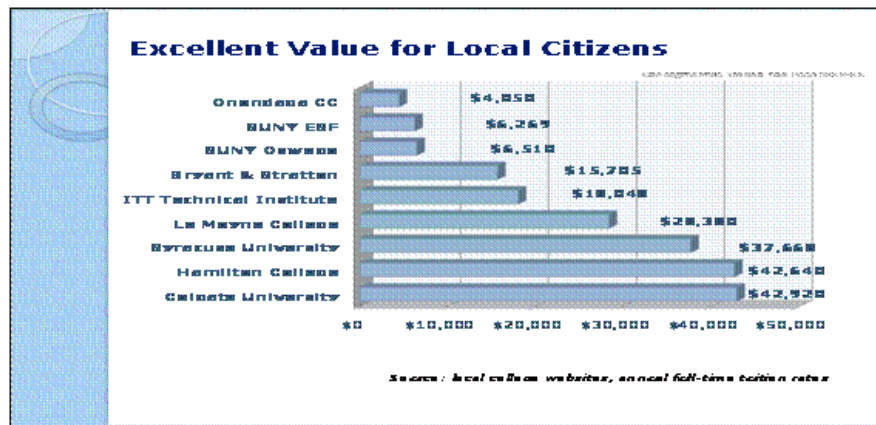
- Focused to establish seamless transfer and clear articulation agreements and guaranteed admission
- i.e. ESF- apply to OCC and ESF, support from OCC and ESF, and receive guaranteed admission to ESF at OCC tuition rates in 3rd and 4th years
- With S.U. - 33 similar agreements, not the same tuition break in 3rd & 4th year; saving money in their 1st & 2nd yrs.
- In spring, there will be a guaranteed admission program with LeMoyne

### Partnerships with Local Companies Ensuring the Future Workforce

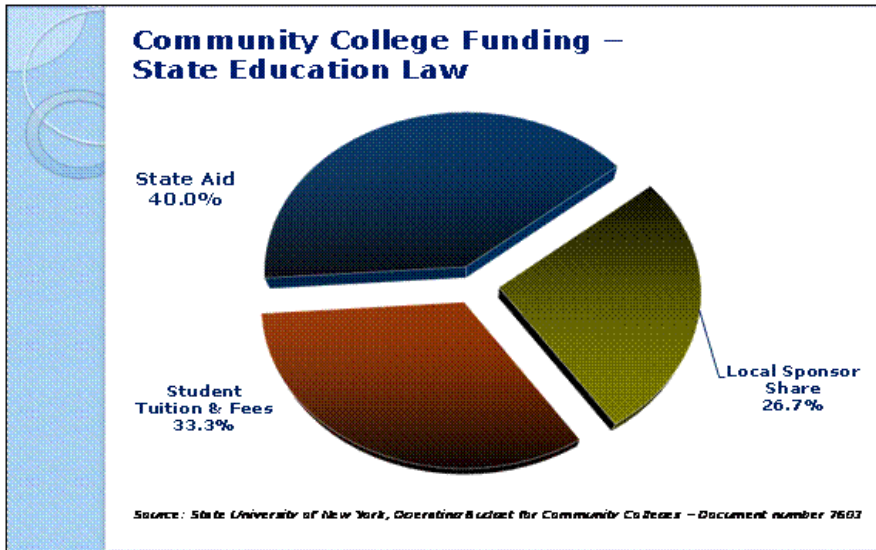


The slide displays logos for nine partner local companies and organizations: nationalgrid (THE POWER OF ACTION), UPSTATE MEDICAL UNIVERSITY (State University of New York), BYRNE DAIRY, Loretto (Caring for Older Adults), CROUSE HOSPITAL (Your care. In our hands.), ST. JOSEPH'S Hospital & Health Center, Longley Jones, MACNY, SEIU, and mami.

- Oct 2010 – Sept. 2011 OCC Small Business Development Cntr. assisted 98 new business start ups, most local to Onondaga County
- During the same time OCC Small Business Development Center staff assisted 890 individuals who were interested in starting a small business
- 440 jobs created, 259 jobs saved, overall economic impact of over \$8 million
- Operation Start Up and Grow – job fair – 120 of the participants were veterans or military families
- OCC serving 320+ veteran students
- 2011 JobsPlus placed 2400 people into employment, a partnership agreement with County DSS



Slide 9



- When legislation was written, the idea was that State share would be 40%; local share 26.7% and student tuition and fees would be 33.3% - revenues to operate a community college – State legislation funding model remains established
- Community colleges have a specific local mission; OCC is all about serving local students.

Slide 10

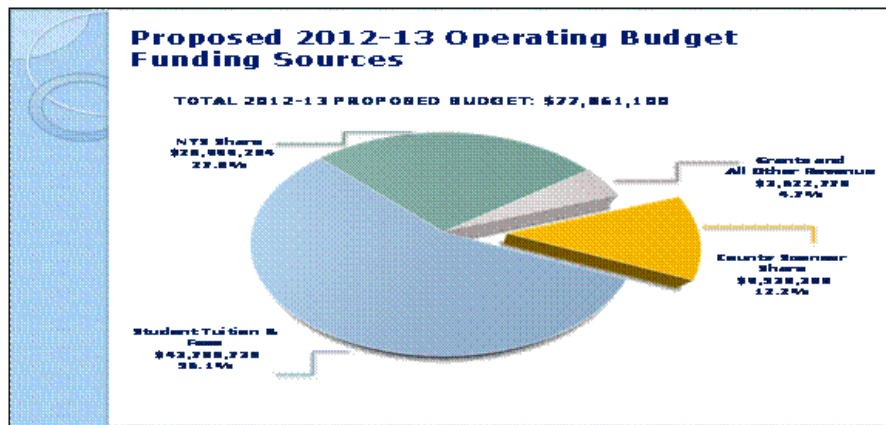
### 2012-2013 Proposed Operating Budget Summary

Onondaga Community College Operating Budget	2011-2012	2012-2013 (proposed)
<b>Total Budget</b>	<b>\$73,598,440</b>	<b>\$77,861,100</b>
<b>Local Sponsorship Request</b>	<b>\$9,307,000</b>	<b>\$9,530,300</b>
<b>County Increase over previous year</b>	<b>\$443,000</b>	<b>\$223,300</b>
<b>% Increase in County Contribution</b>	<b>5%</b>	<b>2.4%</b>
<b>County % share of total budget</b>	<b>12.8%</b>	<b>12.2%</b>

- Maintenance of effort issue – 26.7% is what would be expected by State Education Law; the county is at 12.% - quite a gap before there would be consideration of maintenance of effort issues

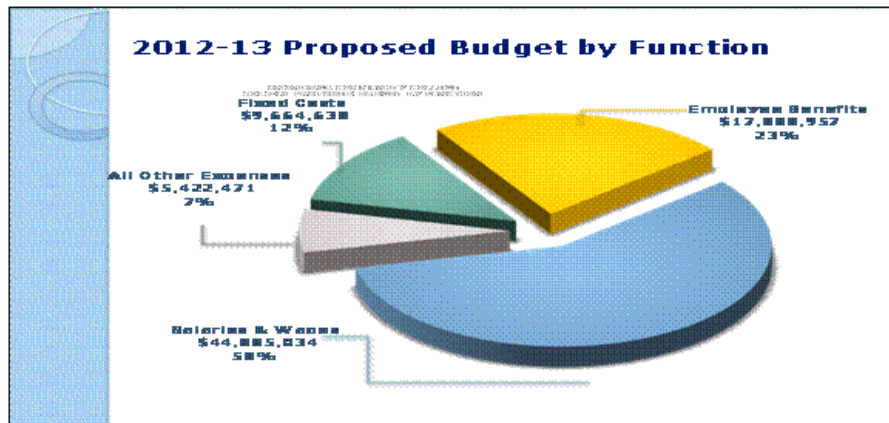
Slide 11





- 56.1% of operating budget is provided for by students; the desired percentage is about 33.3%

Slide 12



- Over 80% of the budget is for the workforce; hiring the talent, the people who deliver programs and services to students
- Net cost per FTE – able to provide high quality programs and services at one of the lowest cost of all 64 State institutions

Slide 13



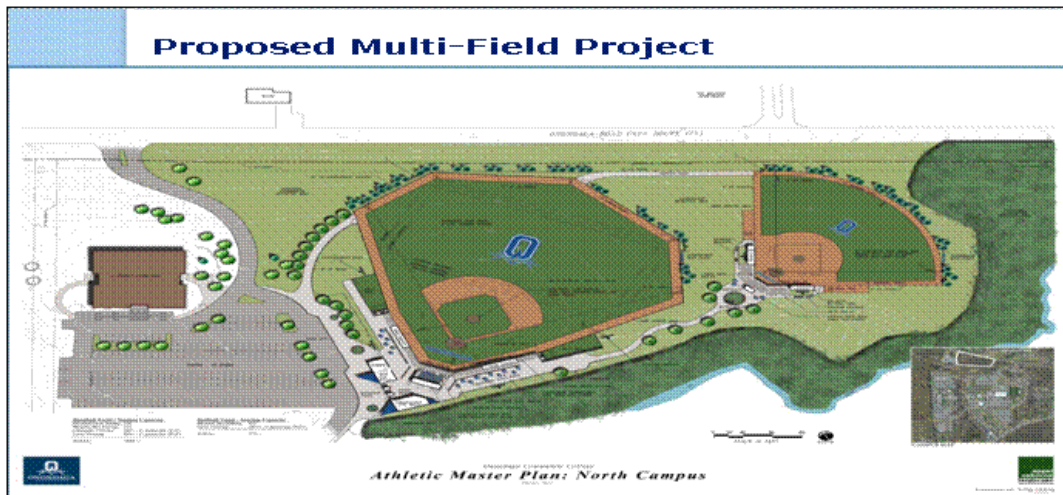
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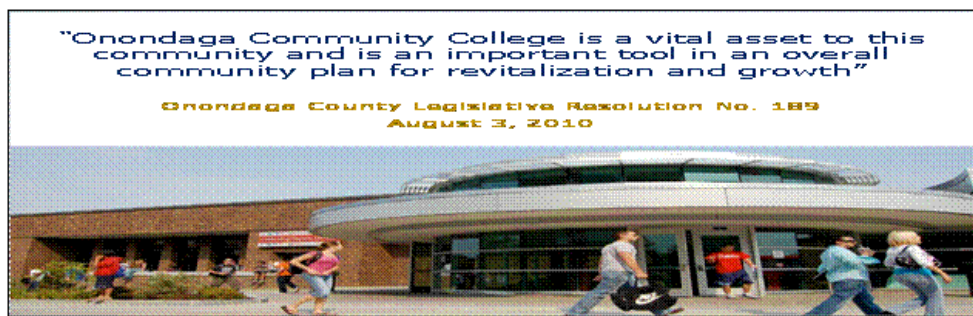
- More than 60% increase in enrollment since 2007 – investments made to enable the college to achieve growth
- Legislature supported capital plan up to this point
- Residents halls at 100% capacity with wait lists every fall
- At nearly 90% smart classrooms across campus

- Investments in infrastructures – mechanical systems, classroom standards – where bulk of investment has gone

Slide 15



Slide 16



Slide 17

2012-2013 Capital Requests	County Request	NYS Allocation
<b>Safety &amp; Accessibility Site Improvements</b>	<b>\$1,297,200</b>	<b>\$1,297,200</b>
Campus Sidewalks Project		
Parking Lot Expansion		
Fire Alarm System Replacement		
<b>Technology Upgrades</b>	<b>\$661,000</b>	<b>\$661,000</b>
Campus Wireless Network		
Core Technology Infrastructure		
Enterprise Portal Application		
<b>Energy Efficiency Improvements</b>	<b>\$328,000</b>	<b>\$328,000</b>
Boiler Replacement Program		
HVAC Control Upgrades		
<b>Student/Community Facilities</b>	<b>\$2,857,500</b>	<b>\$2,857,500</b>
Multi-Field Project (Baseball/Softball)		
<b>Architectural and Engineering Services</b>	<b>\$150,000</b>	<b>\$150,000</b>
<b>Total Investment</b>	<b>\$3,432,700</b>	<b>\$3,432,700</b>

- College has been focused on its commitment as a tool/resource to this county to be part of the broader plan of economic revitalization and growth
- Request for increase to operation budget and funding for final phase of capital construction plan

Mr. Jordan asked about state reimbursement in relation to FTE rate. Dr. Sydow said that on the operating budget there is a fixed amount of base aid which is applied to enrollment. Mr. Jordan asked what can be done to increase FTE's to in turn get more reimbursement from the state. Dr. Sydow said that over the last several years, the college has suffered more than \$500 in base aid from the state; they are not back to level yet. They have lobbied very hard for state increase – saw a slight increase of \$150 addition to base aid, but still below 2006 and 2007. They continue to have an enrollment management system in place; have had great success in growing enrollment over the years. They do not want to artificially boost enrollment. Mr. Jordan said there are about 5,000 full time students attending at OCC, but there are 30,000 enrolled students. Dr. Sydow said that calculations are established by SUNY; the actual enrollments are about 13,000 – the larger numbers 30,000 – 35,000 includes a complete head count – people taking one course here and one course there. Mr. Jordan asked how the number is reduced down to an FTE; Dr. Sydow said that it is a formula managed by SUNY.

Mr. Jordan asked about state reimbursement of rental costs; does the square footage of the SRC arena factor into that. Dr. Sydow said “no,” rental costs are the north site at Seneca Mall, about 48% reimbursement this year for the lease site.

Mr. Jordan asked how the chargeback is calculated that the county receives. Dr. Sydow said that when Onondaga County students go outside the county, then Onondaga County pays those institution a per FTE rate that is used for capital construction at the community college. When residence hall were built, they were able to reverse a trend, bring more people from outside, into Onondaga County, where the county collects the per FTE funds. The funds are in a line item in the budget for capital construction and are used to pay debt service for capital projects.

Mr. Jordan asked about the charge rate for out of county and out of state students. Dr. Sydow said that for out of area students, the tuition is double, which is a standard calculation within SUNY. Mr. Rowley explained the charge back revenue the county receives for out of state/out of county is approximately \$400k - \$500k per year and is used to offset debt service. The budget for 2011 was \$1.9 million, and the actual was somewhat less. Mr. Jordan said it sounds like there is no direct correlation between what Onondaga County gets paid by other counties and what Onondaga County pays other counties; it seems like the reimbursement rate varies dependant on what county they are coming from or going to. Mr. Murphy explained that there are 3 components. The college receives chargeback monies that in 2012 - 2013 are estimated at \$2.4 million for people out of county. Onondaga County pays for its county people that go to other places, \$1.9 million. Additionally, Onondaga County receives in excess of \$500k associated with out of county students coming to OCC for the ability to pay off capital debt service. The \$500k is utilized by the county to help pay for debt service; the \$1.9 million it pays is for our county students to go somewhere outside of the county; the college receives an estimated \$2.4 million for 2012-13 for out of county people that show a certificate of residency. In answer to Mr. Jordan, Mr. Murphy said that out of state tuition is double. Dr. Sydow said that out of area students pay \$8,000 - without a certificate of residency. Mr. Jordan said that it doesn't matter if a student is out of state or out of county, if they don't have a certificate of residency, they pay approximately \$8,100. Mr. Murphy agreed.

Chair Knapp asked what the total debt service amount is. Mr. Rowley said that there are 3 components - detailed on page 4-9 in budget book (*attachment 3*). For 2013 the estimated about is \$2.669 million; it doesn't include the charge back revenue offset. The total includes subsidy received from stimulus bonds; the \$500k in charge back revenues is not included.

Mr. Jordan referred to the various not-for-profits affiliated at the college; are any positions within the operating budget being funded in whole or in part by the other organizations. Mr. Murphy said "yes", there are two things that go on with the affiliates: 1. Anytime services are performed by personnel in support of the various affiliates, they budget for some of those services; 2. There are direct costs for personnel, a portion thereof would be recovered by the affiliate and would therefore not be in the college budget. In answer to Mr. Jordan, Mr. Murphy said that they are reflected in the budget under "other sources of revenue" - will show charges for services, approximately \$490k - services provided to Housing Development Corporation, OCCA, etc. Mr. Jordan asked if records are maintained regarding how much time a particular employee spends doing service for one of the affiliated corporations. Mr. Murphy said that in most instances, that is the way services are charged. **Mr. Jordan asked to be provided with documentation in terms of what positions are billed out to corporations.**

Mr. Jordan referred to food service and asked where the revenues sources are shown, or is it through one of the not for profit organizations affiliated with the college. Mr. Murphy explained that they contract with a third party, American Food and Vending, a local vendor, which provides the services. The college receives a portion of those revenues relative to a commission. It is managed by the affiliates. The revenues are shown with the affiliates and would go to support things, i.e. athletic programs. Mr. Murphy said that legislators were provided audited financial statement of the affiliates. Last year all of the services were provided out of OCCA.

Mr. Stanczyk thanked Dr. Sydow for her leadership at OCC. OCC's budget is different; basically the county has one line item. The legislature has to determine whether it is in the best interest to keep the contribution the same or whether the support can be increased, based on the County's own financial position and based on what is going on. OCC has proved that they have done a very good job. They have asked the state for more, the students for more, and generally every year ask the county for a little bit more. OCC is a growing and flourishing institution that is a jewel of the community that he is proud of.

Mr. Kilmartin asked if when the chargeback funds come into the line item, are they swept in to offset the county's contribution for debt service. Mr. Rowley said it is recorded and reserved; it is much like reserve for bonded debt. It is accounted for in a project account; when debt service comes up they empty that project account and offset what was normally used in operating funds to pay debt service. In answer to Mr. Kilmartin, he explained that the \$1.9 million is the monies paying out for Onondaga County students attending other community colleges. The amount the county is receiving in, the capital component, would be the offset against debt service.

Mr. Kilmartin referred to a document entitled "Onondaga Community College Financial Forecast" (*attachment 2*); regarding county chargebacks he asked if there is any extraordinary event that is bumping those up in the projects. Ms. Obernesser explained that the state changed a calculation; an adjustment was projected for next year, but it won't happen in ensuing years. Mr. Kilmartin asked if it will work to the benefit of the college and the county in terms of what would be the net going into the capital project line item that might end up having more going to pay debt service from that line item. Mr. Rowley said that it seems to reason, but would like to look at it closer.

Mr. Kilmartin referred to grants and other sources - approx. \$1.6 million now; dips to \$1.3 million - asked if there are any anticipated cuts in grants. Mr. Murphy explained that the line item also contains refunds from prior years. In 2010 actual, there was approximately \$800,000 in the budget, and 2011-12 contained a big number from prior years. It wouldn't typically materialize; it is typically \$200,000. They followed a trend that they shouldn't have followed and made the adjustment.

Mr. Kilmartin referred to state aid contribution, approximately \$550/FTE; cuts in prior years of state contribution and a bump this year of approximately \$150/FTE. **He asked for and aggregate number of the amount allocated per the \$550/student; an aggregate number per the bump this year per the \$150/FTE.** Mr. Murphy said that the \$150 gained the college about \$1.3 million, but lost on average \$185/year over the last 3 years. **Dr. Sydow said that they will detail the information for Mr. Kilmartin.**

Mr. Kilmartin referred to the state appropriations budgeted, approximately \$18.8 million last year to \$22.9 million project in 2015-15. Dr. Sydow said that part of that is driven by projected enrollment growth. Mr. Murphy said that in the projections, they are hoping that the state will start to restore another portion of the \$555. They had increased contributions from the 3 partners - state came forward; county hopefully will; and the students from a minimum tuition increase.

Mr. Kilmartin referred to "rents", under all other expenses; 2011-12 budget of \$245k; projected to \$904k and increase of \$1 million in 2014-15 - asked for an explanation. Dr. Sydow said that it is anticipating that the college would be able to go forward with a permanent north site; anticipating that there would be an opportunity to expand enrollments at the site. Anticipated enrollment growth would be 1,000 FTE's over time. Mr. Murphy said that it is concurrent enrollment relative to high school; they have in-kind rent that they charge as an expense and offsetting revenue from high school students that are taking courses to allow them to get college credit. There is an expense that is called "concurrent enrollment rent expense." It is expenses the college incurs and gets offsetting revenue; can claim state aid because the college has the expense. Dr. Sydow noted that there was 70% increase in concurrent enrollment last fall. The college was attempting to be responsive to superintendents who told them that the arrangement OCC had, even though it was discounted tuition for high school students who are concurrently enrolled at OCC and in their high school subject area, the tuition was prohibitive for many local families. There is a different arrangement now that allows the college to rent the space and avoid having to charge the high school students tuition, which is reflected in that number. They saw a major increase in the number of students who benefit from enrolling at OCC while still in high school. The college believes it will help in both recruitment and retention.

1Chairman Knapp left the meeting.

Mr. Kilmartin asked about the future for the north site. Dr. Sydow said that the current lease at in Seneca Mall goes through 2016; they have had wonderful success – 100% capacity in the evenings. There is not enough square footage to provide the numbers of classes that demand would support in the evenings. IN the day time, working adults generally have not signed up for classes. They have been looking for a new site for many years. The Inner Harbor is a possibility – would serve 1,000 additional students. Research suggests that people are looking for both new kinds of certificate and degree programming, which would allow them to get employment in green industries, a number of existing industries, and emerging industries. There is a demand for hospitality management. OCC currently offers a program, but believes it would be in the students' best interest to be in a location where there is a hotel, restaurants and retail shops – prepare students for growing industry in our region. The college's strategic plan anticipates *I-College*; feels this is the next opportunity for major innovation, finding ways to provide the training and education programming that will keep our local residents prepared.

Mr. Kilmartin asked about construction projects line, \$2.5 million. Mr. Murphy said that is for capital projects to the extent that they require over and above what would be supported by the county and state.

Mr. May referred to the multi-field project, and asked how the design was arrived at, and if cost efficient alternatives have been looked at. Dr. Sydow noted that it is part of a capital plan that has been in place since 2008 and this is the final part of it. Mr. Edson, Athletic Director, said that they put a lot of energy and effort into the field project to make sure it was as efficient as possible. They looked at different sites and configurations; make plans that took as much efficiencies in space and topography of the land to make it as efficient as they could. They spent a great deal of time looking at capacities, what could be done with the facility beyond the uses of the college, so that it could benefit the community. Have taken the infrastructure services and combined them with the two fields to allow them to create the synergies to keep the cost down and make it as efficient as possible.

Mr. Ryan referred to academic measures 2010-11 actual, 56% fall to fall and 77% fall to spring, full time students, and asked if that was normal. Dr. Sydow said it is better than most of their peer institutions, but it is not good enough. It is one of their major priorities for 2016 to improve retention and completion rates. The percentages reflect a population of students, many who are just coming to campus to take "x" number of credit hours, that they can transfer to another college or university. They hope to have the rates much higher and have set target goals for the coming years. The national average is about 26%.

Mr. Plochocki asked if SUNY sets the tuition rates. Dr. Sydow said "no", the board of trustees, per State Education Law, has responsibility for setting tuition. SUNY Board of Trustees has occasionally established caps. There is no present cap. In answer to Mr. Plochocki, **Dr. Sydow said that they can provide the rank compared to other SUNYs.** Dr. Sydow explained that a primary part of their mission is to be open access and affordability is primary in the equation. They are constantly looking at elasticity making certain that they don't price students out of a college education. They believe it is absolutely critical to this community and the economic well being of this community. Mr. Plochocki asked if there has been discussion regarding raising tuition for out of state students. Dr. Sydow said that for many years OCC charged triple tuition, the only SUNY that was outside of the double tuition formula. They saw that it was causing students from outside the area to not choose OCC. It was prohibitive. To be equal to the double tuition, makes them competitive. To make an adjustment beyond that is something that has been considered, but the board has not taken action on it.

Mr. Kilmartin asked about a review of the capital project; Dr. Sydow asked Mr. Murphy to review the projects.

2Mr. Stanczyk left the meeting.

Capital Projects - Mr. Murphy:

- Asking approx. \$5.4 million in total from Onondaga County
- Categories: site improvements, technology upgrades, energy proj., outdoor fields, architectural and design svcs.
- Site improvements - \$1.4 million – discussed in 2003:
- Campus sidewalk project – students in population coming across from Rt. 173 onto campus – plan to run sidewalks from H-3 to H-1, across and around the ring road on Rt. 175 – needed for sustainability and campus public safety
- Parking – overlook lot across from Murphy field – want to pave for additional 300 parking spaces
- Fire Alarm System replacement – parts for current system are obsolete, can't get replacement parts
- Technology:
- Upgrade wireless technology because of utilization of mobile devices for access, registering on-line, etc. – current system doesn't support the campus today; spots where you can't access the Internet – students need it in a wireless fashion
- Core technologies – routers and servers that support all of the business, growth has been so expansive that they need to replace services and routers to support the infrastructure
- Online system – Students at OCC have to currently go through 2 or 3 different portals to do different things – need to create a single portal to i.e. cancel a class, pay a bill, etc. with a single user ID
- Energy Projects:
- Boilers and HVAC upgrades
- Multi-Purpose Field – been in plans for a long time for athletic program, efficiency in schematic and design work to try to keep cost down
- Redesign Coulter Library – integrate library services with academic support services – library study money to look at most efficient way to stay within that building and redesign and have a single place to have a learning commons, have all academic support in one particular area

Mr. Kilmartin referred to site improvements and asked how much is brand new construction of sidewalks, new facilities and how much goes to maintenance or replacing of existing sidewalks. Mr. Murphy explained that there are some existing sidewalks in front of H-3, but brand new sidewalks are needed that go from H-3 past H-1. Dr. Sydow said that because they are adding new beds, there will be residential students walking from the other side of Onondaga Road, Rt. 173, down and across to get to campus. The sidewalks are extremely important; facility opens in the fall, critically important to mind the safety of the students who are living across a fairly heavily trafficked road. Mr. Murphy said that people are walking own Rt. 175 on shoulder of road, coming from apartments and projects. There are no sidewalks on the ring road. The ring road and the majority of this project are new sidewalks to accommodate a safety issue. Mr. Kilmartin asked if the college has talked to the state or county officials regarding safety issues and where the students cross on the Rt. 173 side. Mr. Murphy explained that they are working with DOT to get a cross walk and possibly a light.

Mr. Kilmartin referred to the additional 300 parking spaces across from the lacrosse field . Mr. Murphy said it is a vacant lot that will be paved to add an additional 300 spaces.



Mr. Kilmartin referred to the technology element and asked if there is any projection as to how long upgrades may sustain the college. Mr. Murphy said technology is changing drastically. The College has done a good job on expanding the life of the services. Regarding wireless services, they can't expect people who are buying devices today to walk around and have empty spots where they can't be serviced. In navigation today, with automation being paramount, if students could avoid coming on campus to do anything then they would. Dr. Sydow said that OCC offers 12 complete programs on line; students' demands are increasing every day. Nearly all of them have a mobile application – an aspect of trying to convert the learning management system, a system that supports online learning. The demand is to do everything on their mobile application, which is a whole new realm; college students expect it.

Mr. Kilmartin asked for more detail on the proposed baseball and softball facilities. Mr. Edson said that OCC baseball and softball programs have been traveling from 20 – 25 miles off campus per day to practice; generally use Hopkins Road. The opportunity to get them back on campus is vital, especially for their welfare – not having to travel, spending more time on academics, reduced class conflicts, etc.

Mr. Edson said that from a college perspective there is an opportunity to enhance the intramural program. If there are more fields, they can increase participation to more than just 40 students. There is the opportunity to teach physical education courses. It will benefit students at the college beyond just baseball or softball student athletes.

Mr. Edson said that from a community perspective, the way they designed the fields is ideal – utilizing field turf. There is no other baseball or softball field in this region that has that type of field. Given the weather conditions here in the spring and fall, it will allow it to become a resource for the community; a resource that right now is not available. It will give more opportunity to benefit the local community. There is a great demand. In talking to local high schools and youth leagues, there are a lot of people looking for a quality field and a field that won't be impacted as much by the weather.

Mr. Kilmartin asked Mr. Rowley for the total debt service for OCC capital projects for this fiscal year for Onondaga County. Mr. Rowley referred to page 4-9 of the budget book (*attachment 3*); feels it is a conservative estimate; \$3.059 million; it does not include the offset that would be taken against the debt service in college chargebacks. In answer to Mr. Kilmartin, Mr. Rowley said that the proposed future debt is debt service that comes out of the CIP module, \$5.5 million that Mr. Murphy spoke about. It is a rough estimate, and feels it is conservative because of the actual chargebacks that is offset against it, other RBD that might be applied against this debt; and true interest cost, when they go out to borrow, is generally lower than what is put into these estimates. Mr. Kilmartin said that the debt service allocated just to the projects discussed, would be under the proposed future debt; Mr. Rowley agreed.

In answer to Mr. Liedka, Mr. Edson said the athletic field project gives the opportunity to work collaboratively with other local facilities. Having just a single baseball field and single softball field may limit it in terms of big tournament type action, but at the same time having a quality field is a wonderful opportunity to be able to partner with various groups, i.e. Chiefs. There is definitely opportunity for the college to attract outside events, i.e. tournaments, high level competitions – particularly baseball and softball. They will have the ability to handle the differences in the weather.

Mr. Edson said that the philosophy is that they are talking about facilities, not just to win games. They have been very fortunate. They are arguably having the best seasons that they have ever had in terms of athletics at OCC. It is a tribute to the coaches, student athletes, and to the support that the community gives them. It is not about the wins and losses; they are changing the culture and philosophy. The focus is on making a difference in the lives of the student athletes. Everything they are doing is about leveraging the student experience. It is about adding to an environment to help make the students more successful, to attract students to keep them home, in our community, and to help them move on in life. The research that they have done shows that the GPAs of the student athletes are higher than the student body; graduation rates are almost double of what the student body is. The retention rates, graduation rates, and success of having students move on to 4 year schools is because of their participation in athletics. In having the types of program that they have, they are able to attract more students.

Mrs. Rapp said that she believes legislators look to the college as an economic development tool; a great asset in moving this community forward and for collaboration that can be formed between the community and the college. There is a lot of talk about redeveloping the Carrier site in Dewitt into a baseball/softball complex. She asked if OCC is working with them to try to expand both abilities to serve and bring more people in. Mr. Edson said that they haven't. The orientations of the two projects are similar in some sense, but very dissimilar in others. The Carrier site is looking at a multi-purpose facility that is really designed to handle large quantities and programming at the same time. It is a different mission. At the same time, the opportunity and the design at OCC gives them an opportunity to complement folks. If there are weather conditions that make it difficult to play somewhere, OCC is able to be a resource. It helps the community; people won't go down the roads to Rochester or Rome. LeMoyne is building a facility also, and OCC has talked to them on how they can collaborate to bring activities here. It also gives an opportunity to serve Section III, an opportunity to host their events. Mrs. Rapp said that having top end sports, is a huge attraction for kids in choosing where they are going to go to college. It is a huge tool in keeping the FTE as big as possible. Mr. Edson said that their research shows that 70% of the student athletes would not have attended OCC if it weren't for the programs.

Mr. Ryan referred to local companies, training and apprenticeships and using local work force. Dr. Sydow said that is something that the college has been extremely committed to – enjoy partnerships and take advantage of opportunity to educate students. In using local labor, relationships with local unions are very strong. They are committed to using local workforce and have a track record.

Mr. Kilmartin referred to the affiliates--the different entities and revenue that may or may not be generated – he asked about the concept for the college with opportunities for these entities, and goals for future use. Dr. Sydow said that the college is an institution that has focused on public/private partnerships. The development of the 501C-3 corporations are a vehicle for being able to provide the kinds of programs and services that they would not be able to provide in the absence of some private revenue being brought to bear. The intent is not to accrue added revenues; the intent it to be able to deliver the kinds of programs and services that add value to their mission, which is education. That is where their focus is 365 days per year. The other piece is to offset some of the fixed costs. They have tried to utilize the facilities that would otherwise sit idle. They have tried to leverage all of the assets that the county has invested in over the years, to try to generate enough revenue to offset costs. It has never been their intent to compete with any other facility; they understand that the Oncenter is funded differently and has a very different mission than college facilities. College facilities are to educate students; they have simply tried to be innovative and good partners, citizens, by generating revenue to offset some fixed costs.

Mr. Murphy said that none of this is a mystery; it has all been out publically for years. Monies generated through these affiliates are used to fund things that the college would have to do if the affiliates weren't there. For example, athletics – all of the athletic programs are funded through the affiliates (outside of the AD and coaches); student housing – all is funding through the affiliates included the debt associated with the housing; Smart Card, a single card to access goods and services, is all funded through the affiliates. The only new

piece to any of this is that there is a new building on campus, which happens to be a classroom with a six-lane track. If any of it were a profitable business, private enterprises would be involved in it – would see a lot of buildings like it around. It is an academic building that they are not going to leave idle. It is going to be used for community things that make sense for their mission: Japanese Art of Drum; Irish Step Dancing; Barney's Birthday Bash. Any monies generated are going into an organization that is taking care of the Smart Card, the box office; athletics, YMCA and health and recreation, intramurals, dining, vending, etc. Many public monies have been dished out to many venues throughout the world in support of their buildings that aren't publicly releasing information.

**Chair Tassone said that before the budget goes to Ways and Means, she wants a complete breakdown of the revenues from the arena and detail of where the money is going.**

The meeting was adjourned at 10:40 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

\* \* \*

**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – May 9, 2012  
MICHAEL E. PLOCHOCKI, CHAIRMAN**

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

**Also Attending:** Chairman McMahon and see *attached list*

Chairman Plochocki called the meeting to order at 9:10 a.m. ***A motion was made by Mrs. Tassone, seconded by Mrs. Rapp to waive the reading and approve the minutes of the previous committee meeting. MOTION CARRIED.***

**Chair Plochocki took the agenda out of order.**

**2. WATER ENVIRONMENT PROTECTION:** Tom Rhoads, Commissioner

**a. A Resolution Calling a Public Hearing in Connection with Authorizing Various Green Infrastructure Projects Located Outside the City of Syracuse as Outlined in Local Law 1 - 2011 for the Purpose of Mitigating Inflow and Infiltration of Storm Water into the Sanitary Sewer System**

Chair Plochocki stated it was his understanding that the legislature approved funding for suburban green infrastructure but not specific programs. Mr. Rhoads agreed adding public hearings needed to be held by both the commissioner and legislature. Legislative approval required for each project; presenting to the committee next month and will ultimately bond for the projects; 3 resolution process. Mrs. Rapp stated she thought we had already bonded for the full amount. Mr. Rhoads responded that we were going to be spending \$3 million to do other work in the city, received grant monies, legislature decided to allocate it somewhere else. Bond authorization is required for this particular work; put into the Capital Improvement Plan (CIP) in 2011. In answer to Mrs. Rapp, Mr. Rhoads confirmed that we had not gone to market for these funds.

Mr. Rhoads provided the following handout:

*WEP Commissioner's Hearing  
Public Hearing of the County Legislature  
Save the Rain Suburban Green Infrastructure Grant (\$3,000,000)*

*In January, Onondaga County's Department of Water Environment Protection (WEP) announced a call for suburban green infrastructure projects in response to the Onondaga County Legislature's authorization in 2011 to expand the Save the Rain program to suburban communities. While green infrastructure is being put to work in the City of Syracuse to address environmental issues associated with combined sewer overflows (CSOs), the suburban program is targeted at projects aimed at reducing stormwater impact on over-burdened and aging sanitary sewer systems and pump stations.*

*Any community within the County's consolidated sanitary district, excluding the City of Syracuse, was eligible to apply for funding; applications were due on March 30, 2012. The proposed green infrastructure projects were vetted by the Department of Water Environment Protection, which placed a priority on advancing projects that will ultimately benefit county, town, and village-owned sewage collection systems through the reduction of stormwater infiltration into aging sewers.*

*Green infrastructure manages rainfall distribution via the use of bio-retention swales, porous pavement, tree plantings, rain barrels, and green roofs; all of which are proven to be effective in mitigating sanitary sewer overflows and water pollution.*

*The projects selected to receive funding are:*

**TOWN OF CLAY: Porous Pavement - \$420,000**

- *This project replaces conventional paving with porous pavement on Hummingbird Path and Indigo Path in the Bayberry Community. Porous pavement will prevent surface water from entering the surrounding sanitary sewer system. This portion of the sanitary service district has historically been problematic for I&I and drainage issues and this project is an excellent example of green technologies focused on resolving a long standing problem.*

**TOWN OF DEWITT: Rain Barrels Tree Plantings - \$342,000  
Subsurface Infiltration**

- Park Hill Green: \$123,000

*This project utilizes three types of green infrastructure technologies:*

*(1) Rain barrel program for the Park Hill neighborhood;*

*(2) Community tree planting program - planting 100 trees across the greater Park Hill neighborhood;*

(3) Water quality infiltration system designed with underground perforated piping.

The project economic benefit to the County is noteworthy due to inclusion of significant matching funds secured by the Town.

- Franklin Park: \$219,000

Green infrastructure implementation includes two components – rain barrels and tree planting. The rain barrel program aims to distribute approximately 800 rain barrels to 400 homeowners. The community tree planting initiative will involve the planting of 250 trees in the Franklin Park neighborhood.

**VILLAGE OF MANLIUS: Rain Barrels - \$3,000**

- The Village of Manlius will implement a Rain Barrel Pilot Program under which it will distribute 25 rain barrels on a first-come, first-served basis to village homeowners. Rain barrels capture the runoff from downspouts, keeping water away from the home's foundation and preventing the water from entering the sewer system in the Meadowbrook Limestone WWTP service area where WEP is experiencing inflow and infiltration impacts.

**VILLAGE OF FAYETTEVILLE: Porous Pavement, Pavement Reduction - \$360,000  
Rain Gardens, Tree Planting**

- This project showcases several green infrastructure technologies in the Lower Village Streetscape Enhancement Project in the Village of Fayetteville. The implementation of porous pavement, rain gardens, and tree planting aims to reduce inflow and infiltration into the County's sewers served in the Meadowbrook Limestone WWTP which is currently experiencing inflow and infiltration flow concerns.

**VILLAGE OF E SYRACUSE: Rain Garden, Sand Filter - \$115,000**

- The project includes the installation of a 300 square foot rain garden at the northwest corner of Department of Public Works property which will capture runoff from 2400 square feet of roof area. Downspouts from eastern half of the building will be redirected into rain garden. The village also will construct a sand filter to treat and partially capture runoff from the approximately 35,750 square feet of paved parking area around the DPW facility.

**TOWN OF GEDDES: Infiltration Trench, Porous Pavement - \$467,500**

- Grove Road: \$348,500

This project includes the installation of an infiltration trench along the side of Grove Road from Cherry Road to Bronson Road in the Westvale neighborhood. Perforated pipe will be installed in the infiltration trench along one side of the road, with catch basins at the intersections. This will capture stormwater runoff from the paved areas and the adjacent drainage area and help to mitigate recurrent flooding and sanitary sewer system issues on Bronson Road. In addition the Town was able to secure other matching funds, making this a highly cost effective project.

- Geddes Town Hall: \$119,000

The Town of Geddes is replacing the conventionally paved Town Hall parking lot with porous pavement. The porous pavement will collect stormwater from its surface area as well as runoff from the surrounding surface areas.

**TOWN OF CAMILLUS: Porous Pavement, Rain Gardens, Rain Barrels - \$421,000  
Tree Planting**

- The project includes the use of several green infrastructure technologies. Porous pavement, rain gardens, rain barrels and tree planting in Shove Park will reduce stormwater runoff for impervious surfaces at the Park, reducing stormwater inflow and infiltration to the sanitary sewer system. This green infrastructure is expected to reduce runoff by 4,545,300 gallons annually. The west side of the Metro waste water treatment plant service area is constrained by I&I issues which this project will help to mitigate.

**TOWN OF MANLIUS: Subsurface Infiltration - \$10,500**

- This project involves the retrofit of an underground infiltration system for the Muirfield drainage district. The new system will replace an existing system which is over 30 years old and is not working to design potential. This project has the highest gallons of capture per grant dollar invested, making it a very cost effective grant

**VILLAGE OF SOLVAY: Bioretention - \$62,394**

- The Village of Solvay is installing a bioretention system along the base of a hill behind the Solvay Youth Center. The bioretention installation will be approximately 500 feet long, with a width of 9 feet to capture runoff from approximately 2.87 acres. This bioretention system is designed to capture approximately 968,200 gallons per year. The west side of the Metro waste water treatment plant service area is constrained by I&I issues which this project will help to mitigate. Considerable matching funds make this project a very cost effective solution for the County.

**VILLAGE OF BALDWINSVILLE: Bioretention - \$492,023**

- The Village of Baldwinsville intends to reconstruct Lock Street with a center median which will include the installation of approximately 1440 linear feet of bioretention. Each year, this will capture approximately 7,073,300 gallons of stormwater from a drainage area of 17 acres.

**VILLAGE OF NORTH SYRACUSE: Subsurface Infiltration - \$94,378**

- This project is located in Centerville Park in the Village of North Syracuse and will install 2 stormwater collections systems, each conveying surface runoff to an independent underground infiltration system. These systems have perforated piping within an infiltration bed, designed to accommodate the runoff from 111,892 square feet of surface area, capturing 759,200 gallons each year.

**TOWN OF SALINA: Subsurface Infiltration - \$212,205**

- This project is located at the Salina Town Hall and will consist of installing 2 stormwater collection systems. These systems will capture runoff from the site's surface area including portions of the building rooftop through the disconnection of roof leaders. Each system will convey stormwater runoff to independent underground infiltration systems.

*A suburban Save The Rain Program Takeaway Consideration:*

*In the larger perspective, these projects provide the sanitary system with some very favorable benchmarks. On average, the cost per million gallons of water diverted from the sanitary sewer system will be less than \$100,000 per million gallons of storage. In comparison, several of the gray projects currently under construction locally range in from six to thirteen times as much in cost per annual million gallons of capture. These projects embrace shared responsibility by the local municipalities for the reduction of inflow and infiltration in the collection system, an important facet of the Inter Municipal Agreements for the sanitary district and Onondaga County Local Law Number 1 of 2011.*

Mr. Rhoads:

- Grant applications and procedures posted on website, mailed to mayors, supervisors and clerks, calls made
- Purpose: reduce impact of stormwater coming into the sanitary system (I&I)
- I&I complex intermunicipal problem, enters sanitary system via infrastructure owned by local municipalities; they own the collection sewers, we own the trunk sewers and treatment plants, trying to work with municipalities to resolve additional flow problems
- Received applications totaling \$3.9m, decisions based on cost effectiveness, existing problem, resolution of problem, usage of green infrastructure for resolution; proposed funding of \$3m

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

Mr. Rhoads provided a SGIP spreadsheet. (See [Attachment No. 1](#))

Chair Plochocki stated generally speaking the funding awarded was less than requested; asked if this was arbitrary or if there was a formula.

Mr. Rhoads:

- Considered local match, size of project, and contract contingencies; looking for municipalities to meet project cost via lowering of contingency costs and/or local match, (***shortage listed far right of spreadsheet***)
- No local match proposed on some larger, steered towards shared responsibility concept

Ms. Williams asked for clarification on the tier. Mr. Rhoads:

- Based on Program and Problem Grade; project meets green infrastructure intent, resolves existing problem, scored A-C; Tier scored 1-4
- Tier 4 projects, did not resolve problem and/or use green infrastructure for I&I

Mr. Meyer asked if municipalities were given the point system prior to filling out the application. Mr. Rhoads:

- No, asked to prepare application listing cost effective GI resolution for I&I problem
- Decision based on cost effectiveness (GI cost per gallon), resolution for I&I with use of GI

Mr. Meyer responded it appears some funded projects were at higher GI costs. Mr. Rhoads agreed. Mr. Meyer stated this is why he questions if municipalities really understood what they were looking for. Mr. Rhoads responded he believes they understood what we were trying to do. The take-a-way point is, today we are using gray infrastructure that is 6-13 times greater on a cost per million gallon basis; this GI is a very cost effective solution. The GIF program is at .35 cents per gallon; working towards lowering these numbers. All projects less than .25 cents per gallon are cost effective.

Mr. Meyer asked if there was any grading with respect to the life span of these projects and any concern for maintenance. Mr. Rhoads responded the life spans would be similar; most aren't hard infrastructure projects, some porous pavement. Municipalities were required to submit maintenance plans and certify they will be responsible for maintenance.

Mr. Meyer asked if the porous pavement project numbers provided for were based on the total project or the difference between conventional and porous pavement. Mr. Rhoads responded some of the porous pavement projects look at pavement removal as well. Mr. Meyer asked if porous pavement cost more to install than conventional. Mr. Rhoads responded a little bit; since they've created a market for porous pavement, the prices are becoming closer. Mr. Meyer asked what the life span was for porous versus conventional pavement. Mr. Rhoads responded they are hopeful it will be similar; EP currently testing. The University of New Hampshire looking at a cold climate theory, freeze and thaw breaks pavement, porous pavement might be more resilient. Mr. Meyer suggested monitoring these projects; could be living laboratory.

In response to Chair Plochocki, Mr. Rhoads stated those not funded received written notice. They have talked about another round of SGIP funding. He will be in Cicero tonight helping them understand parts of the application and how it was graded; may be interested in using feedback for other grants or if the legislature elects to proceed with future grants, may want to apply with this or other projects.

In answer to Chair Plochocki, Mr. Rhoads confirmed projects highlighted in green will be national attention projects, resolving long standing problems in our system. Chair Plochocki added he was surprised that the Town of Manlius project was not included in this group since it has a .00 cost per gallon of capture. Mr. Rhoads responded this is a unique project, they have infrastructure already in place; going after things they should have done, but amounts to huge amount of capture.

In answer to Chair Plochocki, Mr. Rhoads stated the legislature decides how to spend the money. If they wish to add projects and spend more money, they would have to authorize the public hearings for a different amount, approve the amount and borrow more.

Mrs. Tassone asked if they could take something away from a town with multiple projects and give something to Cicero; believes we need to cover every town. Mr. Rhoads responded this was in their purview; understand there were reasons for the recommendations. Mrs. Tassone asked if bio retention or tree planting was more important. Mr. Rhoads responded resolving I&I is most important to them. Chair Rapp added Franklin Park area had a huge flood a few years ago; unable to give them a lot of relief, short of recreating the sewer system costing billions of dollars; this is why it's one of the top projects. Mr. Rhoads agreed; projects scored on how green infrastructure resolves I&I problems and cost effectiveness, not the type of green infrastructure used.

Mr. McMahon stated it is his understanding that this is potentially the first round of SGIP; team considering a second round. Three projects did not meet the criteria for various reasons; asked Mr. Rhoads and his team to meet with people in Cicero, Geddes and Solvay, let them know why. They can work with their engineers to be eligible for these types of projects going forward. Mr. Rhoads responded that was their plan. If the legislature decides to go with another round of grant funding as part of the Capital Projects, hope these projects would be fine-tuned or may have other projects, would be legislature's decision. Mr. McMahon stated they lean on WEP for scoring; nice



to have projects in our district however, wasting money if they aren't meeting the goals of the program. Via Mr. Millea he understands there were some misunderstandings on what the goals were. We know there are green infrastructure opportunities in the Town of Cicero; need communication with their leadership. Mr. Rhoads reiterated he was meeting with Cicero this evening.

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

- TMDL still coming together, additional \$14.2m to meet requirements, headed in the right direction for the County, historically talked about an additional half-billion dollars,
- 30 or more green projects in some phase of construction, green infrastructure taking off, improved communications/coordination with the City

Chair Plochocki provided the following update:

- Continued communications on fishing trail, committed to its creation
- Fisheries Advisory Board will be advising the committee on a cost effective way to deal with water chestnuts, particularly with regard to Seneca River

Mrs. Rapp stated the CVB is working on the fishing trail.

The meeting was adjourned at 9:43 a.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk  
Onondaga County Legislature

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**PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MINUTES – MAY 10, 2012**  
**KATHLEEN A. RAPP, CHAIR**

**Members Present:** Mr. Knapp, Mrs. Ervin  
**MEMBERS ABSENT:** Mr. Liedka, Mr. Plochocki  
**Also Attending:** See attached list

Chair Rapp called the meeting to order at 10:36 a.m. **Motions were made by Mrs. Ervin, seconded by Mr. Knapp to waive the reading and approve the minutes of the previous committee meeting. MOTIONS CARRIED.**

1. **ONONDAGA COUNTY CULTURAL RESOURCES TRUST:**  
a. **Confirming Appointment to the Onondaga County Cultural Resources Trust (Barbara E. Yunis)**

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

2. **SMG:** William Fisher, Deputy County Executive; Gregg Caren, Senior Vice President Strategic Business Development; Bob McClintock, Senior Vice President Convention Centers

a. **Informational – Venue Management Agreement with SMG**

Mr. Fisher presented the following:

- Great deal of progress since last month on transition
- SMG portfolio contains more than 14m sq. ft. of exhibit space, our facility has 100k; 68 different convention centers, various sizes larger and smaller than ours
- Mr. Caren responsible for those hosting over 10k events and more than 20m visitors each year
- Mr. McClintock handles the operating side, responsible for bookings, increasing revenue and decreasing deficits, measure and insure high level of customer satisfaction
- SMG representatives arrived on Tuesday; several meetings with Mr. Fisher, Ms. Toennies and her senior staff, also meet with County Executive, Chair Rapp, Chairman McMahon and Mr. Liedka
- Craig Liston, Columbus based SMG Regional General Manager was also here; handles Columbus and Knoxville convention center, Columbus is enjoying record revenues; we will be in this region
- Encouraged to hear their ideas for improved performance of our facilities
- Familiar timetable for the next 6 months, all mechanisms involving the County Executive's office, Comptroller, CFO and County Legislature will be picked up out of the management agreement with Oncenter and dropped into the agreement with SMG; same reporting, budgeting and legislative oversight with some twist, example: County Comptroller, rather than an outside auditor, will perform audit, budget will contain funds for the County Comptroller rather than an auditor, still have annual financial statement prepared according to GAP

**SMG Management of County Venues – Timetable**

- |             |  |
|-------------|--|
| <b>May</b>  | <ul style="list-style-type: none"><li>• Finalize Management Agreement with SMG</li><li>• Resolution #1 – authorizing County Executive to execute Management Agreement with SMG (to be provided to Ways &amp; Means by 5/22, along with text of agreement, at least one week in advance of 5/29 meeting)</li><li>• Resolution #2 – authorizing County Executive to amend Management Agreement with Oncenter (giving County right to terminate)</li><li>• Resolution #3: transfer Oncenter appropriations remaining in 2012 (operating, capital reserve) to special revenue fund of County</li></ul> |
| <b>June</b> | <ul style="list-style-type: none"><li>• Legislative approval of resolutions #1 – 3 above (June 5 session)</li></ul>  |
| <b>July</b> | <ul style="list-style-type: none"><li>• SMG assumes responsibility for management of Oncenter Complex and County-</li></ul>  |

sponsored events at Alliance Bank Stadium (July 1)

- SMG submits quarterly financial reports to CFO, Comptroller, and County Legislature, using format specified by CFO and County Comptroller (July 31)

#### August

- SMG submits annual budget to County Executive "at the same time that budget estimates of County departments are submitted"
- SMG files annual marketing plan for review with the County Executive and County Legislature "at the time of submission of ... the annual budget"

#### September

- County Executive includes recommended budget for "Convention Center Operations Fund" (a new Special Revenue fund of the County)
- SMG general manager reports before Legislature, as requested, to review the Convention Center Operations Fund budget

#### October

- County Legislature adopts budget for Convention Center Operations Fund
- SMG submits quarterly financial reports to CFO, Comptroller, and County Legislature (October 31)

- Comparative information showing differences from the current management agreement and the new agreement with SMG; will be provided within the next week; having some technical difficulties, terms described last month conflicts with bond counsel's opinion of what the IRS might accept
- IRS involved as County issues debt under code 9713, allows public entity to issue debt in a way whereby the bond holder doesn't have to pay federal income tax on earned interest, regulations in place since 1997; when a manager is hired to take over a facility that has been financed through public debt you can run afoul with IRS language in such a way that it would make the bonds suddenly taxable
- We issue debt through bond counsel, they provide opinion letter stating bonds will be tax exempt, if the bonds become taxable they pay not us, aren't willing to assume the risk with the current term sheet
- Industry has IRS regulation norms, contract no longer than 5 yrs, propose our contract to take effect 7/1/12 – 12/31/12, initial term of 4.5 yrs with renewal option, County has the right to terminate after 5 yrs without recourse from SMG, also need the right to terminate after 3 yrs without any penalties, all agree and know this will be in the contract
- Want to have incentive for SMG to grow revenue and reduce expenses, IRS does not allow this, allows for increased revenues or reduced expenses; can't tie them together; this is the piece bond counsel has an issue with; SMG has successfully gotten around this before by tying one side financially and tying the other side with another type of metric, hope to find a way around this and get bond counsel approval within the next couple of days

In answer to Mr. Knapp, Mr. Fisher stated he believes these are federal IRS regulations. Mr. Caren added it is an interpretation of IRS laws. Chair Rapp stated there wasn't a clean answer. The contract has to be finessed to the point that bond counsel is comfortable and we get to where we need to be.

Mr. Fisher:

- Number of other things tied to management agreement, Law department team reviewing all Oncenter contracts, extensive list, 4 collective bargaining units, Ticketmaster, Crunch and Silver Knights leases, vendor agreements, relationships with employees, incentive programs, etc., all would be assumed, assigned or transferred, good portion of yesterday focused on specific items involving the employees and the labor units that represent them
- SMG has experience working with unions, union leader was a member of the RFQ committee, questioned SMG during interview process; unions are aware of what is going on; conversations will start when it's clear that there is a contract to consider
- Oncenter board confirmed unanimity, wish to dissolve governing corporation if the County goes forward with SMG contract
- High praise of Ms. Toennies and the Oncenter board, hope to maintain management, up to staff if they except appointment from SMG

Chair Rapp asked if the board would transition to an advisory board or dissolve. Mr. Fisher:

- Asked board members if they would like to be an advisory board, said yes
- Advised them SMG was thinking about the advisory board having a broader charter, industry best practice looks at the entire destination, think of convention center as one of the assets among many in a destination
- Tie sales and marketing together under a single governing structure that advises all entities how the community interest can best be served by the use of room tax, 1 group representing community stake holders working to achieve even better results

Chair Rapp asked if the two boards would be a combination. Mr. Fisher responded that it was just a discussion at this point. The legislature should feel free to weigh-in, talk to CVB, CenterState CEO, and the Oncenter board about what your wishes are. The County Executive believes it is a good idea to take this opportunity and bring in other entities like the NYS Fair. Mr. O'Hara contacted them asking how we are going to be doing things differently; makes since for their advisory board to be connected to a new advisory board in some way. Chair Rapp commented that they have representation on the CVB board. Mr. Fisher added it might make since to reach out to the Landmark, Syracuse Stage, and SRC; tie everything together in a new way. The Destination Marketing Study will produce a lot of valuable information for the legislature, county executive and SMG. Good opportunity to take the information in the study on market segments we will try to go after and recommendations on how to organize the sales and marketing function of the convention center and the assets and attractions for the destination; good timing for all of this to be brought together. We need to find a way to make this happen quickly, don't want to be without an advisory board for very long, don't want next year's budget coming over without some of these questions answered. If the budget is going to be changed based on expert recommendations, want recommendations in place before deciding on how to spend next year's money.

Mr. Knapp stated the timing is perfect; large number of venues, need to integrate and encourage communications. Getting everyone pulling in the same direction would be a huge improvement, something he supports.

Mr. Fisher:

- 3 resolutions for Ways & Means to consider
- Authorize County Executive to execute management agreement with SMG, resolution and text of contract will be brought to the legislature no later than May 22; if information is not prepared by this date, won't ask for it to be put on the agenda
- Authorize the County Executive to amend a management agreement with Oncenter, amendment would give County the right to terminate agreement, last month considered giving required 180 day notice and letting the agreement expire 12/31/12; Oncenter's legal counsel has advised termination of the contract better situates the Oncenter for collective bargain negotiations required when an entity stops performing under a collective bargaining unit

agreement, Oncenter will sit down with the 4 unions advising them they are no longer managing, some money will be involved, current contracts are with the Oncenter Corporation, board has authorized the CEO

Chair Rapp asked for confirmation that the contracts are with the Oncenter Board. Mr. Fisher responded they were with the Oncenter Corporation; the board authorized CEO of the Oncenter to sign, she executed the collective bargaining agreements with each unit. Chair Rapp added the County negated the Oncenter forecast.

Mr. Knapp asked if the agreements would transfer to SMG or the county. Mr. Fisher responded that they would absolutely not transfer to the County. Management and labor will work for SMG, as the agent for the County. The assets and liabilities of the Oncenter complex will be in a special revenue fund. As our agent, SMG will have authority to receive money into the fund from ticket purchases, facility use fees, and room occupancy tax (ROT) but there will be a separation between the agency's relationship with the County and other SMG relationships between the employment agencies, Ticket Master, vendors, Crunch, etc.

In answer to Mrs. Ervin, Mr. McClintock stated SMG is looking forward to working with the employees at the Oncenter and will have discussions with them at the appropriate time.

Mr. Fisher:

- Resolution would allow County Executive to terminate current Oncenter agreement, mutual termination agreed upon by the Oncenter board
- Over \$1.6m appropriated to the Oncenter's operating budget and \$250k to the capital reserve; receive quarterly payments, 3rd and 4th quarter payments would go into a special fund, this appropriation will start up the new fund, resolution creates new fund, representation of the budget will be present in the budget book, working with Comptroller on the details, will see entire revenue and expense of the fund, won't see 101 lines or rooster positions - not our positions, will see personnel services, marketing and promotion

Chair Rapp stated this was new. In the past it was just a line item in the budget book. Mr. Fisher added Ms. Toennies provided the information when she presented her budget but it was not in the budget book.

Mr. Fisher:

- Legislature to vote on June 5th, SMG to assume responsibility on July 1, 2012 if approved
- Quarterly financial reports required within 30 days of quarters end, in format specified by CFO and Comptroller
- Comptroller will have additional powers, won't be an independent corporation with a defined set of books, will be our books and our auditor, Comptroller as chief auditor for the County will have access to audit the books whenever he wishes
- SMG to submit annual budget in August, same cycle as County departments; difference is there is a team at SMG that will be looking at budgets for these facilities, as well as venues across the country

Mr. Caren stated he uses a hotel model to help simplify what the transmission to SMG means. SMG is not a consumer brand; they are a business to business or government to business brand. If he were building a hotel tomorrow and investing his own money to build the hotel, he could build it and manage it himself or he could build it and affiliate himself with Hyatt, Marriott or Starwood and gain all the benefits of the brand. At a 30,000 foot level, they have a unique position to benchmark anything and everything; budget, finance, administration, sales and marketing resources, any division of the business. When we look at the budgets for this complex, we compare it to our other similar sized and geographic convention centers and theaters. On the sales and marketing side, we will use our levy to help bring in more business. Under Ms. Toennies guidance, the efforts of the last three years are extraordinary in terms of its term. Touring the building yesterday they noticed one of the old chairs which are designed to be like those of the Waldorf-Astoria. He noted that every major classic hotel in NY has joined a branded hotel. It is nothing more or less than taking something that is already well positioned, with a good management team and layering in the benefits of a global company with systems and benchmarking. When we budget there will be at least 5-6 people from our office looking at this budget and making sure, whether it is a revenue or expense item, that we are using our best industry practices to grow revenue, manage expenses and increase leverage wherever we can, to maximize the benefits of both.

Mr. Fisher provided the following example:

- Workers compensation is very expensive for the Oncenter
- CFO-Mr. Casper, asked if they could be added in with the Counties worker's comp, per Risk Management and Law department the answer is no, good reasons why we can't do this but Oncenter is stuck with high costs
- SMG will immediately be able to bring in an improved worker's comp rate

Mr. Knapp stated he was happy to see that SMG will also be responsible for County events at Alliance Bank Stadium and asked for the marketing thought process on this decision. Mr. Caren stated this was more of a marketing component, another asset for the county. They have an entire live entertainment division that is booking their arenas, theaters and stadiums. There are opportunities for concert tours that specifically play in minor league ballparks. When routing live entertainment, will look for opportunities to book the stadium here, and also look at what they can internally create with the County to book a festival or special events for the good of the people. Mr. Fisher added this might be something that we can act on as soon as this year. The Syracuse Chief's told us that they won't be doing any concerts but would be fine with us doing them. The Oncenter has the ability with to make financial agreements with its assets that sometimes include guarantees. If the Chief's are not in a position to do this, we want the residence of the County to be able to do so. At this point in May it won't be easy to do but hopefully SMG will find someone drops a date or adds a date and there is an opportunity to put something out there. It would be a great proof point, if we were able to make that happen.

Mr. Fisher:

- County Executive submits proposed budget, SMG general manager available to answer questions at budget review; also available upon request at anytime

Mr. Caren added that the general manager is the representative for SMG but at critical times, they will have the proper support team available to answer questions.

Chair Rapp asked what additional ideas they had for improved performance. Mr. Caren stated their purchasing power is extraordinary; have global agreements based on aggregated volume. They have an entire buying program through corporate office via internet website; contains everything from best practices on ice management, to safety issues and procurement programs. They look at everything; are times when government contracts are better but very often, their national procurement programs will be to our benefit.

Mr. Fisher added that there will be some opportunities for flexible staffing. Currently must maintain increased staff that may not be used very often or risk falling short for larger events and having poor customer service. Mr. Caren added they have the ability to bring in other professionals, such as chiefs, banquet personnel, etc. for high volume and exposure events, making sure the resources are there. They have a number of venues in New York and the northeast. In answer to Chair Rapp, Mr. Caren confirmed that they are one management company, and have the ability to move bodies around.

Chair Rapp asked what they had done in other cities with regard to theater and arts groups and for his ideas on the Syracuse Sympathy. Mr. Caren stated they have 55 live entertainment theaters in their portfolio. Just like everything he has talked about, this leads us to a corporate support group that deals with arts issues. The arts issues are very different from a stadium. It is critical to work with the non-profits and arts groups, taking care of their needs. Bob Papke oversees their theater division; has biweekly booking calls, is networking and bringing the talent around to theater venues. Mr. Papke is excited about this opportunity and will be back in the next couple of weeks, to work with Ms. Toennies and the team to specifically discuss the theatrical side. They are excited about working with the arts group; are aware of what has gone on here, in the last year or two and want to help rebuild.

Chair Rapp stated she was specifically speaking to the fact that often times art organizations have incredible performance skills but don't have the best management and business skills; there is a gap. We have talked about SMG being able to fill in some of those needs, allowing the artists to do what they do best; fill the theaters and performance venues. Mr. Caren added they could fill in the administrative side. The key is recognizing the arts groups play such an important part of the fabric of a theater and making sure that it produces the highest return for the community, giving them access to resources they already have in place; marketing, finance and operation teams, to allow them to do those things better, to gain more attendance and exposure in the community and increase activity. We have done some great partnerships with symphonic, author and/or dance groups, allowing them to focus on what they do best, and allowing us to give them the access to the resources we have.

Mr. Knapp asked if we contracted with the City of Syracuse for security. Ms. Toennies stated they have spoken with SMG about this. Currently the City buildings are required to use Syracuse Police for any ticketed events. They continue to try and have dialogue with the County Executive's office through Mr. Fisher, their board and the Mayor's office on consolidation, using private and County Sheriffs. This needs to go to the next level. While we aren't paying premium rates for the police, as they are on our payroll, we must staff by their requirements; not always what is actually needed. Example: Trans-Siberian Orchestra, seated live theatrical performance at War Memorial, 2,500 people in attendance, 4 police officers required, costs passed on to promoters. This is not a show where you will have any issues. Passing these charges onto our promoters doesn't allow us to be as competitive as SRC arena. This is one of the main points we need to look at before the end of the year.

Mr. Fisher stated this was an odd situation, since these are County properties. Normally the County Sheriff has jurisdiction over County property. They are required to get a permit, which in itself is abnormal. In most Cities you don't need a permit to hold an event. Mr. Caren added that permits are generally only required for special events, where events aren't typically held in a location. Mr. Fisher stated there might be a conversation with the City asking why we have to have these event permits, nobody in our County has them anymore. This would be one way to solve this. Another way may be from the Sheriff's office. He has been told by their representatives, they would welcome the opportunity to have this business and since it is our property we sort of have the right to that business. This is an interpretation of the resolution which states there has to be an adequate police force. The Syracuse Police determine the police force necessary, which is a conflict. Mr. Caren stated they have seen this problem in other places and have discussed how it has been resolved. Chair Rapp stated they spoke with Chairman McMahon last night about this; thought he might be helpful.

The meeting was adjourned at 11:24 a.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk  
Onondaga County Legislature

\* \* \*

#### HEALTH COMMITTEE MINUTES – May 17, 2012 CHAIRMAN DANNY LIEDKA

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

**MEMBERS ABSENT:** Mr. Meyer

**ALSO PRESENT:** *see attached list*

Chairman Liedka called the meeting to order at 10:00 a.m. ***A motion was made by Ms. Williams, seconded by Mr. Shepard to waive the reading of the minutes of the previous proceedings. MOTION CARRIED. A motion was made by Mr. Jordan, seconded by Mr. Shepard to approve the minutes of the previous committee meeting. MOTION CARRIED.***

1. **HEALTH:** Cynthia Morrow, M.D., MPH, Commissioner; Linda Karmen, Deputy Commissioner
  - a. **Authorizing the County Executive to Enter into Agreements with the Federal Consumer Product Safety Commission to Implement this Resolution (\$20,000)**

Linda Karmen:

- Accept Consumer Product Safety Commission revenue re: inspection of public swimming pools for federal compliance with the Virginia Graeme Baker Pool and Spa Safety Act
- Minimizes potential of drain entrapment incidences that could lead to injury or death
- Ensures compliance with law enacted in 2008
- Federal Consumer Product Safety Commission will provide training and funding to Environmental Health staff
- 2012 revenue - \$20,000 to do 50 inspections; 2013 revenue - \$31,200 to do another 78 inspections
- Funding covers all pools that the County is already inspecting; adds component for drain safety

In answer to Chairman Liedka, Ms. Karmen said that inspections include municipally owned pools, apartment house pools, hotel pools, YMCA, etc. Mr. Liedka asked if the 2 year funding for 128 inspections covers all the pools in the area. Ms. Karmen explained that it is the total number of facilities that they inspect. Some of the facilities contain more than one, i.e. a pool and a hot tub, 161 in total are inspected.



In answer to Mr. Jordan, Ms. Karmen explained that it is a new program, but they already inspect the pools. This money will offset the county costs.

Mr. Liedka asked if there are devices or other things that would need to be retrofitted into the various pools to be in compliance. Mr. Zimmerman noted that all swimming pools have a drain. The suction on the drain for the water to circulate can trap swimmers, especially children. The federal government passed a law which requires that a different cover be put on the drain so that hair and body parts can't be sucked down and held down on the drains. In some instances a sensory device is required on the pump. The County has no authority to enforce the law. The County's responsibility is to report to the federal government pools that aren't in compliance with the law. In answer to Chairman Jordan, Mr. Zimmerman said that the cost of the system would be at least several hundred dollars.

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

- b. Abolish R.P. 08 01404300 2537 Nutritionist, Gr 10@\$47,843 - \$52,937 Effective June 8, 2012**
- Abolish R.P. 08 01404300 6025 Nutrition Assistant, Gr 7@\$37,685-\$41,650 Effective June 8, 2012**
- Abolish R.P. 08 01404300 0197 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012**
- Abolish R.P. 08 01404300 7059 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012**
- Abolish R.P. 08 01404300 7095 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012**

Dr. Morrow:

- Unfortunately requesting to abolish 5 positions
- WIC is a Federal and State funded program to provide education/supplementation to pregnant women & children
- Historically a large grant: 2012 \$2.25 million w/COLA of near \$200k and additional unallocated fund line of \$225k
- It was known that there were positions in excess of the grant; traditionally always have done that because of the challenges of keeping the positions in this grant – historically never had a problem
- Went to ask for the \$225k in the unallocated line, the State was not able to meet the County's request
- The positions have to be abolished to not exceed the cost of the grant
- Made a commitment to legislature--if grant funds don't cover costs, they would abolish positions where they could
- Moving forward – abolishing the 5 positions will not only help for the 2012 grant, but will be sustainable

In answer to Ms. Williams, Dr. Morrow said that there are people in these positions; they will not be absorbed somewhere else; they are layoffs.

Chairman Liedka asked how the layoffs will affect the work load. Dr. Morrow said that it will clearly impact. They have tried to cut where they could with training and various other things. The grant is 80% personnel and they have always been able to cover, but could not reach the gap without abolishing the positions. Assumption Clinic will be closed, smallest clinic, and relocate those people to the larger clinics. The State is very aware that this will decrease the ability to meet caseloads. Hopefully funding will be available in the future.

Chairman Liedka said that he has seen firsthand the work that was done within this program and thanked Dr. Morrow for the attention to detail and effort to work within the budget.

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

The meeting was adjourned at 10:13 a.m.

Respectfully submitted,

DEBORAH L. MATURO  
Clerk  
Onondaga County Legislature

\* \* \*

#### **WAYS AND MEANS COMMITTEE MINUTES – May 29, 2012 DAVID KNAPP, CHAIRMAN**

**MEMBERS PRESENT:** Mrs. Ervin, Mr. Kilmartin, Mr. Jordan, Mr. May, Mr. Holmquist, \*Mr. Stanczyk  
**ALSO PRESENT:** Chairman McMahon, Mr. Ryan, Mr. Meyer, Mrs. Rapp, Mrs. Tassone, Mr. Plochocki, *see also attached list*

Chairman Knapp called the meeting to order at 11:20 a.m. **A motion was made by Mrs. Ervin, seconded by Mr. Kilmartin to waive the reading of minutes of the proceedings of the previous committee. Passed unanimously; MOTION CARRIED. A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin to approve the minutes of the proceedings of the previous committee meeting. Passed unanimously; MOTION CARRIED.**

#### **CONSENT AGENDA**

1. **WEP:**
  - a. Calling for a Public Hearing in Connection with Authorizing Various Green Infrastructure Projects Located Outside of the City of Syracuse as Outlined in Local Law 1 -2011 For the Proposal of Mitigating Inflow and Infiltration of Storm Water Into the Sanitary Sewer System (\$3,000,000)
2. **HEALTH:**
  - a. Authorizing the County Executive to Enter into Agreements with the Federal Consumer Product Safety Commission to Implement this Resolution (\$20,000)

Mr. Stanczyk noted for the record that he will be placing a local law on the desks regarding redistricting, and it will be on the July session agenda.

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

## REGULAR AGENDA

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

- a. Abolish R.P. 08 01404300 2537 Nutritionist, Grade 10, @ \$47,843 - \$52,937 Effective June 8, 2012  
Abolish R.P. 08 01404300 6025 Nutrition Assistant, Gr 7 @ \$37,685-\$41,650 Effective June 8, 2012  
Abolish R.P. 08 01404300 0197 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012  
Abolish R.P. 08 01404300 7059 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012  
Abolish R.P. 08 01404300 7095 Information Aide, Gr 2 @ \$27,491 - \$30,323 Effective June 8, 2012

Mrs. Karmen:

- County has had WIC grant for a number of years - provides nutritional program for women, infants and children up to age 5
- Have always had staffing approved by grantors in NYS Health Dept
- This year State was not supportive, their funds were tight, and award going into next year would be restricted
- To have the least impact on the program, it was determined to abolish the positions which were created with grant funding

In answer to Mr. Stanczyk, Mrs. Karmen explained that all of these positions are occupied. At this point the State has not reduced the caseload for WIC. The assumption is that the caseload will be absorbed. One satellite clinic at Assumption Church has been closed. It was one of the least frequented clinics. The work will be absorbed into the West Onondaga Street clinic.

Mr. Stanczyk said it is crucial that young mothers and their children get the nutritional support and the counseling that they need; it is difficult to understand that this is not a priority of this government. Mrs. Karmen said that it is not in their control; they certainly would not be in favor of doing this.

**A motion was made by Mr. Kilmartin, seconded by Mr. May to approve this item. AYES: 5 (Knapp, Jordan, May, Holmquist, Kilmartin); NOES: 2 (Stanczyk, Ervin). MOTION CARRIED.**

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

#### a. **Mortgage Tax Apportionment**

- Share of the money municipalities are entitled to based on mortgages taken out on real property – 10/1/11–3/31/12/
- Total funds disbursed \$3,863,079.51 to towns and villages

In answer to Chairman Knapp, Mr. Seitz noted that the number is approximately 8% over the prior 6 months; up 3.5% over comparable 6 months last year.

**A motion was made by Mr. Jordan, seconded by Mr. Kilmartin.**

In answer to Mr. Stanczyk, Mr. Plochocki noted that the near 1% increase noted on page 2 of the resolution is mislabeled. The 1% is actually the amount taken out for salaries.

**Passed unanimously; MOTION CARRIED.**

### 3. **SHERIFF:** Chief John Balloni

#### a. **Amend 2012 Budget to Accept State Homeland Security Funds for the Onon. Co. Sheriff's Office and Authorize the Co. Executive to Enter into Contracts to Implement this Resolution (\$285,610)**

Chief Balloni:

- State Law Enforcement Terrorism Prevention - State Homeland Security money
- 33% must be used for law enforcement programs prevention and preparedness
- Various police agencies submit what they think they need, a committee prioritizes the needs and submits to State Homeland Security for approval
- Sheriff's office is getting \$51,832

**A motion was made by Mr. Kilmartin, seconded by Mr. Jordan. Passed unanimously; MOTION CARRIED.**

Mr. Jordan asked what the Sheriff's Dept. will use the monies for. Chief Balloni said that the dive team has underwater communications equipment that is no longer functioning correctly, which will be replaced; 40 in-car printers; respirator fit tester – respirators have to be provided to personnel and have to be fit tested; fire arms training simulator.

#### b. **Amend 2012 Budget to Accept State Homeland Security Funds for the Onon. Co. Sheriff's Office and Authorize the Co. Executive to Enter into Contracts to Implement this Resolution (\$95,800)**

Chief Balloni:

- Homeland Security Bomb Squad funding
- Co. Sheriff's Bomb Squad is in a team with Endicott Bomb Squad, Syracuse Police Bomb Squad
- Will be getting: bomb suits, electronic breach system; laser disrupter sites, PAN kits (percussion actuated neutralizing devices for bombs); robot maintenance; registration and travel – for a couple of people to go to bomb school and maintain proficiency

In answer to Mr. May, Chief Balloni indicated that there isn't a local match for items 3a or 3b.

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

### 4. **PURCHASE:**

#### a. **Revenue Contract Report** (see attachment a) – Sean Carroll, Director

Mr. Carroll:

*Recreational Equipment Rental – Parks Dept.*

- Only one response received – same vendor that has been doing the services -
- Rents bicycles and other equipment at Onondaga Lake Park

- County entitled to 10% of rental fees – approximately \$7,000 this year

*Lights on Lake RFP answers to questions from last month:*

- Final decision on the entertainment for the New Year's Eve event is ultimately decided by Galaxy
- Contract with vendor last year required that it be a family friendly atmosphere last year. When it wasn't, they refused to pay the act that performed -- enforced the contract; made it a stipulation of the contract
- Galaxy has told the County that it can be involved in enforcement of the contract even more this year
- Mr. Carroll will follow up on questions raised last month's to the Parks Dept. regarding Lights on the Lake program as a whole over last couple of years

*Inmate Phone System at Correction and Sheriff's Dept.:*

- Contract is up – inmates pay for phone calls out through commissary funds or other funds; public pays for phone calls in
- Correction and Sheriff's Dept. are entitled to a portion of revenue
- Ties into video visitation – had issued an RFP and received no responses
- Reasons for no responses: new technology; no information on what the usage would be, investment in equipment is high
- Have rolled video visitation into the same contract as phones
- Comments at Ways & Means committee taken seriously - whether it should be a revenue contract for County; whether there was a huge advantage to not having Sheriff's be paid to transport inmates back and forth; whether advantages for allowing inmates to communicate with distant relatives outweighed the revenue generated
- No responses yet – anticipates that the phone section will be a revenue piece, equipment will be put in and a charge for video visitation for personal calls, calls to attorneys, etc.; equipment amortized under contract – won't be a revenue component coming back to the county in order to keep cost low for inmates to encourage usage of it; hope it will reduce costs on the other side – making inmates available for court appearances, and available for their attorneys

Mr. Stanczyk asked what the current charge is now for an inmate to call their attorney or someone else. Mr. Carroll said he will provide it. Mr. Stanczyk said it has been looked at before and the cost is outrageous to make an outgoing phone call. Mr. Stanczyk asked how much revenue the Sheriff's Dept. gets from the contract; Mr. Carroll will report back. Mr. Stanczyk said the video portion is a huge potential savings for transport function; might be able to work out a concession with inmates to encourage them to use video visitation rather than transporting them. Mr. Stanczyk noted that it is very important that those incarcerated are not ripped off, which they have been routinely for years with outgoing phone calls and that video capacity is implemented. Mr. Carroll noted that the RFP is designed to reserve the right to put a terminal in at Hillbrook.

Mr. May asked if the RFP includes telemedicine. Mr. Carroll said "not currently", he understands that the technology could facilitate it. Most of the companies into video visitation are phone companies and are not necessary to connect us that way. Mr. May said it is another major expense. Mr. Carroll said that whoever is awarded the contract will be mostly dealing with infrastructure issues; if it telemedicine is something that is wanted over the long term, it can be discussed. It is an entirely different scope of services. Mr. May agreed, but noted that the infrastructure would need to support it. Mr. Carroll will check to see if the infrastructure belongs to the County or the vendor once it is installed.

\*Mr. Stanczyk left the meeting.

**5. OCC:** Meg O'Connell, Interim President

**a. Adoption of the Annual Budget for Onondaga Community College for the Fiscal Year September 1, 2012 to August 31, 2013 and Authorizing the County Executive to Enter into Contracts with Other Governmental Units in which Appropriations and Revenues are Approved by the Adoption of the 2013 Budget**

Meg O'Connell noted that there was a thorough presentation at the last Ways & Means meeting as asked if there are any questions or concerns that she can address.

**Mr. Holmquist offered an amendment, which was distributed to everyone, asking to maintain level funding on the operating budget this year.** He feels the legislature has been very generous over the past several years, even in the year that the fiscal tsunami hit, the legislature still approved a very generous capital budget, which doesn't operate in a silo separate from operating budget. In recognition of the college having and maintaining a zero operating budget increase in the past couple of years, he thinks it would be good to do that one more year – get footing, continue the good working relationship and have chance to segue way to the new administration, and be able to consider capital budget next month.

Mr. Kilmartin said that over the last several weeks the legislature has had the opportunity to meet with OCC officials to review their operating request and capital request. During that time there is been a fair amount of media coverage regarding document exchange between the college and the County of Onondaga and Legislature. Legislator Tassone requested certain documentation and he complemented the college for coming forward and providing reams of documentation to the legislature regarding the operating entity for the college, associated entities that the college utilizes for different purposes. It promotes transparency and openness and allows the legislature and other county officials to review the performance of the different entities and how they operate, their functions and understanding the profits, losses and stresses on them. The college is different than other entities associated with the county, in that it is not a department under the county's exclusive control. There is always a healthy tension between the college and the county whereby there is an effort to promote transparency and openness of information without delving into the minutiae of the college, which the county doesn't have control over and is administered by the Board of Directors. It is unusual this year because there is an operating increase request and a substantial capital project. Historically the county has during difficult economic times, zeroed out any increases for the college for at least two years. Last year the college received a fairly substantial increase, about \$375,000. There have been internal discussions amongst legislators on whether or not there should be more consistency on the allocation of funds, so that there aren't peaks and valleys. In his experience, the legislature has always been focused on the priorities and necessities, whether it is the college or other entities in trying to set those priorities and allocate funds appropriately. A number of legislators had a focus on absolute demands and necessities for students, faculty, to keep the facilities operating. He is a little torn in terms of how to address the operating budget. He appreciates Mr. Holmquist's concerns; at a time the economy was very bad, the County appropriately zeroed out increases for the college, but at the same time there have been county departments that were hit very hard, with substantial layoffs, upwards of 500, over the past 3 years.

Mr. Jordan noted that the amendment is not in any way a criticism of the college, or a statement that the services that the college provides to the community are not valued by the legislature. It seems like some of the allocations of some expenses, especially for staffing of personnel should possibly be allocated towards the not-for-profit organizations. That would weigh quite a bit in his decision to go along

with Mr. Holmquist's amendment. He understands per State law that any increase that the County approves to the operating budget, it is stuck with. The county can't go back if OCC's expenses go down, or if the State provides more funding for OCC. It doesn't help the taxpayers at all. It appears that there may be ways in which the amount the college is requesting, could be made up in other areas of the colleges' operation, he thinks this is a prudent course to go by.

Ms. O'Connell said that the college is very grateful for the 5% increase from last year. It was significant over the two previous years, where it was flat. It should be noted that while they are asking for the increase, the concern about the level of maintenance, when the college has been so successful with enrollment, a 65% increase over the last decade; the county's percentage of the operating budget has significantly decreased. That is not seen across the state; there are clearly other counties where that has not happened. She said it is a testament to OCC and what it is doing, that they can ensure that the growth will continue.

Mrs. Ervin noted that she just saw the amendment a few minutes ago, and doesn't know why this approach is being taken. She will, however, consider everything. At this point, she likes what OCC is doing; the growth is phenomenal. She recognizes also that there is a situation here where the money is tight. Right now she is not prepared for a vote.

***A motion was made by Mr. Holmquist to approve the amendment, limiting the County's financial contribution to the College to the amount that the County provided to the College in financial assistance for the previous fiscal year, seconded by Mr. Jordan. AYES: 4 (Jordan, May, Holmquist, Knapp); NOES: 1 (Ervin); ABSTENTIONS: 1 (Kilmartin); ABSENT: 1 (Stanczyk). MOTION CARRIED.***

***A motion was made by Mr. Jordan, seconded by Mr. Holmquist to approve the resolution as amended. AYES: 4 (Jordan, May, Holmquist, Knapp); NOES: 1 (Ervin); ABSTENTIONS: 1 (Kilmartin); ABSENT: 1 (Stanczyk). MOTION CARRIED.***

### **c. Informational: Capital Improvement Plan**

Ms. O'Connell thanked Mr. Kilmartin for letting the college know the concerns.

Ms. O'Connell distributed the following handout:

#### **Onondaga Community College** Responses to Legislature Questions 2012-2013 Capital Request

##### **Site Improvements**

**1. Please provide a depiction as to where the sidewalks will be installed.**

See Attachment A diagram depicting the sidewalk installation along the internal campus ring road and on Rt. 173 in front of the Mulroy Hall (H1) property.

**2. Purpose of the sidewalk installations (safety, YMCA use, students, faculty, etc)**

A sidewalk expansion project, which has been in the College's Facilities Master Plan since

2008, is necessary to foster the safety of students, staff and pedestrians who choose to walk between campus locations and/or utilize the roadways for fitness walking and jogging. It is not surprising, given the growth of our student body, as well as an increased number of community members visiting our campus (eg. YMCA, SRC Arena), that our internal roadways are congested with people walking. In addition, with the recent renovation of the Mulroy Hall (H1 - Regional Higher Education Center) and H3 (Residence Hall) facilities on Rt 173, it becomes necessary to provide a safe "walkable" solution for those students, faculty, and staff who decide to walk between campus facilities.

**3. What kind of products (green infrastructure or traditional materials) and what are the associated costs for different products?**

The product that is being proposed for the sidewalk installation on the campus loop road is called "Flexi-Pave". This is a porous pavement material made with shredded passenger car tires and a urethane bonding agent. Materials are mixed on site, poured in place and finished with concrete floats. We have utilized this product on campus in prior installations (e.g. Mawhinney Hall entrance and exit ways). The cost of this sustainable, environmentally- friendly product is approximately \$13.50 per sq. ft.

**4. How will the same be maintained, plowed, etc? Will there be an increase in operating costs for the college to maintain them once installed?**

The new sidewalks will be supported in the same manner as existing sidewalks in regards to campus snow removal operations and seasonal cleaning. They are maintained utilizing existing tool cat machines and equipment with interchangeable attachments such as snow blowers and rotating brooms. The College does not anticipate any additional operating costs associated with choosing the above sustainable product.

**5. Does the dorm not for profit (OCCHDC) have sufficient funds to pay for same?**

Sidewalks are not included in the scope of the approved work being done on the renovation of the H3 building, as sidewalks currently exist in front of this facility. Also reference Question #5 under "Technology Upgrades".

**6. As for the parking lot addition, please detail the necessity for this (absolutely necessary, more discretionary, somewhere in between).**

As the College's enrollment and community programming has increased, demand has grown for additional on-campus parking. Currently, the College maintains 23 surface lots with approximately 3,600 available spaces. Close to 700 of those spaces are reserved for faculty and staff. The proposed parking expansion project will allow for the construction of an additional 300 spaces. Such spaces are critical during peak usages times, when school is in session and community events are occurring on campus.

**7. Is there an alternative to this cost now? Could it remain a gravel type parking lot without the necessity for full paving of same now?**

One option could be to put down a "base product" and avoid a "top coat" until a later date. This would defer approximately \$85,000 (or \$45,000 in County share). Maintenance (snow plowing) and safety issues stand in the way of utilizing this lot on a regular basis for parking in its current "gravel" state.

**8. As for fire alarms, please detail which buildings will be impacted.**

All buildings on campus (excluding the Residence Halls) will be impacted. Mawhinney, Ferrante, Whitney, Gordon, Coulter, Service & Maintenance, Coyne and Allyn Hall will need to replace their fire alarm panels as parts are no longer manufactured for the models currently in place. In addition, the campus-wide central monitoring system which monitors all campus buildings needs to be replaced at the same time.

**9. Are the fire alarm matters capital, maintenance or repairs?**

As an installation of an entirely new system this would qualify as a capital expense and therefore be subject to 50% State reimbursement.

**10. Extent of system fire alarm changes (major overhaul, minor repairs, major maintenance, etc) What is being proposed is the campus-wide installation of an entirely new system due to parts obsolescence.**



## Technology Upgrades

**1. As for wireless network, please detail the need for this improvement. Is there a substantial need because of large dead zones on campus or is it a mere optional issue right now with only limited dead zones for wireless?**

The existing wireless network system was installed in 2005. Currently the system is obsolete and replacement parts are unavailable. The original design of the system never contemplated our aggressive growth and demand for mobile access, which is now considered the "norm" on college campuses. Students, faculty, community members, vendors and visitors all expect access to a wireless network. "Dead zones" are not so much the issue as total lack of coverage in certain areas along with the inability to expand the system to deal with high traffic areas. Currently, there is no wireless coverage in areas of Gordon, Coyne Hall, Mulroy Hall and the entire Service & Maintenance building. In addition, the Academic II building which is expected to be on-line by Fall 2013 will also require access to a wireless system.

**2. Please detail, in your estimation, the necessity for a wireless campus network, whether all students use the same, only some students use wireless, demand for same amongst faculty and students, etc.**

Due to the explosive growth of mobile computing devices (smart phones, tablets, laptops, notebooks, etc.) there is an expectation that everyone on campus (students, employees, faculty, visitors, vendors, community members) should have the ability to connect their devices to access the services they need. Under current conditions, putting aside the areas that don't offer coverage, on average our current wireless system is such that users often need to wait for others to log off in order to gain access to the system. Our largest population of users on campus is our student body.

**3. As for core technologies, please provide some basic examples of need for changes to the core technologies. Concrete examples would help us understand whether there is a strong need or a discretionary expenditure.**

The core technology infrastructure is the backbone and foundation of our enterprise campus network. This vital equipment connects and manages data traffic internally throughout all campus buildings and externally out to the wide area network and to the Internet. Each building has core equipment (routers and switches) in data closets that connect thousands of devices (computers, printers, vending machines, security cameras, emergency notification pagers, door access controls, file servers, scanners, copiers, wireless access points, etc.) and software applications. Due to the rapid and continued expansion of the campus and the new academic requirements surrounding the support of rich media, video lecture and online learning, the existing equipment is unable to effectively handle the increased traffic. Similar to the wireless network, the current system was not designed to handle additional facilities (SRC Arena, H3, Mulroy Hall, Academic II). We continue to add hundreds of devices to the network as well as new software applications, resulting in "poor" network performance that directly impacts students and employees. The campus is in critical need of a total systems redesign and upgrade.

**4. As for the portal application, please provide additional details or examples as to how this would benefit the college, the students, the faculty, and the backbone of technology throughout the campus.**

Currently, Onondaga Community College students and employees alike must access several operating systems to perform standard college functions (e.g. registration, housing and meal plans, email, courses via learning management system, etc). By installing an enterprise portal application one brings those systems together into a single integrated solution so that users, both on and off campus, are able to access their services without having to navigate multiple networks and systems. Behind a secure log-in, users are able to receive information via the web, on their home computers and mobile devices and to customize, if necessary, the routing of particular messages to their cell phones, PDA's, email accounts etc. This application allows for the ability to share information and interact "real time". The system would be configured to provide a complete picture of what is ahead for each day including calendar, class assignments, announcements, automated alerts regarding grades, deadlines, financial aid, registration and other important items.

The College would also be able to take advantage of "pre-constructed" templates to provide targeted information to stakeholders (eg. students, employees, alumni, etc). The portal would also be used to drive operating efficiency by distributing on-line alerts triggered by the Colleague billing system. The portal would also be integrated with our Learning Management System (Angel/Blackboard) so that students and faculty would be working within one integrated platform.

**5. Are there any discretionary funds in the various not for profit entities to allocate some funds to improvements within the building controlled by the not for profits?**

The Onondaga Community College Housing Development Corporation (OCCHDC), owner of the on-campus residential buildings, assumes financial responsibility for all operating and capital expenses (including technological equipment/applications) associated with the residential program. In addition, the other three affiliated organizations (OCCF, OCCA, and OEI) collectively contributed to reimbursing the County of Onondaga \$3,351,250 for funds associated with building the new SRC Arena and Events Center.

**6. Are these improvements considered to be more capital in nature or maintenance in nature?**

In that what is being recommended is a new system or complete technology upgrade, these projects qualify as capital expenditures and therefore are subject to 50% State reimbursement.

## Energy Upgrades

**1. As for the boiler repairs and HVAC repairs, have past capital projects for Whitney, Mawhinney or Ferrante addressed or incorporated any of these proposed boiler/HVAC issues?**

No - the boiler units in Mawhinney and Ferrante Halls, two of the College's main classroom buildings have not been addressed in prior capital projects. HVAC control upgrades in Whitney remains as a project that requires a new system installation.

**2. Please describe if these are more capital in nature or maintenance.**

As building systems upgrades, these would qualify as capital expenditures and are therefore subject to 50% State reimbursement.

## Outdoor Athletic Fields

**1. Are there any other options for a more "scaled down" version of the field structures? Were other less costly options considered? Are there any elements of the fields and associated buildings that are not absolutely necessary that might be scaled back?**

We have been very careful in designing a cost effective solution to our outdoor field requirements. Through a multiple series of value engineering sessions we have reduced the overall cost of the proposed facility by approximately 33%. Such value engineering recommendations included items such as A) Changes in field location - original plan recommended fields on both sides of the Coyne facility; B) Shared patron conveniences - shared facilities (restrooms, concessions, merchandising and parking) are being proposed as a result of locating the two fields adjacent to one another; C) Utilized the existing topography to assist in the design- fixed seating requirements were reduced by introducing more cost effective natural open seating/viewing areas into the final design. Site preparation costs were also reduced by relocating the field from the original plan; D) Eliminated and/or reduced the scope of some project elements including additional chair back seating, concessions area equipment, size of restrooms and concessions areas, public address system, field equipment (screens/cages), field size; E) Utilized creative design concepts to optimize the project - the baseball outfield layout was redesigned, reducing overall field dimensions, but allowing for an additional regulation size soccer/lacrosse/football field to be included in the project.

On campus fields will provide additional opportunities that promote and support student engagement which research shows will facilitate the development of increased affinity for the College and community, increased retention, and subsequently higher academic success rates.

**2. Please describe the proposed business plan for the community use element of the fields (Babe Ruth, little league, summer leagues, fall leagues, high school, other colleges, sectionals, state championships, charges for use, setting aside time for not for profits, etc).**

Based on the traditional seasons for junior college baseball and softball, including our growing intramural programs, we anticipate opportunities for community-based programming within the proposed facility. Organizations such as Sports Zone Academy, CNY Thunder, Perfect Practice Travel Team, Syracuse Junior Chiefs, Syracuse Salt Cats, Syracuse Babe Ruth and Central

Spirit Softball have all expressed an interest in using this facility. The complex should become a real choice and viable destination for Section III events. Our synthetic surfaces could allow us to offer consistent, reliable playing fields for Section III high school baseball and softball competitions during traditionally inclement spring weather conditions. We should also be in a position to service local baseball and softball "travel teams" who have regularly played in tournaments outside of Onondaga County due to a lack of acceptable fields. Our complex will offer them an acceptable solution to stay in Onondaga County and play at "home", thereby saving on travel costs and attracting other teams and fans from outside our County to come here and contribute positively to our local economy by spending money on hotels, restaurants, etc. In addition, our complex should enhance and facilitate collaborative opportunities with other local venue operators (e.g. Alliance Bank Stadium, Hopkins Road Park, LeMoyne College) and entities (Syracuse Sports Corporation, Convention and Visitors Bureau) to attract regional and national competitions to the County. In all these instances, fees for usage will be based on establishing a competitive rate structure, focused on ensuring all event specific costs are covered as well as any incremental costs associated with operating and maintaining the new facility.

**3. What other sports could be played on the fields (soccer, lacrosse, football, etc) and who might be potential users for same (high school, sectionals, states, Pop Warner, etc)?**  
As designed, our proposed complex has the flexibility to serve many community-based youth sports activities. The baseball outfield layout has been designed to accommodate a regulation size soccer, lacrosse, and/or football field thereby maximizing potential users. These fields, in addition to accommodating intramurals and practices for college sports, would likely be used primarily for high school/youth sports, where sideline seating (absent portable seats) would be permissible.

**Architectural/Engineering Services**

**1. Please describe the proposed plans for advancing architecture, engineering for the library building. What is the now contemplated capital plan? What is the proposed timing of same? Please provide any other relevant details for proposed use of the funds and the anticipated library project.**

The requested funding for the Coulter Library Study would be used to pay for architectural and engineering fees necessary to "redesign" the existing campus facility. This redesign would integrate the elements of a "future library" with emphasis on the development of a "learning commons", where students have access in a single location to an array of



academic support services (e.g. content tutoring, math/writing skills labs, computing center, career services, etc). The College is in the process of discussing the essential elements of this program redesigns and expects the same to continue throughout the end of the academic year. Once completed, we would be in a position to proceed with conceptual and schematic designs of how these ideas could impact the existing facility layout. Completion of such plans would allow us to properly estimate the cost of any building renovations and include the same in a future College Facilities Master Plan.

**Attachment A Campus Sidewalk Proposal**



Mr. Kilmartin referred to the proposed fields and asked about community use – he asked if there is any contemplated use for junior teams or youth programs. Ms. O'Connell noted that the majority of those listed are youth programs. Mr. Edson noted that the fields have been designed to accommodate any youth organizations, i.e. soccer, football, lacrosse -- more than just baseball and softball. Mr. Kilmartin asked if when the college teams and college intramurals aren't using the fields, would it be a first come, first serve scenario for community groups to use the fields. Ms. O'Connell said "yes" and noted that the community groups noted have just been through word of mouth and have contacted the college. The college has not gone out and tried to market the fields or look at other community use.

Mr. Kilmartin asked how the facilities were arrived at, i.e. cost, size, what the process was. Mr. Murphy said that there was a series of value engineering meetings. The plan to build the field has been in the college's plan since 2007. The original plan suggested the fields be on both sides of the Coyne Building. Through value engineering conversations, it was decided that it was better to put the fields together collectively on one side of the Coyne Building and share the accessories needed to make the field successful, i.e. bathrooms, concessions, etc. The area has a topographical slope, which they can build into the hill and thereby reduce costs. By and large, 33% of the original cost was taken off of the first estimate. They have done a huge amount of work to cut down the cost of the field and try to build the best facility for the OCC community and the community at large.

Mr. Kilmartin referred to the sidewalks, a substantial part of the capital dollars, he asked which are new sidewalks, which are replacement sidewalks, and what is driving the project. Ms. O'Connell said that a lot of what is driving it is the two building across from Rt. 173, John H. Mulroy Hall and H-3 Hall. Students, faculty, staff are now going from that part of the campus to the main side of the campus, across Rt. 173. It is necessitating a pedestrian way to move people around the campus. It is driven 100% by safety. Mr. Murphy said the sidewalks have been part of the master plan for a long time, primarily to deal transporting people. It has become essential now that the Rt. 173 corridor has been developed. It is all new sidewalks from H-3 to Mulroy Hall, connecting across to the loop road. Mr. Kilmartin asked if there are sidewalks currently in front of H-3. Mr. Murphy said that there are, but not in front of Mulroy Hall. Ms. O'Connell said that the internal side of the campus will remain as is; the rest is all new sidewalks. It is predominantly for student use and safety. Also, there is a community of people on campus – people are parking farther away and walking and it is essential that there are sidewalks for them to do that -- people come to OCC, park their cars and walk. Mr. Murphy also noted that when there is an event on campus, while students are in session, and the Y is open, there is added traffic, a pressure on parking, and utilization of vehicles on campus. Mr. Kilmartin asked if when the students are in sessions are parking their cars, walking from various parking lots and walking in the streets to get to classes. Ms. O'Connell agreed.

Mr. May asked about the material being used for the sidewalks. Mr. Murphy said that concrete sidewalks will be used in front of H-1; the loop road side walk will be made from Flexipave, a recycled material that they have used before on the main campus. Mr. May asked about the implications on staffing for maintaining the sidewalks. Mr. Murphy said that they are doing it now on the internal campus; they have the equipment and staff to maintain the sidewalks.

In answer to Mr. Jordan, Mr. Murphy noted that the cost of Flexipave is \$13.50/sq. ft; the cost of concrete is \$9/sq. ft.

Mr. May said that the athletic fields represent more than half of the capital request, he hoping to see more information about the community use component – what the opportunities are. He feels it is wonderful; it is really a community opportunity for many sports. He would like to know what the business plan is – forecasting the opportunities, how much revenue could be generated to offset the debt service, etc. Ms. O'Connell said that it is a little premature; want to build them first before they go down that path. However, the other facilities can be used as good models. They have a strong relationship with Section III. They are confident that the partners that they have established already with the other athletic components of the campus will only be enhanced. Mr. May said that while it may be premature from the College's standpoint, the information and the practice in and among the community already exists. He feels that the data can be captured – no body's feet would be held to the fire, but it would be nice to know what the opportunities are. Mr. Murphy said that they have penciled things out and thinks they can make projections; the important thing is that they decided on a field with community use in mind. The synthetic nature of the turf is paramount. Also, they have demonstrated with the use of Murphy Field, in trying to make this

not just used for the community in a competitive way with pricing with a profit to produce extra revenues. They are trying to make it in a way that they can recover the costs and take care of the fields. There will be great opportunities for community groups to use this field, and for the college to come up with a competitive pricing structure that sometimes isn't just what is written on a sheet of paper. It may depend on the circumstances. It is not as simple to put the plan together when there are all of these factors. They want to try to make it work for all of the various groups that approach the college. Mr. May said that he is not suggesting that a promise, but feels the financial considerations are something that should be covered.

Mr. Holmquist referred to the community use aspect of the fields, and asked if there was any type of a dialogue in the planning process with the community groups. Did the college reach out to the list of organizations to get their input to the extent that it is consistent with what OCC wants to do; was there a process in place to get some ideas from the community. Mr. Murphy said that Mr. Edson has a constant communication throughout the whole process. He pointed out that the design is not done; it is a schematic design. Mr. Edson said that the dialogue he had with many different constituencies led to the elements that were included in this – they listened to the community. The college listened to many from the baseball and softball communities about some of the challenges that they have locally with some of the facilities and why they spend most of their weekends traveling outside of this community. The college looked at what it could do in the design of the facility to help make it easier for families, help drive business locally, help keep people here, etc. They looked at what elements could be implemented that would benefit both the college and the community. They looked carefully at value engineering. There have been several people that have asked “where do I sign”; they don't want to travel to Rochester, Rome, or Auburn every weekend. They have looked at the schedule in general – OCC PE people, coaches of other sports, and asked how it can be designed so that it isn't just a baseball and softball complex—so that it can be so much for the college and community. There are little tweaks that they keep making because they keep talking to people.

Mr. Kilmartin referenced a personal experience with the existing Murphy's Field regarding a local lacrosse program. He asked if the community usage will be driven by the calendar. Mr. Murphy agreed, noting that it is exactly what they are doing with scheduling the SRC Arena and events center – balance with the college's use, faculties use, community's use, etc.

In answer to Mr. Kilmartin regarding the product being used for sidewalks, Mr. Murphy said that part of the solution is concrete, the other solution is an environmental friendly product; it is more expensive, and sustainable. Ms. O'Connell said that the life span of the Flexipave is equal or better than the concrete. They have signed onto the President's Sustainability Plan. The college was recently recognized as Silver for sustainability effort, which they take seriously.

Chairman Knapp asked about the current situation with the wireless system and where will it end up. Ms. Venuti, Chief Information Officer, said that the current system is unable to be expanded. Today there are certain areas where there are no wireless connections at all. There is a new building coming on line, where there is no capacity to expand there. There are times where there are so many people using the system that student have to wait. The main users are students, but it is also available for employees, faculty, campus visitors. There is an expectation that anyone that comes to the campus can connect to the network, get out to wireless, and get to the services that they need. In answer to Chairman Knapp, Ms. Venuti said that technology is changing every 18 – 24 months; with this they would expect it to extend 3 – 5 years. Mr. Murphy said that they have had expansion of buildings; there is not much more space on campus to keep building, so he would expect the lifespan to be a lot longer.

Mr. Ryan said that the college would need to get enough bandwidth; there are devices going from 5G tomorrow before 4G is even done. He asked how the bandwidth would get to the campus; it should be increasing 10-fold from what it is now. It will be a selling point to the institution. Ms. Venuti said that they have had two vendors come to the college and do a complete wireless survey throughout the campus. They have mapped it out so that the college could identify where the current capacity is, hot spots, where the traffic is. They have built at least 5 times more capacity into it. Today the bottleneck is really internally. They have enough capacity to get out to the Internet; not seeing that level of bottleneck yet. Mr. Ryan said there is the matter of wiring it down to the residence halls to get through the local network or beyond that. Ms. Venuti agreed.

Mrs. Tassone asked about bids going out for the capital improvements. Ms. O'Connell said that they have schematic drawings, have really good estimates of what the costs are; they will follow the process that they have for other capital projects. Mrs. Tassone asked if any local contractors will be used. Mr. Murphy said that it will be subject to bid. Mr. Paddock, Vice President of Property Management said that they always try to use local when they can.

## **6. FINANCE:**

### **a. Amending the 2012 County Budget to Allocate Costs by Interdepartmental Billing Rather than by Letter of Distributions**

Mr. Rowley:

- Complies with draft audit report issued by Comptroller with some exceptions

Mr. Rowley reviewed each on the report in order (*Attachment A*) on how they positions will be adjusted:

- Aging – Commissioner –through interdepartmental billing except for the portion charge to grant
- Remaining Aging – Co. Executive lines –through interdepartmental billing
- County Exec positions – Comptroller suggesting to rely on indirect cost report; an issue from management perspective.
- DSS – Van Duyn –in budget
- DSS – DSS/DOT – through interdepartmental billing
- DSS – Van Duyn - in budget
- Facilities – through interdepartmental billing
- Health positions – Mental Health, Van Duyn – in budget (suggested by Comptroller's report)
- All IT, All Law – interdepartmental billing (suggested by Comptroller's report)
- Management & Budget – Parks – adjusted this year
- Personnel – Admin. Intern – Comptroller's report agrees admin intern is an appropriate use of LOD, will continue to be charged out through LOD
- Probation positions – Comptroller had somewhat of an issue in the draft audit report; Probation went to State agency and got approval for how they are allocating these positions out to LOD. Comptroller reserves right to go back and look at it
- Purchase – through interdepartmental billing
- Health – Sheriff/Custody – through budget process
- All others – grant positions – keep as LOD – easier to move money within a department from operating to grant

In answer to Mr. May, Mr. Rowley said that they heard the County legislature's concerns – want to know the real dollar amounts are in the departments; this accomplishes that.

In answer to Mr. Kilmartin, Mr. Maturo said that the proposed changes are in line with what the Comptroller's Office proposed. It brings it closer to the processes that have been in place; there are two different ways to do it. For the central services departments, i.e. legislature, comptroller, Co. Executive – it can be done through the indirect cost plan or direct bill. If direct billing can be done, it is almost always better, but backup and supporting documentation is needed. From his perspective, the Comptroller's office is pleased with the resolution. Mr. Kilmartin asked if the direct bill will make it much easier to track. Mr. Rowley said that they don't think so – they like the letters of distribution process; it is cleaner and easier to understand. This is essentially grossing up the budget – increasing 101 lines and offsetting it with interdepartmental revenue. The interdepartmental account will grow; it has been a source of anxiety in the budget and now there will be more put in there. However, in theory the 101 lines will be where they should be.

In answer to Mr. Jordan, Mr. Rowley explained that for those positions that are going to be adjusted in the budget, instead of charging a position interdepartmentally now, the position will be left on LOD for this year; the position will be put in the appropriate department roster in the 2013 budget.

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

**b. Memorializing the Governor and the NYS Legislature to Amend State Law to Cap Real Property Assessments for Homeowners Sixty-Five Years of Age or Older**

Mr. Rowley distributed a spreadsheet (*Attachment C*)

Mr. Rowley:

- Impetus is to give senior citizens some relief on their property taxes
- 65 and older – income tends to become fixed, but certain property taxes don't
- County Executive – freeze assessment on seniors that own their own home once they reach the age of 65
- Shifting tax levy to those that pay taxes under the age of 65, as the assessments are frozen on those age 65 and over
- Exemption will apply only to a senior's primary residence
- Exemption will apply if at least one of the homeowners are age 65 or over
- Exemption will expire on any property involved in a real property transfer
- Exemption will expire if property description in the assessment changes
- After expiration the new or current owner may reapply at the current assessment

Assumptions made in trying to model fiscal impact:

- Population of senior owned homes is constant – nothing assumed for change in population – 2012 Census data supports it: population age 65-74 decreased; population 75-84 decreased; population 85 and above increased somewhat. Believe that a lot of those people are going into assisted living or nursing homes, and the exemptions would apply to them
- Conservative to assume no change in population and in effect that population may actually be decreasing
- Tax levy will rise 2%/year (based on tax cap)
- Assessments rise 1.5%/year (historical trend)

Mr. Holmquist asked if this memorializing resolution references a specific bill in Senate or Assembly. Mr. Rowley said that it does not yet; this is the first step; then they have to go to State legislature to get corresponding legislation. The County Executive has talked to local representatives and has gotten positive feedback. Mr. Holmquist asked if this would also reference school taxes and local taxes. Mr. Rowley explained that it would just be the county taxes; once passed in law, towns and villages would have the ability to opt in. In answer to Mr. Holmquist, Mr. Rowley said that he is not aware of any other counties working on this.

Mr. May noted that there are states that do something very similar – assessments are frozen once someone hits retirement age. Increasing property taxes for people who are retired is one of the dings in the system; doesn't know if assessments or exemptions are the answer. He would like to know a lot more about this; how the logistics would work. For example, if a town is not using it, people will have different assessments, different equalization rates – he questioned how it all translates. Mr. Rowley said that it does get complicated; if towns don't opt in then there would be a different assessed value on their tax bill for town taxes as opposed to county taxes. This is the most practical way to give seniors some relief.

Mr. Kilmartin referred to the spreadsheet. In answer to Mr. Kilmartin, Mr. Rowley said that the County will take in the same amount of taxes; it will be shifted from those that are over age 65 to those that are under. Mr. Kilmartin said that the aggregate amount of the shift, from those that are over 65 to under 64, would be approximately \$3.2 million. Mr. Rowley agreed. Mr. Rowley said that if taken on a household value; a \$100k house over 10 years is going to see their taxes go up \$14 - \$15 over a ten year period. In answer to Mr. Kilmartin, Mr. Rowley said that they used a median of \$129; that is not age specific, it is a county average. He suspects that those assessed values are probably lower because a lot of seniors live in villages where there are older houses and assessments aren't as high. The shift could be significantly less.

Mr. Knapp noted that he supports the concept. He asked if there is anything built into this wherein there is a situation, i.e. Warren Buffet owns property in Onondaga County. Mr. Rowley will check into it.

**A motion was made by Mrs. Ervin to approve this item. MOTION FAILED FOR LACK OF SECOND.**

Chairman Knapp suggested that more research be done on this issue before a vote is taken on it. He suggested putting this off for a month and discussing it again in June. Mr. Kilmartin would like to look at the numbers a little more and understand the impacts on different constituencies.

**7. COUNTY EXECUTIVE:** Bill Fisher, Deputy County Executive

Mr. Fisher introduced SMG representatives: Bob McClintock, Senior Vice President Convention Centers; Gregg Caren, Senior Vice President Strategic Business Development; and OnCenter Management Team: Terri Toennies, President & CEO; Mike Spaulding, Peter Casper, Jody Harris, Craig Maffiore, Sean O'Key; Kathleen Moran

Mr. Fisher:

- A management agreement would replace the current management agreement in place with OnCenter Corp.; current management agreement would end effective June 30th
- Same management team will run the facilities
- Adds county sponsored events at Alliance Bank Stadium and Everson Plaza as part of what the Ms. Toennies and her teams manages
- Management team would report to SMG, rather than the Board of Directors
- Contract is not in final form

Mr. Fisher reviewed key points of each resolution:

**a. Authorizing Execution of an Agreement with SMG to Manage the Oncenter Facilities and County Sponsored Events at Alliance Bank Stadium**

- Contract is not in final form – SMG attorneys are looking at it
- Co. Executive needs approval of the legislature to execute the agreement
- RFQ process was done (included Legislator Rapp) – RFQ Committee unanimously decided that SMG was the most qualified vendor to take over vendor management of the facilities
- Agreement provides for base management fee and an incentive fee
- Resolve: County executive would be authorized to enter into SMG for the operation, management and marketing of the facilities

**b. Approving Amendments to the Management Agreement Between the County and the Onondaga County Convention Center War Memorial Complex Management Corporation, and Authorizing the Dissolution of the Oncenter Management Corporation**

- Management agreement today is between the County and a nonprofit corporation (Oncenter Corp.)
- Agreement with Oncenter Corp would terminate June 30th
- Want to make a smooth transition to when SMG manages the facilities
- An important outcome is to have the leadership team from Oncenter, and the many people that work for them are kept in place – it is a well performing team that they don't want to have take an opportunity somewhere else. Made it clear to SMG that this is the team the Executive Office and County Legislature believe should remain here.
- The agreements between employees and Oncenter will get passed on to SMG – they will not become county employees
- Agreements between collective bargaining units and OnCenter Corp will be transferred over to SMG
- Resolution gives the Co. Executive authority to terminate management agreement with Oncenter
- Agreement is scheduled to on December 31, 2012; on advice of counsel requesting to terminate it early to make it cleaner to hand over the operation and replace with a new management agreement
- IATSE bargaining agreement expires July 31 - rather than renew it; current management has let the union know that the new managers would like to negotiate an agreement, but Oncenter would not negotiate it
- Calls for Oncenter Corp and SMG to cooperate

**c. Amending the 2012 County Budget to Establish the Oncenter Revenue Fund and Amending Resolution No. 426-2011 Regarding the Oncenter Management Corporation**

- Amends the budget that the county legislature adopted last year
- Last year a subsidy of \$1.62 million was adopted for Oncenter – essentially a gap between operating revenues budgeted and expenses budgeted
- Subsidy was budgeted to be paid off quarterly; half has been paid to Oncenter.
- This resolution would take the 2nd half of the year and appropriate \$819,212 remaining – take away from Oncenter Corp. and transfer to a new revenue fund
- SMG is not a standalone, single purpose corporation that Oncenter Corp. is. Oncenter Corp. manages the facilities for the county; SMG does a lot of other things
- The money won't be transferred to SMG the way the county transferred it to OnCenter; it will be transferred to ourselves through a new revenue fund created in the resolution, the Oncenter Revenue Fund - CAFR will include the fund – \$819,212 in the fund in July
- Oncenter Board will begin to move assets and liabilities of Oncenter Corp. back to the County – sets up a process where Oncenter Corp can vote to transfer assets and liabilities and County CFO will have ability to receive them
- Res 426-11 provided the Oncenter with \$900k loan. This resolution will provide that instead of the Oncenter Corp. owing the County that money; the Oncenter revenue fund will owe the general fund. It moves the liability off of the books of the Oncenter, relieves Oncenter Board of Directors from that obligation.

Mr. Fisher reviewed the comparison document (*see attachment d*).

Section 1:

- Many definitions come from SMG's standard form, some are new definitions; all have been reviewed by County attorneys. SMG's counsel has not completed its review of the template.

Section 2:

- County is engaging SMG as agent for the County to manage, operate and promote the facilities
- Contract that currently transfers money to Oncenter will be gone; accounts that SMG will set up on County's behalf will be in County's name; will be using county's tax ID
- Oncenter account will actually be county dollars; it will show up as a separate fund in the CAFR, rather than a component unit of county government.
- It would be County money and SMG would be the agent to write checks against it
- Comptroller will have ability to write checks against it, but it would be an unusual practice
- SMG would be responsible, if any of the money goes missing
- County has right to inspect all facilities – they are county facilities, and the management is being handed over

Mr. Jordan referred to page one of the agreement, which references the Alliance Bank Stadium. He asked if it will be part of what SMG will be managing. Mr. Fisher said that it could be. With the new lease with the Syracuse Chiefs, the Chiefs get the first right to put on any events there; but the county reserved the right to 30 days per year to put on events. If the baseball team doesn't put on concerts, the management could decide to put on concerts sponsored by the County. Under this agreement, SMG would contribute \$100k to an event



fund that would be used to prime the pump for concerts at Alliance Bank Stadium or at the War Memorial. At this time there aren't any County sponsored events at the stadium; the Chiefs are trying to have a concert in September. If they didn't do it, SMG could bring us one. It would be up to Ms. Toennies to decide whether to take the budget there and do a concert, like she would at the War Memorial.

Mr. Fisher continued:

- Significant amount of reviews/approvals – monthly report to Legislature, Comptroller, and Co. Exec.); quarterly report, annual budget
- Legislature has the right to ask SMG manager to come and report to the legislature
- There won't be a Board making daily approvals. Standard SMG agreements have a contract administrator. Contract administrator would be, unless otherwise spelled out the agreement, the party that would be able to commit County approval to the things that the general manager has approval of.
- County Executive would have the ability to appoint the contract administrator; at this point it is himself

Section 3:

- Terms of agreement – very regulated by industry by IRS regulations 9713 – clarified how to have a management agreement that doesn't make tax exempt bonds suddenly taxable
- Asking bond counsel to say that this agreement conforms to IRS 9713
- Can't sign an agreement for more than 5 years; initial term will be 4.5 years as it will start July 1 – transition period
- During transition term – SMG will only receive a fixed fee - \$16,250/month - \$195k annualized; won't receive any incentives
- Jan. 1, 2013 - SMG will receive incentive fee – up to a double of \$195k/year
- 2013 – 2016 will be the management term
- IRS regulations state that there must be a clause to terminate this agreement after 3 years with no penalties. Applies also to any renewal term.

Section 4:

- Base fee beginning January 1, 2013 is subject to inflation
- Incentive fee split into 3 parts – for SMG to earn any of them, they have to hit a benchmark of a series of quantitative key performance indicators established prior to any year's adoption of a budget, which can be measured against financial performance indicators, but not net operating loss
- If SMG misses their benchmark they agree to make an additional capital contribution of \$100k.

Mr. May referred to the targets, and asked if it refers to calendar days in the year. Mr. Fisher said that it does, beginning January 1, 2013.

- \$65k benchmark tied to exhibit hall occupancy
- Trying to incentivize SMG to raise the number for occupancy; right now it is 3%-7% of the type of occupancy wanted. It is not that non-profits aren't wanted in the exhibit hall, but really want trade shows, conventions, and business groups that bring people here and stay here
- Qualitative key performance indicators, i.e. customer satisfaction – up to \$65k

Section 5:

- Annual budget, annual cash flow budget – pursuant to county budget process
- Receipts and disbursements- SMG will establish and maintain in county's name, bank accounts need for promotion, operation and management of facilities; County Comptroller will audit.
- Comptroller will have complete access to books and all records
- Comptroller will produce annual audit
- Purchase of capital improvements is an obligation of the County
- SMG contributes \$50k to facilities to offsetting transition expenses and enhances marketing of facilities.
- SMG contribute \$100K when benchmarks not achieved
- Limitation of SMG liability – *continues to be discussed by the lawyers*

Section 6:

- Records/Audits – SMG keeps full and accurate account records and provides monthly financial statements to the County; Comptroller has access
- Annual plan, annual reports, quarterly reports, monthly reports to be provided – with County's input and approval of form of the reports

Section 7:

- Employees are not county employees; SMG will select train and employ, including a competent general manager
- Right now the language states the SMG will consult with the County with respect to the general manager proposed by SMG
- County's feelings have been made clear that SMG should hire Ms. Toennies and her leadership team, but at this point it is a consulting relationship
- SMG will provide supervision and daily direction and control of the employees
- County won't solicit for employment or higher senior management personnel employed by SMG, with the exception that the county and successors can hire current management.

Section 8:

- Currently contains County's standard indemnification clause

Section 9:

- Neither party can sign without written consent of the other

Section 10:

- Legal items – re: default or surrender

Section 11:

- County's responsibility will remain what they are today – responsible for buildings, routine maintenance,
- County will provide at no cost to Oncenter revenue fund, steam and chilled water to heat and cool the buildings
- SMG will pay for electricity and water
- Annual budget review works the same as it does today
- ROT will be appropriated directly to Oncenter Revenue Fund

Section 12:

- SMG provides fund of facilities to civic and nonprofit organizations in the locale at reduced rates -- there will be a standard rate and a standard discounted rate for civic and nonprofit groups
- County has right to use the facilities for purposes of meetings, seminars, training, or other uses without payment of any rental or use fee, or reduced fee

Exhibit A:

- SMG describes what they are going to do
- SMG negotiates, executes in its name as agent for the county, licenses, agreements, commitments and contracts. If there is a lease agreement i.e. with a soccer team or hockey team, it is a lease agreement with SMG, but it as the county's agent. If SMG were fired in 3 years, the County is "stuck" with those leases.
- SMG maintains facilities in the condition received; County provides for capital improvements and capital equipment purchases
- SMG pays vendors and operating expenses on behalf of County
- SMG institutes legal action or proceedings as they deem necessary or appropriate after consultation with the County Attorney
- SMG provides day-to-day management services in support of its management activities
- SMG engages in advertising solicitation and promotional activities
- SMG establishes a security plan and program for the facilities

Mr. Kilmartin noted that the current management team of the Oncenter is continuing to improve the Oncenter and its performance, business protocols, and formalities. They have taken the Oncenter to a different level. Transitioning to a whole different manager of the facilities, is a substantial change for the County. He is keeping an eye on the internal managers at SMG – making sure there is consistency, continuity and smooth transition and that the critical managers are retained that have helped pull the County from the abyss for these facilities. He wants to make certain there aren't radical changes; make certain they are there to help move along the facilities in the transition to SMG. He asked what the thoughts are for retention of key personnel at the Oncenter presently, to make certain the transition is as smooth as possible and not have volatility in personnel as there has been in previous years.

Mr. Gregg Caren, SMG, said that SMG has transitioned 3 other publicly owned facilities in the last 18 months. In every one of those cases, the senior management team was kept in place. It is a joint decision – SMG is acting on behalf of the county. The intention is to make offers to the management teams that are here today and take them forward with SMG. In answer to Mr. Kilmartin, Mr. Caren said that once there is a signed agreement, SMG would issue offer letters. SMG understands that it has been a sensitive issue in Onondaga County; they are in the midst of drafting the offer letters this week.

Mr. Fisher said that the RFQ Committee made a recommendation to the County Executive that every effort be made to retain the management team and as many of the other key employees as possible. The County Executive, after consulting with the legislature, accepted that recommendation made sure that it was made clear to SMG that it was an important value of the county. They have also tried to move the process along as quickly as possible. They know that if it is strung out too long the good management employees that we have will go elsewhere.

Mrs. Ervin asked if that will transfer down to the contracts that have to be negotiated for the other employees. Mr. Fisher said that there are 4 collective bargaining units; 3 have been negotiated by Ms. Toennies in the last couple of years. Those 3 will transfer over to SMG, who will become the successor employer. The 4th bargaining agreement expires July 31st. SMG is looking forward to sitting down at the bargaining table with IATSE in the near future and wishes to hire the IATSE members. Mr. Bob McClintock, SMG, said that it is their intention to work with the men and women who have been working at the Oncenter historically. SMG has a long track record, and positive relationships of working with organized labor. They fully intend to have a very strong working relationship with the represented units that have been here historically.

Chairman Knapp asked how the 3 similar transitions have gone. Mr. Caren said that one was a real turn around. One was one of the largest conventioners in the western hemisphere, Chicago. Like the team here they were dealing with seasoned veterans with institutional knowledge, people looking at the continuity of local relationships with business relationships. SMG really looks to layer on the brand and package, and series of amenities that they delivered in the RFP process. They are not looking to take anything away, but are looking to bring in additional training, additional systems, buying power, leverage for negotiating deals, etc.

Mr. May asked if the 3 year opt out in the contract is consistent with SMG's other contracts. Mr. Caren said that it is consistent with IRS regulations where there is a facility with tax free bonds issued.

Mr. May referred to capital and maintenance and noted that maintenance and operation is where things tend to break down over time. It is important that there are clear terms on those two components, so that there isn't frustration down the road. Mr. Caren said that they have a whole corporate team that looks at operations and has an internet of information, systems, best practices, etc. The types of things that the team has access to help do their jobs.

**7a. Mr. Kilmartin noting that it is his understanding that the attorneys for SMG are still reviewing the agreements and the law department will still be involved with it; there could be other issues that arise with any particular legislator between now and June session, to iron out details and concerns that might be addressed; with that qualifier, Mr. Kilmartin moved item 7a. Mr. May seconded the motion; AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

**7b. A motion was made by Mr. Jordan, seconded by Mr. Kilmartin to approve this item. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

**7c. Mr. Kilmartin made a motion to approve item 7c consistent with the same commentary made in the motion of item 7a; seconded by Mr. May. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

Chairman Knapp took the agenda out of order.

**8. WAYS AND MEANS, MISC.**

**a. Authorizing the Compromise of Taxes, Interest and Penalties on Property Located Along Farrell Road in the Town of Geddes (Sponsored by Mr. McMahon)**

Chairman McMahon explained that this is a taxed parcel between VanBuren and Lakeland; the old Syroco building. The current owner of Syroco went bankrupt; the building has been in foreclosure for some time. The Widewaters Group, a local company, is interested in buying the property. This is an agreement with Widewaters Group with the bank to pay a portion of the back taxes that the Syroco Company owed. The property has environmental issues; different contamination levels. The county cannot auction this property without having to take title to the property without having to take title to it, which would then make the county liable for potential litigation down the road. The County holds the towns harmless; each year the towns get paid the taxes on the parcel that haven't been paid in 4 years and the County loses money each year.

Mr. Kilmartin noted that there is a substantial cost to the county presently with this property. If some private entity is willing to take on the risk with this property and try to advance development of it, take on all the environmental risks and assume all costs and liability, it is a great opportunity for the county to get this developed and back on the tax rolls.

**A motion was made by Mr. Jordan, seconded by Mr. May to approve this item. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

#### **7d. Confirming Appointment of Steven P. Morgan as Chief Fiscal Officer**

Mr. Fisher said that the County Executive, under Charter and Code has the ability to appoint a Chief Fiscal Officer, subject to approval of the County Legislature. After a careful process involving several internal candidates, who were very well qualified, the County Executive decided that Mr. Morgan was the best choice. Mr. Fisher reviewed Mr. Morgan's experience and credentials.

Mr. Kilmartin asked to be a co-sponsor, noting that Mr. Morgan is a great asset to the executive team.

**A motion was made by Mr. May, seconded by Mr. Kilmartin to approve item 7d. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

#### **8b. Memorializing the Federal and NYS Governments that Local Municipalities Cannot Afford to Pay the Costs of Unfunded Programs Established by State or Federal Law, and Requesting the State and Federal Government to Prohibit the Passing Along of the Costs of These Programs to Local Governments (Sponsored by Mr. Jordan)**

Mr. Jordan noted that there has been a lot of discussion regarding unfunded mandates. May was the official mandate opposition month. This resolution goes beyond that.

- In 2012 budget there was \$176 million in unfunded mandates with a proposed property tax levy of \$153.8 million
- 115% of the tax levy was unfunded mandates
- Essentially sales tax revenues and beyond are paying for the entire cost of county government and contributing towards the cost unfunded mandates
- It is too easy for federal and state governments to impose requirements upon lower levels of government and then turns around and says they are not going to pay for it.
- This resolution will go to state and federal reps asking them to pass legislation outlawing and passage of any unfunded mandates

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

#### **9. LAW DEPARTMENT: Gordon Cuffy, County Attorney**

##### **a. Advance Step RP 01 10470000 0002 0342, Senior Deputy County Attorney, Grade 36, Step N @ \$90,101, Effective June 8, 2012**

Mr. Cuffy:

- Litigation head retired
- Looked within the department and determined to promote someone within to assume the duties
- Duties include supervising of all litigation that is heard; every litigation aspect, counseling with Sheriff's Dept. and various other departments in the County
- A County Attorney 3 was promoted to a Senior Deputy County Attorney
- Result created a supervising senior deputy county attorney, who if promoted in the normal course of business, would make less than all but one attorney that she would be supervising
- Asking for an advance step so that the individual can be paid \$90,101, slightly more than the attorneys she will be supervising
- Advance step will result in a savings to the County, as it is less than what the county paid the previous individual

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

##### **b. Settlement of Claims and Litigation Update**

**Mr. Jordan made a motion to enter into executive session and exit regular session to discuss the matters of pending litigation of Chundra Smith vs. County, Et. AL, John LaRose vs. OCC, Et AL; Maparo Ramadhan vs. Onondaga County; and Twinstare/Voice.Data.Vldeo Inc. & David Carbone vs. Onondaga County, Et AL. Mrs. Ervin seconded the motion. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

**A motion was made by Mr. Jordan to exit executive session and enter regular session, seconded by Mr. Kilmartin. Chairman Knapp noted for the record, that no action was taken during executive session. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

The following resolution were introduced and considered:

#### **1. AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, JOHN LAROSE V. ONONDAGA COMMUNITY COLLEGE, ET AL.**

**A motion was made by Mr. Kilmartin, seconded by Mr. Holmquist to approve this item. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk). MOTION CARRIED.**

#### **2. AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, CHUNDRA SMITH, V. COUNTY OF ONONDAGA, ET. AL.**

**A motion was made by Mr. Jordan, seconded by May to approve this item. A motion was made by Mr. Jordan, seconded by May to approve this item. AYES: 6; NOES: 0; ABSENT 1: (Stanczyk).**

**3. AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, MAPARO RAMAHDAN V. COUNTY OF ONONDAGA, ET AL.**

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

**4. AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONEIDA, IN THE MATTER OF THE APPLICATION OF TWINSTATE/VOICE.DATA.VIDEO.INC AND DAVID CARBONE FOR A JUDGMENT PURSUANT TO ARTICLE 78 OF THE N.Y. CIVIL PRACTICE LAW & RULES FOR VACATUR OF A CONTRACT V. ONONDAGA COUNTY, ET AL.**

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

The meeting was adjourned at 2:20 p.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

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