

Office of the Onondaga County Legislature

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Clerk

JAMES M. RHINEHART
Chairman

KATHERINE FRENCH
Deputy Clerk

PUBLIC SAFETY COMMITTEE MINUTES – JULY 12, 2011 PATRICK KILMARTIN, CHAIRMAN

MEMBERS PRESENT: Mr. Dougherty, Mr. Masterpole, *Mr. Meyer

MEMBERS ABSENT: Ms. Williams

ALSO PRESENT: See attached list

Chairman Kilmartin called the meeting to order at 9:00 a.m. *A motion was made by Mr. Masterpole, seconded by Mr. Dougherty to waive the reading and approve the minutes of proceedings from the previous committee meeting. MOTION CARRIED.*

At the request of Chief Fowler, Chairman Kilmartin took the agenda out of order.

1. Police Academy Merger Update

Chair Kilmartin stated that prior to this meeting he had sent an invitation to representatives of the Sheriff's department, Law department, Mayor's Office and the Syracuse City Police asking if they would be interested in providing an informational update to the committee on the activities surrounding the police academy merger. He thanked everyone for taking time out of their day to attend and asked that everyone introduce themselves:

- David Gilbertson, Sergeant Syracuse Police Training Division
- Shawn Broton, Deputy Chief Syracuse Police
- Bill Ryan, Common Council Chief of Staff
- Jim Rinella, Captain Sheriff's Administration Division
- Joe Doyle, Assistant Court Council City of Syracuse
- Frank Fowler, Chief Syracuse Police
- David Barrette, First Deputy Chief Syracuse Police

Chair Kilmartin stated that in April of 2010 the legislature passed a resolution proposing some budgetary changes to the Sheriff's department proposed to the County Executive. In essence, how the academy was run at OCC in concert between OCC and the Sheriff's department. Subsequent to this a discussion was started about a proposed police academy merger involving the county, city, towns, villages and associated outlining Central New York areas. A committee was formed with representatives from the county, city, towns and villages, County Executive's Office, and the legislature to discuss these issues. The committee concluded that it would be in everyone's best interest for the County and the City to have a jointly administered police academy. This would eliminate duplication that presently exists with the City and County academy. A number of people have spent a great deal of time attending these meetings. Subsequent to these meetings the County and City Law departments have spent time trying to advance an MOU to allow this merger to go forward. In addition, he has had short conversations with the Chief, the Sheriff, their representatives and Law Official's trying to advance this project.

*Mr. Meyer arrived at the meeting.

In answer to Chair Kilmartin, Chief Fowler stated the Syracuse Police are midway through an academy program. Captain Rinella stated the Sheriff's department has not advanced an academy in over 2 years.

Chair Kilmartin stated that knowing that the City is already in mid process of an academy program and that sometime in the near future the Sheriff's department will need to advance on a new academy and training of candidates; he believes that the time is right to bring everyone together to try and discuss these issues.

In answer to Mr. Dougherty, Captain Rinella clarified that the Sheriff's department has not put anyone through the academy in the last 2-3 years.

Chair Kilmartin stated the purpose of the meeting today was to bring everyone together for a status report. Looking to advance the process for all the parties involved. He asked Chief Fowler to make a few comments and then the Sheriff's department and Law departments may speak if they would like.

Chief Fowler stated that he would like to lay out the City of Syracuse prospective.

- City of Syracuse is the largest police agencies between NYC and Rochester
- 500 police officers currently trained
- Policing is the only business that he is in, realizes the Sheriff would have a different prospective
- Recognized the importance of training police officers beyond the basic academy, needed to do something a little differently than what has been done in the past
- Discussed the possibility of going regional with training commanders and other members of the Syracuse Police Department
- Regional training could generate revenue for the City and County and create greater training opportunities for the local officers
- Realized towns and villages are small agencies, 1 vacancy can represent a great percentage of manpower
- Urgency of getting an academy together, Syracuse Police had vacancies that they could not afford to hold open
- Syracuse Police discussions for a regional academy was underway when the County decided to have conversations about a joint regional academy
- Absolutely the way to go, need to fix this, everyone needs to get on board

Chief Fowler continued that he is trying to do something different from what has been done in the past. This was tried before and it failed. There are people on board that were part of the old system who are very familiar with what caused it to fail. He was not a part of this, his coming into this new. He realizes the importance of making this work. Not only from a financial prospective but because this is the right thing to do. Resources are shrinking for both the City and the County. By pooling our resources we can put together a good product.

- Started attending the meetings with the County, Sergeant Gilbertson attended on behalf of the Syracuse Police
- From these meetings a working committee was formed
- Sergeant Gilbertson, Chief Broton, Mr. Doyle, First Deputy Barrette and Chief Fowler all attended various meetings pertaining to a joint academy with the County
- While attending the meetings we continued to get our training up and running, could not afford to lag behind leaving them unable to fill vacancies
- Working committee came up with a model for the joint academy
- Sergeant Gilbertson brought the model to the Syracuse Police and asked that they mirror the model if they were going to proceed with the academy
- This is how the academy was set up, they have 10 different agencies currently attending the academy
- Academy name was changed to the Syracuse Police Regional Academy
- Methods are according to the MOU working committee plan

In answer to Mr. Kilmartin, Chief Fowler stated that other agencies had attended the academy in the past but not at this level. In the past about 4 would be the most and it was very sporadic. It was not uncommon for an academy to consist totally of Syracuse Police.

Chief Fowler continued:

- After attending the Executive Committee decided to draft an MOU that would be handed over to the Sheriff department for response
- September 13, 2010 an MOU was hand delivered to the Sheriff's Office by Deputy Chief Broton
- Only communications from September 13, 2010 through May 10, 2011 were letter's to the editor started by Mr. Kilmartin with replies by Sherriff Walsh and himself
- In the interim their academy was about to start
- 2 letters sent, 1 in October and 1 in December
- Letters were sent to the Sheriff with original signatures, no response was received
- Purpose of sending the letters was to keep everyone informed and to try to spark a response to the MOU
- October letter stated our intent was to start the academy in April
- December letter stated that we were starting in April, here is what are plans are, you are welcome to attend
- May 10, 2011 a response from the MOU was received from Mr. McCarthy

Chief Fowler stated that the response to the MOU from the County was to be made by marking up the MOU. There were a number of conversations that took place between Joe Doyle their attorney and someone from the County through a string of email exchanges. He stated that this is lengthy and asked that Mr. Doyle pick it up from here, unless they had any further questions about something he had stated.

In response to Mr. Meyer, Sergeant Gilbertson listed the number of candidates attending the current academy from outside agencies

- 2 City of Ithaca
- 5 City of Rome
- 1 Manlius
- 1 Dewitt
- 2 SUNY Oswego (1 failed out)
- 1 City of Oswego
- 1 Geneva
- 3 Syracuse University
- 1 SUNY Cortland

He stated he was missing someone else. Mr. Meyer stated he doesn't see many from the towns or villages. Sergeant Gilbertson stated that letters were sent to everyone in the region. Those who had openings and were ready to hire responded. Chief Fowler stated our preference was to Onondaga County.

In answer to Mr. Meyer, Chief Fowler stated the class was full. They had to turn someone from Rome away.

Mr. Dougherty asked how many people the Syracuse Police send through in a typical year. Chief Fowler stated that it depends on their availability to hire. The City is in a very tough financial predicament. He is fortunate to be able to have a police academy. He currently has 8 or 9 vacancies. It is going to get worse for him as we get through the summer and particularly at the beginning of the year. People tend to leave at the beginning of the year. We could have upwards of 30 vacancies at the end of the year. Mr. Dougherty asked if 30 was

a typical number per year. Chief Fowler stated that he understood the question, however they can hold vacancies for a year or year and a half. A full class for them is 25 to 30 people, not including the outside agencies. 45 is the maximum number for attendees.

Mr. Dougherty questioned what other city's do. Mr. Fowler stated that Rochester has their own training and is doing exactly what we are looking to do. They have combined their training and actually have a state of the art training center. We don't have any of that. We are all over the place when it comes to training. Chair Kilmartin added that he believes that certain agencies or entities are authorized and certified by DCJS to host these academies. Chief Fowler confirmed this was correct. Chair Kilmartin stated that there are a number of zones and entities within the State of New York. Syracuse Police and the Sheriff's department in concert with OCC are certified. He believes this is what drives the locations.

In answer to Chair Kilmartin, Sergeant Gilbertson stated outside agencies were not charged a fee to attend the academy. He added that it is free for now, however they are working on a model to set up the capability to charge. At this time outside agencies are committing some manpower and equipment to offset the fee.

Mr. Doyle explained the County's response to the City's MOU:

- City has attempted in good faith to try to reach agreement
- The City and the City Police Department have absorbed the input from the committee meetings that the County formed in June of 2010
- MOU is a product of the absorbed information
- Syracuse Regional Police Academy is best equipped to do what it does for the region
- MOU was presented in September, newspaper article in March, communication by Mr. McCarthy in May, nothing in between
- Letters were sent out even after the newspaper articles inviting more input or acknowledgement on the MOU that was the product of the County input
- Letter sent out starting up in April, again no contact
- In May he received a red lined version of their MOU, however upon examination there were many changes that were not made in red line, there were some that were gutted, some were in black ink not red lined; this was not in good faith
- Response returned to Mr. McCarthy, insufficient to begin talking about until they clearly know what changes they are looking to make

In response to Chair Kilmartin, Mr. Doyle stated that the first communications should have been a copy of the MOU with suggested changes in red line. He confirmed that the response was received on May 10, 2011 and that the MOU was sent to them for response September 13, 2010. He added that during this time frame they had made several attempts to get the County on board.

Mr. Doyle added that the only communications they received was on May 10, 2011. Once they found the problems with the returned MOU they needed time to review it in detail. He responded on June 3, 2011, informing Mr. McCarthy of the problems with the response. Because the revisions were not complete, it would take even further time to try to find what it is that the County is looking to change with the MOU. At this time there was no point in them trying to do this; he asked to be presented with a clear revision.

Mr. Kilmartin confirmed that on June 3, 2011, Mr. Doyle requested a comprehensive red lined MOU showing all the additions, deletions, and changes to the current MOU so that the document could be properly analyzed. Mr. Doyle stated he sent an email back to Mr. McCarthy relaying the problem. As of this date in time, he has not received any response.

Chair Kilmartin stated that Mr. McCarthy was not present and asked Ms. Berger to comment. Ms. Berger apologized on behalf of the office that she was not the perfect person to discuss this. It is her understanding that their office is willing to work with the Sheriff's department and the City.

Chair Kilmartin stated that in the interim he had received an email. He is unsure if it was from Mr. McCarthy or Mr. Cuffy. The email indicated that the Corporation Counsel's Office had requested a comprehensive red lined MOU and that there was an effort to try to advance this. He added that if their response to the County Law Department came on June 3, and today is July 11; this is an awfully long time to generate a red line. Someone who is on their game with word processing could do this within an hour. Ms. Berger stated that she would take the message back.

Mr. Doyle respectfully stated that the changes they were able to determine from the red lined version were problematic at best.

Chair Kilmartin stated that he has a form that appears to be a black lined; it was not printed in color so it may have been red lined. He believes the form is from the County back to the City. There may have been changes that were not included or highlighted as requested, however the number of changes seem to be very limited.

- Request name change from Syracuse to Syracuse Onondaga
- Changes in location
- Minimal changes to the percentage of dedicated instructor hours

Mr. Doyle agreed that looking at this form it appears that the changes are small, however problematic. When you consider the larger pieces that were taken out and changes that were or were not made it then becomes significant.

Chief Fowler stated that they have 14 weeks left in their academy. He suggested that all or a portion of the committee make arrangements with Sergeant Gilbertson to come over and see what they are doing. He believes that they have assembled what this committee is looking for. There are some changes that he is confident they could work out with the Sheriff's department. While this has been very slow going, the good news is that the Syracuse Police and the Sheriff's department have a great working relationship. No matter how this turns out they have to continue to work together.

Chair Kilmartin stated the purpose of this meeting was not to cast blame one way or the other, just to get everyone in the same room with open discussion.

Chair Kilmartin will follow up with the County Law Department and Ms. Berger to push them to present a new red lined MOU to the Corporation Counsel, as quickly as possible. Chief Fowler suggested that they reach out to Mr. Doyle before responding so that he may discuss the fact that some of the items were removed from the original document and it was presented as if items had not been removed. He stated this was something that really needed to be addressed. Chair Kilmartin added that it makes it cumbersome at best to analyze the changes.

Chair Kilmartin stated that he appreciates the invitation and will invite other committee members to attend. He knows that people have been working in good faith on this and it has taken a great deal of time. He appreciates the calendar that has been laid out for the

committee. He will turn this over to the Sheriff's department in just a moment to have them talk about their position. He believes that there are a lot of benefits to a joint academy. Just the fact of having two academies within five miles of each other is the definition of duplication; especially when everyone is trying to save dollars. In the past there have been concerns about the way things were done by the City and the Sheriff's department. This does not have to be an obstacle or problem; in fact it could be an opportunity. Perhaps there are some things that the Sheriff's department does that might benefit the City Police Department and there might be some things the City Police Department does within the city policing that could benefit the Sheriff's department. These obstacles could be turned into opportunities. Chief Fowler agreed.

Chief Fowler stated that this was one of the benefits of having a committee. He is not saying that they are perfect. They are pretty good but are willing to learn and want to get better.

Chair Kilmartin added that Chief Fowler made a good point when stating that this could be a revenue source for the City and County. Other agencies could be charged appropriately to cover the cost of running the academy. He added that even if it just covers the cost of running the academy for the City and County, it is a net savings to both.

Chief Fowler stated that beyond the academy they could do additional training throughout the year. With the valuable instructors that they have and the level of knowledge that exist in Onondaga County they could be the best in the country at certain things. They have talked about this and this is the direction that they are starting to move into next. Offering training beyond the basic academy class, perhaps developing a specialty area that you are only able to get from the CNY area. This would be a draw for law enforcement officials throughout the country. With the Sheriff's department and the City putting their heads together a project like this could be released. They will not get rich from this but they can generate revenue. For every training class offered there will be someone from the Sheriff's department and a person from the City of Syracuse sitting in that training for free.

Chair Kilmartin stated that there is another revenue source that they have not talked about. Once the MOU is finalized, he believes there is an opportunity to talk with OCC about revenue sharing. OCC receives the benefits of FTES for providing credits to the candidates. If they are providing credits, they should be compensated appropriately. However, we also need to divide this among the parties so that everyone derives benefit from it; especially if the City and County are driving the academy on a day to day operation.

Captain Rinella stated that Chief Balloni has been the point person on this matter and unfortunately he is out of town today. He added that he hears what the Chief is saying. He agrees and knows that the Sheriff agrees; they need to have a combined academy. He received an email from Mr. McCarthy; he is working on a red lined item. He believes that there have been some emails back and forth. Perhaps the way to resolve this is for Mr. Doyle and Mr. McCarthy to sit in a room together. Mr. Doyle responded that they need an accurate MOU. Once they have the end product they can move from there.

Captain Rinella stated they are committed to having a joint academy. He went to a joint academy run by the City and the County. It was a great experience. There was a cross section of instructors from the city, county, towns and villages. It really was a good experience with everyone bringing something to the table. He believes that they are on the same page. They just need to move forward and make this thing happen. This is the bottom line, he doesn't need to reiterate what the Chief has said or go over the history of this. We need to make this happen and the Sheriff is committed to making this happen. Once this MOU is worked out, hopefully sooner rather than later; the Chief and Sheriff will sit down and if there are any minor things that need to be worked out, he is sure that they can.

Chair Kilmartin stated that for any non lawyers in the room, and he admits he is a lawyer; it is appropriate that we can now all blame the lawyers for this. He added that he knew this was going to come out sooner or later. He apologized to Mr. Doyle, he has been diligent with his response, but the lawyers are getting thrown under the bus today; including Mr. McCarthy.

Captain Rinella stated that he hoped that with the joint academy they would be able to combine and streamline things to put them in a position where they can both begin hiring on a regular basis. With retirements and resignations, manpower really gets hurt. Chief Fowler agreed.

Chair Kilmartin added that this would be a tremendous benefit to towns, villages, OCC, Syracuse University and all these other agencies that are going through your academy now and those that typically go through the academy. All will have an improved academy to attend.

Captain Rinella stated that there was communication between Chief Balloni and Chair Kilmartin at the Public Safety awards about this. They are trying to work through this. Once they get the lawyers to work through this. Mr. Doyle interjected that the MOU was primarily, not entirely the product of their police department and its officers. His role has been to review and dot some i's and cross some t's. This is a product of the interagency cooperation that has already taken place. They just want to receive and review the proposed changes. Overall no one is losing sight of the fact that this is ultimately going to be a byproduct of enhanced public safety for everyone in the region.

Chair Kilmartin stated that the substance is there. There will be joint administration, joint work in terms of training, contribution of instructors, the costs that would be contributed, the revenue that would be split; the essence of the agreement is there. **He would ask Ms. Berger to encourage Mr. McCarthy to move as quickly as possible.** He will reach out him as well and asked that the Captain do the same. He added that they should feel free to keep him or any of the committee members updated on positive progress or obstacles that may arise. The committee meets monthly. For the past 12- 15 months he has asked Chief Balloni to provide an update on the academy. They have been provided, but have been fairly brief.

Chair Kilmartin stated he would schedule another update on the academy for next month. It will be on the calendar, everyone will have advance notice of it, if you would like to attend. If there is a conflict, he can report anything to the committee that they might want to report to him. Chief Fowler responded that he would have someone there, if not himself. Adding this is important; we need to get moving on this and we are committed and invested. Captain Rinella stated they were on the same page.

In answer to Mr. Meyer, Chief Fowler stated that they have academy staff. The cost is the same to them whether they have 24 or 44 people in a room. The academy staff runs and manages the police academy and augments the instructors when necessary. The classroom generally has one instructor and possibly a co-instructor which they would have anyway. Big level practical training instruction would require additional personnel. The big ones are crimes in progress, firearms, and emergency vehicle operations courses. This is when we draw from the agencies attending. They send their instructors over, they get experience and it keeps the costs for the Syracuse Police Department down or at the level he expects it to be at. They are not incurring any additional costs by having additional people attend. They had considered charging but were not set up for it at the time. Going forward they will be set up to charge. Logistical structuring would have had to have been worked out. This would have taken a lot of people and would have delayed things for a long time. This is something that they have been thinking of and will have set up. They are not incurring any additional cost and are putting

out a quality product that will be able to provide quality service to people throughout the region. We are letting these agencies know what they are getting out of our regional police academy so that when we have everything together and we start to charge for it, they will have a sample of what we are offering.

Mr. Meyer asked the Chief to elaborate on the outside agencies bringing in instructors. Chief Fowler stated that the agencies themselves have certified instructors. For example the Crimes in Process Training is used to evaluate officers ability to perform the tasks that they have learned throughout the academy in a mock setting. In advance of the training we would contact the outside agencies and let them know the personnel that we would need and the time frame we would need them for. Chief Fowler confirmed that this is contingent upon them having a person from their agency attending the academy. He added that if they did not have the additional instructors it would be an expense for them. In order to minimize or stop this, we use their instructors.

2. EMERGENCY MANAGEMENT: Matt Millea, Deputy County Executive, Mr. Alberti, Commissioner
a. Confirming the Appointment as Commissioner of the Department of Emergency Management (Kevin E. Wisely)

In response to Mr. Dougherty, Mr. Wisely stated that he is a member of the Moyers Corners Fire Department.

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

Mr. Millea introduced Mr. Wisely as the nominee for Commissioner of the Department of Emergency Management adding that he has tremendous experience. They are very happy that he has taken this leadership position in the County, leaving a fantastic job with National Grid. He believes the experience of running a command center and being involved with numerous natural disaster issues while involved with National Grid makes him a perfect candidate. He has extensive fire protection experience as you can see on his resume.

Seconded by Mr. Masterpole.

Mr. Meyer asked Mr. Alberti if there were any major deviations to the budget. Mr. Alberti stated there was nothing that had been proposed other than the reduction in the funding for the Homeland Security Grant Programs at this time. In answer to Chair Kilmartin, Mr. Alberti stated the cuts to the grant were proposed for 2012.

In answer to Mr. Meyer, Mr. Alberti stated that are no other major grants in the pipeline.

Mr. Wisely stated he appreciated Mr. Millea's introduction. He is looking forward to working for the County and filling the very large shoes of Mr. Alberti. He believes that his experience with National Grid in managing an emergency dispatch center for all of NY service territory as well as his involvement in some of our major storms across NY and MA lends itself to this type of a role. In addition to his education, his emergency and fire service background brings some experience to the table. He is looking forward to coming back to Onondaga County and working for the citizens, County Executive and County Legislature.

Mr. Dougherty asked to be listed as a co-sponsor of the resolution.

Passed unanimously; MOTION CARRIED.

b. Amending the 2011 County Budget to Accept Homeland Security Funds for the Onondaga County Department of Emergency Management and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$100,275)

Mr. Alberti provided the following information:

- Targeted grant has to be utilized in a Regional Hazardous Material Response Program
- Competitive grant, awarded \$100,275
- Work plan calls for specialized training, responders learning how to close some of the gaps they have in chemical, biological, radiological, nuclear and explosive response
- Large upgrade to the PEAC/WMD scene assessment equipment, evaluation tool, hazardous material and the interactions of various materials can be identified in a rapid manner; trainers will be brought in for the software
- Other large item is a functional exercise in the Port of Oswego on board a ship, maritime firefighting and hazardous materials, part of the regional program for Madison, Oswego and Onondaga County

In answer to Mr. Meyer, Mr. Alberti stated the equipment is scene assessment. It could be used for onsite collection equipment. It is software programming; you give it certain information from tests performed in the field and it helps you make a decision on what is actually involved. This is equipment that you bring along with you. It is not installed in a vehicle. Most of this is software, computerized equipment and the actual training of the responders.

In answer to Mr. Meyer, Mr. Alberti stated that trainers come here and the costs are covered.

Mr. Dougherty stated that he believed Mr. Meyer was referring to the equipment that would be used for a hazardous material spills where you would have to analyze what was spilled. He added that you take the analyzed information and feed it into this software. Mr. Alberti stated that was correct. There is some equipment included in this, but the major equipment they need to do this they already have. This will better utilize the equipment that we already have.

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

Mr. Alberti thanked the committee and all the members of the Legislature for the wonderful cooperation over the last years. Chair Kilmartin stated they appreciated his service and always appearing and being prepared.

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

Katherine M. French, Deputy Clerk
Onondaga County Legislature

HEALTH COMMITTEE MINUTES - JULY 12, 2011
ROBERT D. WARNER, CHAIRMAN

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

MEMBERS ABSENT: Mr. Holmquist

ALSO PRESENT: See attached list

Chairman Warner called the meeting to order at 10:03 a.m. **A motion was made by Mr. Laguzza, seconded by Mrs. Ervin to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.**

1. COMMUNITY SERVICE ADVISORY BOARD:

a. Confirming Appointment to the Onondaga County Council on Environmental Health (Hubert D. Kimball)

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

Chairman Warner stated there will be informational meetings before the budget season starting with the Medical Examiner's Office. August committee will have the results from a study done at the Maxwell School of Syracuse University regarding mandated services. Social Services will be at the August committee as well with information on the government cut backs, and how it will affect Onondaga County.

2. HEALTH: Linda Karmen, Deputy Commissioner

a. Medical Examiner - Informational Update

- Update on the NYS budget and how it will impact the Medical Examiner's Office budget for 2011 - 2012
- 2011 NYS adopted budget eliminated Article 6 State Aid for Optional Services; optional is a misnomer as many of the services are required
- NYS definition of optional services includes services that are not part of the 5 core services included in public health: Community Health Assessment, Family Health, Health Education, Disease Control and Environmental Health

Mr. Laguzza requested a hand out on the information being discussed. Mrs. Karmen replied she would put one together including her notes to be inserted with the minutes.

Handout provided:

NYS Adopted Budget - Public Health Article VI State Aid Impact

1-Jul-11

The 2011 NYS Adopted Budget eliminated Article VI State Aid for all Optional Services effective July 1, 2011. Optional services refers to those services which do not fall within the State's identified core public health services eligible for reimbursement for Article 6. The core/essential public health services are: Community Health Assessment, Health Education, Family Health, Disease Control, and Environmental Health. Public Health Optional Services, in total, include: Dental Health Services, Home Health Services, Radioactive Materials, Radiation Prod. Equip., Housing Hygiene, Other Environmental Services, Emergency Medical Services, Long Term Home Health, Laboratory, EI Administration, All Other Optionals, Health Admin, Inpatient TB, and Medical Examiner/Medical Examiner Lab.

2011 Estimated OCHD Budget Impacts (those applicable from the list above)

	2011 State Aid Per Article 6 Application	Estimated State Aid Loss (6 Month)
<u>Public Health</u>		
Early Intervention Administration (required by IDEA federal law)	(\$112,773)	(\$56,387)
Environmental Health - Housing Hygiene (san.code violations)	(\$27,783)	(\$13,892)
Administration Allocated to Optional Programs	(\$136,310)	(\$68,155)
PH Budget Total	(\$276,866)	(\$138,434)
<u>Center for Forensic Sciences</u>		
MEO/ME Lab *	(\$842,064)	(\$421,032)
CFS Budget Total	(\$842,064)	(\$421,032)
TOTAL Health Budgets	(\$1,118,930)	(\$559,466)

*The Onondaga County Health Department Medical Examiner's Office Forensic Toxicology Laboratory applied for \$100,000 in grant funds from the New York State Division of Criminal Justice Services (available 7/1/2011-6/30/2012), and we are awaiting confirmation of award. Funding provided under this grant program is to be used to enhance the effectiveness, efficiency, reliability, and accuracy of laboratory services within New York State's forensic laboratories and will help to offset the loss of state aid. Grant funds can be used for OT, lab supplies, reference testing, travel/training, accreditation fees and equipment maintenance. Acceptance of these grant funds will be an agenda item for a future Health Committee.

Medical Examiner Offices that are regional: Onondaga, Monroe, Erie, NYC

Mrs. Karmen:

- The 5 core services the County has been receiving state aid reimbursement and will continue to receive it
- 3 areas in public health and 1 in the center will not be receiving reimbursement as of July 1st
- Public Health – Early Intervention Administration; misnomer as optional because it is a federally mandated program – the County is required to provide services; cost shift from state to local municipalities
- Public Health – Environmental Health including housing hygiene – responding to complaints in the County: sanitary code violations like plumbing, mold, plaster, drainage backup within the City; basically anything affecting public health
- Public Health - administration allocated to optional programs
- Center for Forensic Sciences – Medical Examiner's Office and Labs; largest impact on budget; \$421,000 hit in 2011
- Total Public Health hit for 2011 budget is \$138,434
- To keep the Medical Examiner's Office, it will be County dollars

- Applied for a \$100,000 grant through the MEO Forensic Toxicology Lab; 7/1/11 – 6/30/12; pretty certain will receive grant but have not heard yet; grant for lab supplies, overtime, travel and training, reference testing, accreditation fees, and equipment maintenance.

Mr. Rowley responded to Chairman Warner that this is a sign of things to come in Health and Social Services. The State is far from out of the woods with their fiscal problems, and it will affect the budget in October. When the State budget was passed, there was approximately \$1.2 billion undefined Medicaid savings they haven't found that could affect Onondaga County as well. There is a Medicaid Committee and a Redesign Team at the State level that is supposed to come up with the details of the savings in the State budget. In response to Chairman Warner, Mr. Rowley said the State threw out a number and will worry about it later.

Mrs. Karmen continued:

- This came up last year; talk of transferring the MEO funding to the Department of Criminal Justice; did not pass
- Health Department said it's not a health function; DCJS said it is a conflict of interest
- Serves as a regional entity for multiple surrounding communities and counties

Dr. Stoppacher:

- Not sure what would happen if there was no MEO
- A lot of what is done is behind scenes – no one really knows about because nothing bad happened
- Usually only in news when something bad happens – not appropriate funding or staff for day to day operations
- Costs money to have a regional facility; lucky to have it; would like to continue for obvious reasons
- No MEO at all, then the deaths would have to be reported to someone, then they would have to do something and the County would have to contract out
- It is mandatory to have a MEO in Onondaga County

Mr. Laguzza wanted to go back to the discussion about the regional center, and commented that the MEO never blew up to the way he had envisioned it. He asked if other counties are going through the same cut backs. If so, he suspects the smaller counties may be in a more dyer crisis than Onondaga County. Mrs. Karmen replied some of the smaller counties have coroners as opposed to a medical examiner which is why they rely on Onondaga County. Mr. Laguzza stated that is the reason to expand, and push the regional center more than ever.

Dr. Stoppacher continued:

- MEO does provide service for multiple counties but the main three are contiguous
- Agreed with Mr. Laguzza, the County should flaunt what it has to offer and expose to surrounding counties they will be in dyer straights; subject broached with Madison County – would end up being more money to pay Onondaga County
- MEO would like to be more involved in the process; currently surrounding counties pick and choose what is sent
- MEO does handle inmates that die within Onondaga County and surrounding; by law; reimbursed for these service
- Expanding inmate service is county by county; servicing Cayuga; can try for Oneida but not successful thus far

Dr. Stoppacher agreed with Chairman Warner that the surrounding counties have a coroner, who can be anyone, that signs the death certificate, and if there are suspicious circumstances, the coroner would send the body to Onondaga County. Chairman Warner replied to Mr. Laguzza that a farmer could be a coroner. Mrs. Karmen reiterated for Chairman Warner the MEO is short \$421,000 for 2011. Mr. Rowley responded to Chairman Warner the 1st quarter forecast projected a surplus overall for the County, and MBD feels the County is in good enough shape fiscally for the current budget year to cover the \$421,000. MBD is not sure where the money will come from, but the assumption is to come back by year end, and ask for a transfer to cover this.

Mr. Laguzza inquired about the other departments in Health that will be affected. Chairman Warner responded the committee will see these next month. Mr. Laguzza stated there should be a full picture before money starts being moved. Chairman Warner stated it will be Social Services and Mental Health next month. Mr. Rowley commented MBD will be coming back for the 2nd quarter forecast as well.

Mr. Meyer asked if the cutbacks were only for counties with a MEO or does it impact those with coroners. Mrs. Karmen responded it is just for the counties with a medical examiner (ME). Mrs. Wilson replied to Mr. Meyer this will only affect those counties that have ME's and claim article 6 funding. The current closest counties with MEs are Monroe and Erie. Dr. Stoppacher commented that Albany does not have an ME. Last year Dr. Stoppacher went to Albany to lobby for not cutting this funding. N.Y.C. MEO will lose approximately \$14 million this year alone. This is a huge hit globally for ME's around, and it boils down to regionalization. Onondaga County serves this area, Monroe serves eastern N.Y., and Erie serves western N.Y. The void is the Albany area. Albany's response to this is, cost being shifted to local municipalities temporarily. When discussing things with Dr. Morrow, she heard there might be legislation being proposed in Albany that makes the reimbursement no longer optional; would be a mandated reimbursement under article 6. Mrs. Karmen commented the New York State Association of County Health Officials (NYSACHO) has been working on this with the State Legislature.

Chairman Warner asked if there was an option to raise rates for surrounding counties. Dr. Stoppacher responded there is an option but would it really make a difference. Mrs. Unger replied to Chairman Warner the MEO does about 220-240 outside cases. Dr. Stoppacher commented those are full autopsies and the charge is \$1,200. Mrs. Unger replied to Mr. Laguzza this makes up 30% of the exams. Dr. Stoppacher stated the revenue from outside counties with autopsies and toxicology comes down to around \$280,000 - \$300,000 so if the fees were increased 10%, at max the difference would be \$30,000. This also risks alienating these counties. Mr. Laguzza responded he was suggesting reducing the rates to other counties to entice them to come to Onondaga County. Lower the rates, give the outside counties a chance to stabilize their budgets, and then the County would take in more revenue. Dr. Stoppacher commented he would do this as long as he could increase the staffing to accommodate. Mrs. Wilson stated it is important to receive a briefing about what is going to impact this year's budget as well as next years. The DA will weigh in with what happens to his operation if there are cutbacks. In many instances the MEO is doing the work to allow the convictions.

Chairman Warner stated this has been very informative but believes the people of Onondaga County should not be paying the tab for surrounding counties to support the MEO. Dr. Stoppacher responded this was addressed in another Health Committee, and the MEO is not subsidizing the operation. He agreed with Chairman Warner that the fees being charged are comparable with Monroe and Erie counties. Mrs. Karmen replied to Mr. Meyer that there were no other major deviations in the 2012 budget for the MEO beside the state aid cuts.

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

Respectfully submitted,

Jamie M. McNamara, Assistant Clerk

**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES – JULY 13, 2011
CHAIRMAN JAMES CORBETT**

MEMBERS PRESENT: Mrs. Rapp, Mrs. Tassone

MEMBERS ABSENT: Mrs. Ervin, Mr. Buckel

ALSO PRESENT: Mr. Rhinehart and see *attached list*

Chairman Corbett called the meeting to order at 10:01 a.m. ***A motion were made by Mrs. Rapp, seconded by Mrs. Tassone to waive the reading and approve the minutes of proceedings from the previous committee meeting. MOTION CARRIED.***

1. **LAKE IMPROVEMENT:** Mike Lannon, Acting Commissioner, Matt Millea, Deputy County Executive
a. **ACJ Update** (*On file with the Clerk*)

Mr. Lannon stated the new format for the update has been completed. He would like to give credit to Mr. Millea for his direction and guidance. They believe this is a more user friendly document with additional information. They are looking to provide a better product to share information. Before going into the review he would like to start out by reviewing the new format for the ACJ update.

- *Table of Contents*
- *Report from Commissioner*, guide for the overall report and a new addition to the update
- *Gray Project Section*, overall view of the gray projects, then specifics with fact sheets
- *Green Project Section*, in similar fashion, highlights, followed by fact sheets, the GIFT Green Improvement Fund description from version 2 is included in this inaugural report, don't expect to include in every report
- Reports will be provided each month, future reports will be double sided
- *Metro Phosphorus/TMDL/Ambient Monitoring Program*, major component of the ACJ, more detailed listing of sampling and results for tributary and lake sampling and biological monitoring
- *Legislative/Regulatory Update*, listing of what has been adopted and what is anticipated
- *Financial Update*, includes 3 budget sheets for the Lake Improvement Projects
- *Appendix*, plan to modify and enhance summaries as they go forward

Mr. Lannon continued on to the ACJ update:

- Metro continues to meet the 4th stipulation, total phosphorus effluent limit of .10 mg/l, large accomplishment, 12 month rolling average, credit to the upgrades done a few years ago and the operation staff, large expense on chemicals but with great success
- Metro Phosphorus Optimization Project is designed to speak to how good Metro can be, enhancements that could be done to the existing system to get even lower than .10 mg/l, preliminary reports indicate we will not be able to get much lower than the current collection, obligated to deliver report to the DEC on August 31, 2011
- Phosphorus Treatment Work Plan in place, used to identify the treatment technology Metro would have to pursue to meet the Phase 3 limit of .02 mg/l, engineer is evaluating options, potentially very expensive, options still being identified as we go forth, looking at watershed reductions and potential diversions, obligation of the ACJ, identify potential and benefit to the lake should this be pursued, report to the DEC by December 31, 2011
- Working with DEC in regards to various reports, CFO Facilities Plan, AMP Plan and the Annual Report, looking for DEC approval within the next 2 months
- Stakeholder participation continues to have public outreach program, getting buy in from the community particularly with regard to various restoration projects, working on final design scenarios for CS44 Midland Project
- Significant progress in the Project 50 campaign, 13 GIF projects completed and/or under construction, 19 non-GIF projects completed and/or under construction, on target and moving ahead, very excited momentum starting to build as more designs are out on the street
- Identified incorrect sewer mapping as the cause for the sheeting being driven through the sewer at Midland 044, newer sewer installed in the 1940's never made it to the sewer mapping, in the process of updating the maps, will issue modification to the contact

Chair Corbett stated the contractor was following the information that was provided by the County. Mr. Lannon confirmed that was correct.

Chairman Corbett commented that 5 or 6 years ago when a phosphorus game plan was laid out, the County stated that they would do everything required under the stipulations; however the .02 is a benchmark that may be cost prohibitive. The current phosphorus level is way ahead of schedule. To lower the level would mean tens of millions of dollars and he questioned what effect this would have on the lake. Mr. Lannon responded that this is all part of the work plan package. As part of the work plan, although not required, they are doing a financial capability analysis. They have the engineers looking at the Capital Improvement Plan, what our own end costs are, the potential costs for different plant enhancement treatments; basically identifying if we can afford this. In accordance with EPA practice, you would not be able to get out of the requirement but would be able to phase it in over time. Chair Corbett added that he investigated this once before, and we do not have the money it will take to reach this level. He questioned the benefit to the lake if the additional .08 is obtained. Mr. Lannon responded that early indications show it will not do much for the lake.

Mr. Millea added this was the importance of the environmental benefit study. Right now the lake is doing tremendously well. He doesn't really want to put a number to it, but unofficially to reach the .02 level is roughly \$700 million. The financial capability analysis should show that we are not capable of doing this. The County Executive's Office will also argue that they need time to see the benefits of all these other projects, to see how the lake is recovering. They do not want to make any rash decisions. Chair Corbett agreed, adding he was glad this was on record. There is still upland, whether it is golf courses, farms or nonpoint sources, coming down into the lake that we have no control over. It does not come out of Metro. Mr. Lannon added that they are hoping to get both flow and phosphorus reductions from the green infrastructure.

Mr. Millea stated they would send the ACJ update report as a PDF the Friday before the committee, allowing for advance notice. Hard copies will be distributed at the committee.

Mr. Lannon continued the update:

- Harbor Brook Interceptor Sewer Project just about complete
- Midland CSO 044 on schedule to be completed the end of this year
- Looking to bid the end of July and August respectively for the Lower Harbor Brook Conveyances and Storage
- Clinton Storage bids are due tomorrow, anticipated start date of September 2011

- Looking to advertise later this month for the CSO 022 & 045 Sewer Separation Project
- Green Project update includes additional detail on the Non-GIF Projects, fact sheets included for projects
- GIF summary included in the Green Improvement Fund section, application with new criteria for version 2, additional focus toward storm water collection
- Extensive out reach for the Green Improvement Fund working with business organizations and community groups, posted on website, press release for initial launching, new version press release will be going out soon, due to the expansion more outreach will be done in areas where they have not completed projects
- GIF direct mail being set up through the Chamber, need correct zip codes for the footprint, will send fact sheet, want to be aggressive in getting the word out

Mr. Rhinehart stated that he wants the process to fair. There is an internal committee that no one from this committee sits on, and there is a book full of projects. As direct representatives of County taxpayers both businesses and residential, we represent plenty of areas in this sewer shed. He questioned how someone applies for the GIF and who determines what projects are selected. Mr. Millea responded that all the information, including the application is available on the web at <http://savetherain.us/>. If there are any questions, phone numbers are listed. Mr. Rhinehart added this is good information to know, he will pass this onto legislators.

Mrs. Rapp asked if this was available to everywhere in the sewershed. Mr. Millea responded that the GIF is limited to the areas for the ACJ compliance at this time. They have not decided if we want to have a private component of this; they can work with the legislature. He is not sure if there is interest in having a GIF similar to the ACJ component in a larger area. They are open to having this discussion and have the model. The Save the Rain expansion that was just approved was really intended to be more of a public sector. They would like to move forward on this and are open to suggestions. Mr. Rhinehart stated that he understood and was speaking on behalf of all those representing public sector located within the sewershed.

Chair Corbett pointed out that the Geddes Board agenda from last night's meeting included a request for technical and financial assistance from the County to reduce infiltration and inflow and isolate houses along the Bronson Road area.

- GIF program description documents, application and map are available on the website, simply need to determine if they are located in the sewershed
- Metro Phosphorus/TMDL/AMP section new in regards to the Metro Phosphorus Projects, chemical testing described is phase 2 of the program for the optimization, due to the DEC at the end of August, continue work on the Work Plan and the financial capabilities analysis

Chair Corbett questioned what the polyaluminum chloride is from. Mr. Lannon stated he is not sure if this is a manufacturer's product. They are currently using iron salts. This item is new to them and should be more effective than iron salts, though more expensive. Some bench scale testing has been done as they try out various chemicals. Chair Corbett asked if this is the new and improved version of iron salts. Mr. Lannon responded that this product is aluminum. There may be treatment plant operations concerns with its use. As with the use of iron salts, there are pluses and minuses with the use of this product.

Mr. Millea added that Mr. Lannon is helping to negotiate a SPEEDY's permit for METRO. They are telling us that we have to control iron discourages yet, the item that removes the phosphorus is an iron based system that they made us install. The purpose of trying the polyaluminum chloride is to see if there is an iron alternative. He added that if it is cost prohibitive, he will support WEP in proving that it is not cost effective.

- DEC is doing a Total Maximum Daily (TMDL) analyses, completed last in 1997 or 1998
- More detailed analyses being done, will look at the bio available of phosphorus, use of iron reduces the bio available phosphorus as opposed to the polyaluminum chloride
- Report may determine that we do not need to reach .02, have had more success with the lake than anticipated, currently at .10, ACJ anticipated that we would have to be at .02 to meet the lake level phosphorus, meeting this now yet Metro is at .10, science is more refined at this time
- DEC report was due to the EPA in May 32011 with finalization at the end of the year, behind on report likely to have several month extension
- Partnering with DEC to some extent via the lake quality model, have been running various scenarios, early test indicate there will not be much change to the lake if the .02 level is achieved
- Phosphorus success largely attributed to the upgrades completed at Metro
- AMP sampling is consistent with what we have had in the past
- 3 areas with bacteria violations, looking further into this, don't understand why this is happening
- Sampling is completed by WEP

Mr. Rhinehart asked if METRO could use project watershed for their sampling. Chair Corbett stated that there are other ambient monitoring programs going on. He added that we are required to perform the sampling however, there may be an opportunity to somehow combine the testing. Originally the outside monitoring was set up to prove violations. Mr. Millea responded that we are way past this. However, having our own data available is helpful when we have a fight with DEC. Such as when we are required to get to a .02 level and we have our own data that proves attaining this level provides little or no benefit to the lake. Mr. Rhinehart added that the flip side is that the private side doesn't trust government. Chair Corbett responded that they would look at this. Currently the testing goes through a strict peer review. Mr. Millea added that they could talk. He feels this discussion is very healthy.

- Total phosphorus average summer UML TP for 2009 @ .017, 2010 @ .025, 2011 @ .017
- Peak of phosphorus in 2011 attributed to the runoff from the April rains, level has come down, actual compliance period is measured June 1 – September 30, hope to have results below the red bar as they go through remainder of 2011
- Blue located on the top of the Onondaga Lake total phosphorus graph represents rainfall
- Red line represents water quality guidance criteria
- Minor algal bloom in May largely due to increased phosphorus levels, not usually typical
- High bacteria levels the outfall of Onondaga Creek, looking to correct via green infrastructure and CSO Projects
- Several Round Gobies (invasive fish species) were captured during the sampling
- Legislative/Regulatory Update list today's agenda
- Financial Update is consistent with what they have done in the past, budget sheets are included for Clinton, Harbor Brook and Midland
- Marketing information will be added to the financial section going forward

In answer to Mr. Rhinehart, Mr. Millea stated the horizon for federal and state funding looks very grim.

Chair Corbett stated that he wanted to compliment WEP and everyone concerned with the updated format. They have taken input from the legislature and really turned this around. If you are willing to go through the update, the new format answers a lot of questions that were not answered before.

Ms. Rapp added that she hoped it would not be too difficult to update each month. Mr. Millea responded that there would be a PDF of the update on the website. All the fact sheets are already part of the website development. They are getting multiple uses out of this product. These reports are being sent to DEC for monthly compliance of the ACJ. There is a big benefit to this, beyond the committee. Mrs. Rapp added that this level of detail should assist them with grant applications as well.

Mr. Rhinehart stated this was the best report he has seen in the 7 years that he has been at the legislature.

2. **WEP:** Mike Lannon, Acting Commissioner; Matt Millea, Deputy County Executive

a. **Authorizing and Ratifying the County of Onondaga to Act as Lead Agency for the War Memorial Arena at Oncenter Rainwater Reuse System Project, The Harbor Brook CSO 018 Constructed Wetlands Pilot Treatment System Project, and the Syracuse City Hall Forecourt Plaza Landscape Enhancements Project (The "Projects") Under The State Environmental Quality Review Act (SEQRA) And The State Environmental Review Process (SERP); Determining The Classification of a Type I Action; Adopting a Negative Declaration; and Authorizing the Publication, Circulation, Service and Filing of the Environmental Assessment Form, and the Negative Declaration**

Mr. Lannon stated this item was brought to committee last month however; they did not have the backup at that time. Chair Corbett stated the information is now on file with the Clerk. The material is very voluminous; this is the reason the information was not sent out. Anyone is welcome to review the information.

In answer to Mr. Rhinehart, the ultra violet light system is the most economical disinfection option for the War Memorial Rainwater Reuse Project. The water is treated on the way to the finished water tank.

Mr. Rhinehart asked if there was any discussion on the large expense for this item when there is no long term plan for the War Memorial. Mr. Millea responded that this was grant funded. \$705,000 is grant funding and then there is the Civic Strip Grant funding of \$3 million. If we choose to, this could be 100 percent grant funded.

Mr. Rhinehart stated that we put a new roof on and are now talking about a \$1.6 million dollar project but we still have not completed the millions of dollars worth of renovations needed for the inside. He is asking if there has been any discuss for the entire building, rather than just throwing darts. Mr. Millea responded that the hockey team is clearly going to be there for a longtime putting this to good use. There are other investments to be made and that is something that we can discuss. Mr. Rhinehart stated that he thought we should make sure that the seats work and the toilets flush in the building. Mr. Millea stated that Facilities has taken this over and is doing a great job. Mr. Rhinehart added that they need to get better, need to make them work.

In response to Mrs. Rapp, Mr. Millea stated there was a payback on this item, though not worth publishing. Water rates are still remarkably low. He thinks the real value is the capture and the market value to the Save the Rain program.

In answer to Mr. Rhinehart, facilities will maintain the water reuse system. This was assessed as part of the basis for design report. In concert with all the equipment in the building, this will be a small amount. The information is listed in the report on file with the Clerk. Mr. Millea added that Facilities has plumbers on staff that will be able to handle this.

Mr. Corbett questioned the discharge to the sewer system instead of the storm water system. Mr. Millea stated it discharges to the sewer system as a matter of course today; it is already hooked up to the sewer. Chair Corbett stated this makes him shutter. Mr. Millea added this is why they are doing this; they need to have capture or do a sewer separation. On a capture basis this is one of the highest costs per gallon capture projects that they have. But, this is where the innovation of the water reuse system comes in with WEP taking this back to our community and the marketing nature of this program for partnering with the Crunch.

Mr. Rhinehart added that he hoped that this was not like putting a new flag pole in the front of a condemned building. In response to Mr. Millea, Ms. Tarolli stated we have a ten year lease with the Crunch.

Mr. Rhinehart stated the City Hall project looks like a streetscape to him and a little extravagant. He questioned how much the City was contributing for the project. Also, all the other projects speak of storm water capture in gallons; in this project they list 377,000 gallons of wet weather. Mr. Millea stated this was an error, it is the same thing.

In answer to Mr. Rhinehart, it was confirmed the City will maintain the area, very low maintenance. Five trees will be planted as part of this project. Porous pavement will allow the water to get into the sub storage area. Mr. Rhinehart stated for the record, it looks like the County is infesting in a streetscape project for the City.

In answer to Mrs. Rapp, Chair Corbett stated the Harbor Brook Wetland Project was located at the bottom of Burnet Park. One side of the street is Geddes, slightly to the south is Onondaga and the other side of the street is the City of Syracuse. The project itself is all located in on the City side of the street.

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

b. **Amending the 2011 County Budget to Accept Grant Funds from the United States Department of Agriculture, Forest Service, Urban and Community Forestry Program for the Urban Forestry Tree Plantings on Brownfield Sites Project (\$219,670)**

Mr. Corbett stated that he wanted to compliment WEP on this item. When this first came over, we were doing all of the work and there was nothing on our side of the financial ledger, this has now been reworked. He asked Mr. Lannon to explain the resolution.

- No matching funds required for grant
- Target 3 sites; South Salina SIDA properties in the 1000 block of South Salina Street, Sims Matchplate site at the corner of Chester and Bellevue Avenue and the Brown Manufacturing site at 2176 Erie Blvd. East
- Partnering with Atlantic States Legal Foundation, City of Syracuse and Onondaga County
- Cornell Cooperative Extension will work with Stephen Harris the City/County Arborist

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

c. **Information - Urban Forestry** Stephen Harris, City/County Arborist; Matt Marko, CH2M Hill – Green Program Manager

Enhanced Street Tree Planting Program passed out to the committee (*on file with the Clerk*).

Mr. Marko provided an overview:

- Enhanced street trees are a critical component of achieving the 2018 compliance with the ACJ
- Mr. Harris will discuss the goals, the program budget, why the canopy is important to control storm water management, implementation strategies and the resources necessary to roll the program out over the next 8 years
- Page 3, displays a graph, not intended to be read at this scale; overall green infrastructure plan through 2018, highlighting enhanced street trees have always been a segment of the Green Streets Program
- Page 4, tree planting break down by sewershed, planting 8,500 trees, planting will start this year and continue for 7 additional years, the assumed CSO reduction, the estimated cost, and estimated cost per gallon CSO

Mr. Marko stated that he was turning the presentation over to Mr. Harris. He is and has been a great partner in developing the implementation of this program.

Mr. Harris:

- Page 5, lists the program budget for each of the project phases; planning, community planting, contract planting, community maintenance, and additional staffing, additional staffing is being put into place now, 350% increase in planting from the previous arborist, staff will be from Cornell Cooperative Extension, not permanent County employees
- Page 6, goal of the program is canopy capture, to get the trees to thrive and grow to maturity, more tree canopies equal more capture
- Page 7, goal getting as many trees as possible to survive, some of the highest priority areas for stopping stormwater happen to be those hardest hit by the Labor Day storm in 1998, they have the lowest tree canopy and tend to be in some of the poorer neighborhoods, need to involve the community to reduce vandalism, research has shown involving the community reduced vandalism, they will perform within budget trees appreciate over their life span of 50 -70 years, they will do more than any other infrastructure rebuilt no matter the purpose
- Page 8, not all the trees will live, most losses come in the first 4 years of planting
- Page 9, number one reason trees die is vandalism and lawn care, mowing contractors for the City are fined for damaging trees, other reasons are water stress, poor stock quality, incorrect planting and urban factors
- Page 10, based on research you need good community involvement, contracts and specifications, monitoring and trained volunteers, high quality sites and follow up maintenance
- Page 11, graph showing the projected mortality rates at high, mid and low levels, after 20 years 5,000 trees remain with low level mortality
- Page 12, graph showing canopy projections for high, mid and low levels, canopy doubles by improving survival, during leaf out water flow levels decrease 20% compared to when there are no leaves
- Page 13, lists the steps for low mortality rate, planning, planting, maintenance and staff
- Page 14, planning phase goal is to find and plant the best sites first, breaks down the planting phase, street tree inventory performed noting trees that are performing well into maturity and varying tree species

Mr. Harris stated that we don't want to put all are eggs in one basket. We had this experience with the Elm tree. The Emerald Ash Borer is coming and it will kill all our Ash Trees, including all the Lights on the Lake trees. Diversity is the key to long life survival. He will be tracking the trees and is working with WEP so that photos of newly planted trees and GPS coordinates are sent digitally to WEP. They will incorporate the information into the Maximo system. He is currently working with WEP's information specialist.

- Page 15, lists the planting rates per year, almost all 600 for 2011 will be planted this fall, gradually increases and averages out at 1,000 per year
- Page 16, contractors are planting 4400 trees (*typo listed as 4600 in report*), \$300 per tree installed, caliper equals diameter 6 inches from the ground, trees will be about 8 to 10 feet tall, community RFP being put out, people in the community will be paid to plant 4100 trees, this will be handled by the young adult/youth employment program, the key to reduced vandalism is people planting the trees looking like people from the neighborhood getting them, \$210 per tree installed

Chair Corbett cautioned that they consider the height of a full grown tree and where it is placed in regard to the power lines. There was a program in the past and the trees all had to be trimmed. The picture that shows the canopy shows a mature tree that is way above the electric and telephone lines. Mr. Harris responded the tree was on the side of the street without wires. Chair Corbett answered that he understood that, he just wanted to be sure that this program was aware of the trees chosen for the sides that have utilities and that they will not go past these lines. Mr. Harris replied that there is no doubt about it. He added that the impact of the trimming costs would be tremendous and would cause a problem. This program is historic for the City. They have not planted this many trees since the planting in response to the loss of Elm trees. 9,700 trees were planted. He continued that when those trees were planted they were only above secondary wires and secondary wires required a 3 feet clearance. It seemed like a good idea at the time, we wanted the tall shade trees. National Grid went through upgrades and then it was a single phase or three phase line and they were just creaming the trees, cutting down the canopy. He is not going to gamble and plant tall growing trees under secondary wires. The Public Service Commission just ordered National Grid to spend a significant amount of their profit on upgrading all of their poles. We know they are going to increase current on every line and secondary will probably get upgraded as well. However, we will plant under the wire because one of the things we can do is get money back for ornamental trees and we will take this money and put it right back into the planting.

Mr. Marko stated that this speaks to the Planning Phase of this program. They have tried to assure everyone that if they are going to invest they are going to invest smart. It is not just about achieving a certain number of trees on the ground but about planting trees well. This is why they have invested in planning up front. For anyone that thought trees were just trees, let me assure you there is much more information beyond these 20 pages.

- Page 17, list contract and community planting install cost per tree, per year; 2% increase factored in over the life of the project
- Page 18, maintenance phase is critical; sets the stage for the tree survival, years 1 and 2 watering and maintaining a weed free mulched tree, something that young adults can do, weed free reduces competition in the root system, year 4 pruning will be important for future tree structure, budgeted approximately \$38 per tree
- Page 19, lists the estimated trees to be cared for each year, total cost about \$500,000, 20% of total program costs

Chair Corbett questioned how the trees would be watered in the first two years. Mr. Harris stated they will be doing a combination of things. They are going to try using some bags but will need to be strategic about it. Chair Corbett noted that the bags will become a toy in some areas. Mr. Harris added that one of their goals is to have homeowners formally adopt and care for trees. This will allow them to focus on trees in locations such as parks or where they might not get care.

Mr. Harris stated that about 6 years ago he worked with the Onondaga Earth Core and they did a combination using hyrdo wrenches and hose on a cart, water trucks; all sorts of way. Water Bikes are big in Washington DC. They have a large youth employment system

watering 2000 trees a year using water bikes. Bikers carry all their tools including the hose on their bikes; hook up to hydrant and water the tree.

Mr. Marko stated that WEP has a street tree contract so that Mr. Harris may enact this program. It has a renewal capability after 2 years. A good deal of effort went into getting this done and done right. There have been tree contracts in the past with DEC, etc. This is a more detailed listing of trees and the specifications are more robust than they have been in the past. They really believe that they have geared up for this program, through a lot of work done last fall, winter and spring.

Mr. Harris stated this project was important to him. He believes these planters will do a better job than any other contractors they have had.

In answer to Mrs. Tassone, Mr. Harris stated that contractors decide where to buy the trees from, but they are not allowed to purchase from more than 300 miles away. He added the reason is that the trees must be cold hearty.

Mrs. Tassone stated that the financial sheet stated \$125 per tree. Mr. Marko responded this was the estimate as part of the grant. He is not sure how this compares to what the contract is. Mr. Harris added that we have two components to the contract, furnish and install where a contractor gets a tree and plants it, and then we are procuring trees that others will plant; volunteers or adult/youth program. The trees cost \$80 - \$100 each, and are about as big as the other trees he has described. They just don't have the soil on them. Mr. Marko added this would align somewhat with the grant financials. Chair Corbett confirmed there was no root ball or burlap on them. Mr. Harris responded that they were bare roots they could be picked up without having to go to the chiropractor.

The meeting was adjourned at 11:20 a.m.

Respectfully submitted,

Katherine M. French, Deputy Clerk
Onondaga County Legislature

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**COUNTY FACILITIES COMMITTEE MINUTES - JULY 14, 2011
KATHLEEN RAPP, CHAIR**

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

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: Mr. Rhinehart and see attached list

Chair Rapp called the meeting to order at 9:02 a.m. ***A motion was made by Mrs. Tassone, seconded by Mr. Kinne to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

1. DEPARTMENT OF TRANSPORTATION: Brian Donnelly, Commissioner

a. Amending The 2011 County Budget to Fund in the First Instance 100% of the Federal Aid Eligible Costs at a Maximum Amount of \$828,000 for the Design (Scoping I-VI) and Right-of-Way Incidentals of Various Federally Aided Local Projects and Authorizing the County Executive to Enter into Agreements to Implement the Intent of this Resolution (\$828,000)

b. Amending the 2011 County Budget to Fund in the First Instance 100% of the Federal Aid Eligible Costs at a Maximum Amount of \$7,644,000 for the Construction and Construction Inspection Phases of Various Federally Aided Local Projects And Authorizing The County Executive to Enter into Agreements to Implement the Intent of this Resolution (\$7,644,000)

Mr. Donnelly addressed both items at once and provided the following information.

OCDOT Federal Aid Project(s)

PROJECTS	TOTAL COST	FEDERAL FUNDS	STATE FUNDS	LOCAL FUNDS
Design Phase Projects				
1) Old Liverpool / Electronics Parkway Safety	\$ 120,000	\$ 96,000	\$ -	\$ 24,000
2) Jordan Road Bridge over Skaneateles Creek	\$ 250,000	\$ 200,000	\$ -	\$ 50,000
3) South Bay Road Paving Project	\$ 465,000	\$ 372,000	\$ -	\$ 93,000
4) Allen Road Paving Project	<u>\$ 200,000</u>	<u>\$ 160,000</u>	<u>\$ -</u>	<u>\$ 40,000</u>
TOTAL:	\$1,035,000	\$ 828,000	\$ -	\$207,000
Construction Phase Projects				
1) Old Route 5 Paving Project	\$6,100,000	\$4,880,000	\$915,000	\$305,000
2) 2010 Traffic Signal Upgrades Project	\$ 980,000	\$ 784,000	\$ 49,000	\$147,000

3)	Rural Paving Project	<u>\$1,270,000</u>	<u>\$1,016,000</u>	<u>\$ -</u>	<u>\$254,000</u>
	TOTAL:	\$8,350,000	\$6,680,000	\$964,000	\$706,000

- 2 items, both federal aid projects authorizing the County to pay in the first instance
- Local funds for projects have been secured
- Number of projects contained within same resolution, 7 total projects
- 1 resolution for design and 1 resolution for construction

In answer to Chair Rapp, Mr. Donnelly stated that they generally don't have this many projects coming together at the same time. If there weren't this many, they probably would not have gone this route. Chair Rapp stated this seems more efficient than individual resolutions for each project. He agreed and noted that this was acceptable to the State, as long as the projects were individually spelled out in the resolution.

- Construction projects are not underway in any form, need authorization to pay prior to consultant selection
- Design projects will begin this year and be built next year, construction projects will be bid this year
- Old Liverpool/Electronic Parkway design looking at signal timing, slip ramp comes off Old Liverpool Road onto Electronics Parkway, high accident location, looking to remove and reconfigure the intersection
- Jordan Road Bridge over Skaneateles Creek replacement, approximately 80 foot span, condition rating made it illegible to get into the federal system, will design and replace full structure
- South Bay Road Paving Project, milling and resurfacing from Route 11 to Bear Road
- Allen Road Paving Project, milling and resurfacing from Taft Road to Bear Road
- Old Route 5 Paving Project is the West Genesee repaving project with sidewalk and curbing, from Route 173 in the Town of Camillus to the village line, approximately 3 miles, bid late fall for construction in 2012
- 2010 Traffic Signal Upgrades Project, upgrading 4 areas with new poles, signal heads, controllers, redo the timings, intersections are Buckley and Bailey Roads, Newport Road and West Genesee Street in the Village of Camillus, John Glenn Blvd. and Farrell Road, and Electronics Parkway and 7th North Street, signals were chosen due to outdated equipment, controllers and heads
- Rural Paving Project, relatively new project, most of the time the rural network in the County is not illegible for federal funding, in this situation the feds set aside funding to assist municipalities with expansion outside urban areas, approximately 3 miles of resurfacing, Lamson Road from the eastern county line to one mile west, Graham Road in the Town of Onondaga from Sentinel Heights to Lafayette Road, Apulia Road from Route 20 to one mile north
- All construction projects will begin in the spring and will be one season projects, finished before the snow in 2012

Mrs. Tassone requested to be listed as cosponsor on each of the resolutions.

Mr. Kinne stated the he had a question pertaining to an article in today's paper. There was a letter to the editor regarding something that he has been harping on for years, why don't we do away with the parkway. The citizens paid for a study in 1999. An expert recommended that the parkway be made into a no vehicle road or at the minimum a two lane road, instead of four. Mrs. Tassone responded that we have been working on this with the State DOT. They are making recommendations due to the safety issues with the bridge.

Mr. Donnelly added that the state has recently released a report detailing safety improvements for Onondaga Lake Parkway. The parkway is actually designated as Route 370; it is part of the state highway system. Certainly, a lot of the report was focused on the bridge. They are looking cross over and head-on accidents. They have taken some action. One of the things talked about was putting the Onondaga Lake Parkway traffic onto Old Liverpool Road. Mrs. Tassone stated Old Liverpool Road would become Route 370. Mr. Donnelly added that Old Liverpool Road is a four lane road, but the volume of traffic that comes down the Onondaga Lake Parkway would necessitate that road being widened considerably. He believes the costs would be somewhere between \$12 and \$20 million dollars due to the amount of right-a-way that need to be acquired. The road has both commercial and residential properties. A lot of the set back has buildings that are relatively close to the road. On top of the construction costs, you would have the expense of trying to move or purchase the businesses. He is not sure how much this is being explored by the state, at this point in time. He believes that the County likes the idea of having a designated parkway, that is actually a parkway, but because Old Liverpool Road is a county road he would certainly be concerned about the costs that the County would bear. Certainly we want the State to contribute the lion's share of any type of a move such as this.

Mrs. Tassone suggested diverting the truck traffic to the 7th North Street exit of 81 to reach the Liverpool area. Mr. Donnelly responded that here have been numerous studies done over the years. The Village of Liverpool has asked that the NYS Thruway be used as a bypass for village traffic. The Thruway has not been amenable to making this section of the Thruway toll free. He had a meeting before the release of the State's study on the possibility of diverting commercial traffic onto Old Liverpool Road. There is currently a moment in Albany to combine the NYS DOT, NYS Thruway and NYS Bridge Authority. This has been discussed time and time again, but there seems to be a new energy, to try and make this happen. This would certainly make coordination between the NYS DOT and the Thruway Authority much easier.

Mr. Kinne stated that he is all for the State paying the lion's share, as Mr. Donnelly stated. However, for 20 years he has been listening to the argument on the helicopter, how you can't put a price tag on saving lives. We have already lost lives on the parkway.

*Mr. Masterpole arrived at the meeting.

Mr. Kinne continued stated that it is about time we took the initiative to change this. In 1999 he believes that the County contributed \$150,000 to help pay for a study. The study recommended that the parkway be converted along with some additional changes for the Village of Liverpool; residents from the village where not happy with some of the recommendations made at that time. He hopes that no one loses their lives because we have not pushed hard enough to make these changes happen.

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

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

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

b. Amending the 2011 County Budget to Accept Funds for the Onondaga County Public Library and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$40,000)

- Grant funds
- Particularly good for them, had infrastructure projects goals for the Mundy Branch they felt should not be funded strictly with County money, committed to looking for \$200,000 in grant funds.
- \$40,000 is the first of the grant money, have assurances of for an additional \$150,000, will be in the application process for the rest of the funds
- Will meet their goal of \$200,000, added to the County money of \$100,000, for renovations to the Mundy Branch
- Use of space changed to offer more technology, noise abatement by adding glass enclosed rooms, staff work space cut in half to provide quite reading room for adults, Mundy Branch is currently a box, not conducive to the types of activities happening there

Chair Rapp questioned how the safety issues were working out. Ms. Dailey stated that this renovation will be the last piece of the plan. They have made great progress. One of the really different things that they have done, that worked out well, is contracting with Catholic Charities for a Neighborhood Services Worker, whom is a social worker. The advantage is that when she interacts with children and teens in the library, she can leave the library and go home with them to talk with parents about available services. The Library staff is not able to do this; they may see a child hunger but are not able to go to the home to follow up. This has added another dimension, along with staff training and the police detail, the plan has really come together. The last piece is the modifications to the space. By use of space you can control behavior. The grant is coming from Welch Allyn.

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

b. Informational Update – Eric Lynch, CNS Project Manager

Ms. Dailey introduced Mr. Lynch, Project Manager for CNS who provided the following update

- Currently working on an 8 building structure improvement plan
- Divided into 2 phases, 1st phase was primarily HVAC improvements at 4 branches and asbestos removal
- Broken out due to a matching funds grant that was due by June 30, requirement has been met, not the full expenditure of that work but that money has been spent, now finishing up the project, should be completed by the end of August or early September
- 2nd phase is general construction related to toilet renovations, elevator installations at two facilities, wheelchair left at the Soule Branch, windows for the Paine Branch and Petit Branch, some general improvements, project have already been bid, letters of intent have been sent to the contractors, currently working on contracts, preconstruction meeting tomorrow afternoon, work should begin early to mid August, should be completed within three months
- No problems with the work completed thus far
- Hazard Branch has most of the HVAC work completed, electrical portion of the HVAC is in Phase 2, once started their first priority will be to get the equipment energized
- White Branch is currently the most active, crew is onsite
- All the major pieces of equipment have been delivered to the branches
- Paine and Petit will follow up within the next several weeks
- Plenty of cooling season left to get the equipment balanced out and ready for the heating season
- All 8 projects will be completed in 2011

Chair Rapp stated that she would be taking the agenda out of order. Last month we talked about the flooding at Onondaga Lake Park; Mr. Lansley has prepared an update on the storm clean up.

3. PARKS AND RECREATION: Bill Lansley, Commissioner

b. Informational - Post Spring Storm Onondaga Lake Clean-Up

Mr. Lansley provided the following tentative budget information for the overall clean up.

<i>Project</i>	<i>Amount Spent as of 7/1/2011</i>	<i>Projected Total Cost</i>
Debris Clean Up	\$ 44,128.91	\$ 59,128.91
Marina Restoration		\$ 28,000.00
Marina Mitigation		\$ 30,000.00
Tree Removal		\$ 14,000.00
Shoreline Stabilization		\$ 75,000.00
Mud Lock Canal Clean Up		\$ 6,000.00
Total:		\$ 212,128.91

Notes:

1. Hauled out 182,180 pounds of debris and trash
2. In areas with little to no shoreline stabilizers, as much as 20 feet of shoreline was lost
3. The new floating docks handled the high water quite well
4. All of these expenses should be reimbursable from FEMA at a rate of 87.5%

****Mr. Cox arrived at the meeting.**

Mr. Lansley presented a picture power point presentation (on file with the Clerk).

- 182,000 lbs of trash pulled from the shore line
- Floating docks held up very well, could have withstood another 6 feet

- Bulk of the problem was the lake level increase, causing more than 2 miles of debris, everything from tires to full trees
- Dumpsters were rented, \$44,000 spent on debris removal thus far
- In some areas 15 feet of park has been lost due to shoreline erosion, water level back to normal, hope to reestablish the shoreline
- Marina hard hit, electrical boxes were underwater,

In answer to Mr. Kinne, Mr. Lansley stated they were able to dry out some of the electrical boxes and others had to be replaced. Mr. Kinne asked if they were going to raise the height of the boxes. Mr. Lansley responded that he believes they did on the major panel. Mr. Stevens added that as part of their plan, they hope to move the electrical boxes onto the docks.

- Walkway to outer docks clasped as stone underneath was washed away
- Baseball size rocks were washed up onto the docks
- Lock by Cold Springs had a tremendous amount of debris, will probably have dig the debris out
- Soil was washed out from underneath some of the blacktop causing the surface to sag
- 30 foot tree was washed to shore

Before and after photos were displayed. Mr. Lansley stated members and machine operators came in from various parks and did a tremendous job. Chair Rapp stated that the clean up happened within a week. Mr. Lansley added, the main part of the clean up was completed.

- Walkway needs to be taken up, repaired and repaved

a. Amending the 2011 County Budget in Order to Maintain Sufficient Balances within the Sub-Accounts of the Onondaga County Parks Department Special Events Account (\$200,000)

- Special event account was set up 12 years ago by the Legislature, investing revenues from special events back into those events
- 2011 budget requested \$200,000 to be swept from the account for the first time
- As of May 31, 2011 there was \$482,436 in the account, sounds like a lot however the Lights on the Lakes event costs between \$230,000 and \$240,000, \$224,877 of the balance is Wegmans' dedicated monies
- Wegmans committed \$1.5 million for ten years, 2012 will be the last year they will give \$150,000, operates the Good Dog Park, trams, and playground,
- Just underwent a major renovation, used \$90,000 of account to put into the Wegmans name brands for Onondaga Lake Park
- The 12 year old trams are extremely popular, approximately \$5,000 in repairs each year, \$20,000 rehab paint job for one tram, engine replaced on one of the trams 2 years ago, not the most efficient, looking at possibly going to electric trams, similar to the NOW mobile at Beaver Lake

In answer to Chair Rapp, Mr. Lansley stated the electric trams run \$20,000 - \$30,000. They are 15 passengers, not the current 45 or 50 passenger; therefore we would need more of them. Mr. Dougherty questioned if they could simply replace the engines with electric. Mr. Lansley responded that he did not think so. This would be a tough conversion. Pulling the tram, the trolley and 40 or 50 people; he does not believe that an electric motor would last long.

In response to Chair Rapp, Mr. Lansley stated the trams are generally full. It would be 40 – 45 people depending on how many children are on the tram. Mr. Kinne added that he was disturbed by the number of people that were riding the trams, in place of riding their bike or walking. Mr. Lansley responded that they have trimmed some of the schedule. The Wegmans' concept is, Fit for the Next 50. He had a conversation about the direction they are heading with the trams. There is a tremendous amount of people out walking and biking, and this really fits the program. However, the trams have just become a beloved staple of the park. Forty or fifty schools participate in fieldtrips, touring the Salt Museum and riding on the tram, making a good day of it. They are very busy.

In response to Chair Rapp, Mr. Lansley stated a staff member goes on the tram, describes things along the trail and points out all of the landmarks. They then have lunch at Willow Bay.

Mr. Lansley stated it is his opinion that with the absence of the \$224,000 and the \$200,000 sweep, this really puts them in a predicament of not being able to invest in the Lights on the Lake show at the same level. They have had good success with attendance at the park; last year 3 million. Due to the weather they have had a difficult spring. They have been able to save and could allocate about \$50,000 from the 101 account; if this is amenable. He is finding it very difficult to do an adequate purchase of equipment and keep the programs going from revenues that were produced and specified for the special event account. The sweep has not been done yet, but when they do the sweep it will be devastating on their ability to reinvest, especially for Lights on the Lake. There are various other programs as well, such as Veteran's Park benches and memorials. They have earned revenue for this account to reinvest. For example if you were to purchase a bench the money would come into and from this fund.

In answer to Chair Rapp, Mr. Lansley stated that Balloon Fest broke even this year. He added that we are not producing it, it is totally off of our plate. Somewhere in the neighborhood of 20,000 people attended the event.

In answer to Chair Rapp, Mr. Lansley stated that FEMA is going to reimburse 87.5% of the cleanup costs. Mr. Masterpole questioned if this has been approved yet. Mr. Lansley responded that it has been declared as a disaster. They are working with the County Emergency Management team. He believes that the plan is to put all the projects together, and accounts will be created for each project listed on the report.

Mr. Masterpole questioned if the declaration helped every town, village and municipality within the county; what was declared, the storm or the county. Mr. Lansley stated he believes that the county was. There was a dollar threshold. He believes that they came out with Emergency Management and actually toured the lake. He is confident that it was a countywide project. Mr. Masterpole stated that he was at a meeting an hour earlier and the Superintendent from the Village of Solvay stated he was waiting to hear if FEMA was going to reimburse them for the April storm.

Mr. Lansley stated Mr. Stevens attended a FEMA meeting and was given the details. Mr. Stevens added that you can actually get reimbursed at an individual level. There is help available for individuals, as well as all the towns, you have to qualify based on what the goals are. He added that we are currently at the stage where Parks has identified the projects they want FEMA to reimburse (as listed in the report above), the County Emergency Management team has prepared the disaster paperwork and is coordinating everything. At this point they are just waiting for FEMA to except the projects. They do not have the checks yet, but they are ready and all indications point to this being on track.

In answer to Mr. Dougherty, Mr. Stevens stated 75% is Federal and the State matches the County at 12.5%.

Chair Rapp stated that rounding the numbers, we will get back \$180,000 plus, you have \$50,000 in 101 savings. She questioned why they didn't use these funds. Mr. Lansley stated that FEMA funds will not be received for 2 – 3 years. The last time, it took in excess of two years to get the money back. He stated that these projects will have to be funded one way or another, with the anticipation that we will get the money back.

In answer to Chair Rapp, Mr. Lansley confirmed that it cost \$240,000 for the Lights on the Lake. Typically they spend \$50,000 - \$75,000 on new items. Chair Rapp questioned what would happen if they did not add new items this year, due to their financial problems. Mr. Lansley responded that they were in a similar situation last year. They invested in rehab; LED lights and they are continuing to do this. This would be the second year without a new display. They are looking at other attractions for the Lights on the Lake show; lazars, video, things such as this. They are at a reduced cost, but the typical Lights on the Lake display is what this show was built on. People want to see at least one or two new big light displays. There are smaller displays that run about \$2,000 and go up to \$80,000 for the castle that was purchased eight or ten years ago. Chair Rapp stated the lazars would be attractive and inexpensive. Mr. Lansley stated that they are not too inexpensive, but would be much less. They are looking to add this into the show experience.

Chair Rapp stated that she is concerned. They keep hearing about all the funds that they will not be receiving such as \$1.5 million for 911. What we thought was going to be a pretty easy budget, is now going to be tough.

Mr. Lansley responded that this was set up so that they could propitiate these events. Money has never been taken out of these accounts before. This will hurt them. They will have 200,000 plus people attending Lights on the Lake again this year. This represents a \$1 per person if you look at it from that aspect.

Chair Rapp stated that these funds were swept from Parks to offset property taxes, the funds were to be used for operations.

Mr. Masterpole questioned the revenue contact that was put into place with Galaxy and asked why we need put in \$200,000, if we have contact in place for them to run the show. Mr. Lansley stated that we get reimbursed on December 31 and January 31. We have to actually develop the show, which we start in September. There are expenses prior to us being reimbursed. The reimbursement is in the \$320,000 dollar range. Mr. Stevens stated that they will also make \$40,000 - \$50,000 on the show. Mr. Masterpole questioned if the money would go back into the fund. Mr. Lansley stated it would, however they won't have it this year to reinvest. Chair Rapp added that they have to buy the things now. Mr. Lansley stated that they won't have the capital to reinvest.

Mr. Masterpole stated an accurate statement would be that we would front load the money and then be reimbursed. Mr. Lansley responded, "Yes".

Mr. Lansley stated that they are reimbursed from Galaxy for their purchase at a rate of 10% per year; in a ten year agreement everything purchased is reimbursed 100%.

Chair Rapp asked Mr. Rowley if they could borrow from the Wegmans money and have it reimbursed by December 31st, since the Wegmans funds would not to be used until 2012. Mr. Rowley responded that from an accounting standpoint it would be the Comptroller's call.

Mr. Lansley stated that by design the funds are all in the same account, however if he donated funds for a specific purpose he would not want the funds to be used elsewhere. The donor has designated their funds for certain projects. It is difficult to say that we are going to borrow these funds, and use them for something else, and then reimburse it. This is a tough concept. Mr. Kinne stated that we just complained about the Oncenter doing the same thing; taking money that was given to them for a down payment and then using that money for operations, and then not having the money. He believes this is a bad policy. The money was there from Wegmans and should not be touched. Mr. Dougherty added that even if we have the right to do this, if we irritate donors and they go away, then we are in worse shape. Mr. Cox stated borrowing from the Wegmans fund would be a breach of your fiduciary obligation.

Mr. Rhinehart stated there was a great deal of work put into last year's budget; it was very controversial. He understands the justification, but we need to remember that the parks budget has almost \$12 million dollars in local contribution. He feels that this is ridiculous. He asked that the Chair not take a vote on this item today. It is not uncommon for every department in county to transfer funds from one account to another. This is done all the time. As for Wegmans, if we are concerned that the funds need to stay in this account, then leave them there and use other accounts. He reminded the committee that the minority leader was livid about the sale of Lights on the Lake. He recalls a number of legislators being upset, this was a controversial sale.

Mr. Rhinehart pointed out that there was no sponsor listed on the resolution. Mr. Masterpole responded that there isn't now, but there might be.

Mr. Masterpole asked if \$200,000 would go back into fund balance from the \$320,000. Mr. Lansley responded that would need to be next year's resolution. This is a onetime resolution for this year.

Mr. Masterpole asked if he could revise the resolution to state that it must be returned. Chair Rapp stated that one way or another the resolution was going to be changed. For one thing, the amount would go from \$200,000 to \$150,000, at the very least since they have \$50,000 available in their 101 budget.

Mr. Masterpole stated that he did not have a problem front loading money, we do move money like this a lot. Unless he is mistaken, it appears that it they will be getting \$520,000. They will get your \$320,000 from Galaxy and the \$200,000 they are requesting. If the \$200,000 was returned to fund balance he could probably support this. He doesn't have a problem borrowing from fund balance, as long as it is put back. Chair Rapp added that this would be a little different than the current resolution, which for lack of a better word is a gift.

Mr. Masterpole stated that the next argument is that fund balance is there for a good reason, to make sure that we have our facilities in satisfactory condition. He is torn. He likes the idea, but is not sure what he wants to do.

Mr. Kinne stated that he understands what Mr. Rhinehart was saying about Mr. Stanczyk. However, if he recalls correctly, he was more upset about the way that the sale happened, the process not the fact that it happened.

Mr. Kinne stated that it seems to him that we are on the verge of doing something that we should not be getting involved in. This County has always done things above board and in the right way. He does not like robbing Peter to pay Paul. It is not right and we should never

consider this. He finds it amazing that we are having this discussion. Over the years we have used ROT funds to pay for various items that clearly were not items that should have been funded with ROT monies. If we are going to have a parks system, we should tell the voters that it costs money and these are the things that you have to have. He is not saying that we should just go crazy and spend money. He is simply saying that we should be upfront about it and explain what we are doing.

Mr. Cox asked if Mr. Kinne was talking about taking money from the Wegmans account. Mr. Kinne responded that he was referring to both things. Chair Rapp added that the use of the Wegmans funds was an idea of hers and hers alone; she was just thinking out loud.

Mr. Masterpole stated that the local share for the Parks Department is not mandated, it is one of the elective things we do. He is almost sympathetic to use of the fund balance. The parks are one of the pleasures of living in Onondaga County. Mr. Dougherty stated to say that the Parks Department is elective is really discounting the number of people that use the parks.

Chair Rapp added that this is one of the few things that people get for their property taxes. Mr. Masterpole questioned if this was one of the few things that tax payers receive for their tax dollars, why not spend tax dollars on it. Mr. Dougherty agreed, especially since we are going to be reimbursed.

Mr. Masterpole stated that he would feel more comfortable if the reimbursement went back into funds balance, even though it will probably be in 2012 or 2013.

Mr. Cox stated that we could revise the resolution to state that in the event that money was received from FEMA the money must be returned to fund balance.

Chair Rapp stated that this is not an easy question. She would like to take a few minutes to come up with a resolution that they feel comfortable with. This item will be moved onto Ways and Means. Perhaps putting in Mr. Masterpole's caveat and changing the dollar amount from \$200,000 to \$150,000

Chair Rapp stated that they would not be taking a vote today. She would appreciate thoughts or comments and will have a new resolution put together before Ways and Means.

The meeting was adjourned at 9:55 a.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature

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PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES - JULY 14, 2011
KATHLEEN A. RAPP, CHAIR

MEMBERS PRESENT: Mr. Stanczyk, Mr. Cox

MEMBERS ABSENT: Mr. Dougherty, Ms. Williams

ALSO PRESENT: See attached list

Chair Rapp called the meeting to order at 10:31 a.m. ***A motion was made by Mr. Cox, seconded by Mr. Stanczyk to waive the reading and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

- 1. COMMUNITY DEVELOPMENT:** Robert DeMore, Administrator
Create R.P. 03 01103520 1771, Housing Rehabilitation Aide, Grade 6, @ \$33,885 - \$37,435 effective Aug.2, 2011.

Mr. DeMore:

- Establish a Housing Rehab Aide – grade 6; currently part-time contractor – Kristen McGriff; 3 years experience
- Started in April; working on draw down for programs; area in need of focus – drawn down \$600,000 since April
- Federal and State money; not easy like a bill; lots of paperwork
- All within budget; no significant difference for next year

Chair Rapp stated it is federally reimbursed.

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

Chair Rapp stated the paper has had articles reference land banking that was just passed. Mr. Robinson was at the forefront of making this happen.

- 2. Informational: Land Banking** – Dominick Robinson, CenterState CEO

Mr. Robinson:

- Land banking – practice giving local communities control over vacant, abandoned properties; primarily tax delinquent
- Property abandoned by owner, stop paying taxes

Mr. Cox stated there is a property across the street from him like this and the owners owe \$50,000. They have not paid taxes in three years; the property is located in Pompey.

Mr. Robinson continued:

- Currently the property goes to default mode; foreclosed on by the County – after 3 years tax delinquency
- Property sent to auction process; goes to highest bidder regardless of where bidder lives or intentions for property
- Under Land Bank Act: property would be closed on by a land bank
- Land bank can be formed, under N.Y.S. law, by any tax foreclosing government entity – the City or the County
- Under a land bank; land bank would determine the highest, best use of the property

- Group of neighbors want to own and fix up, land bank would sell at a rate that makes sense on the market
- Land bank makes the property whole as far as back taxes – full back taxes are collected
- Land bank becomes the vehicle for city/county to foreclose on a property; 7 out of 10 owners will pay back taxes
- Payments for back taxes will go back to the City or County either way – the property sale goes to the land bank
- Land bank sells property for \$50,000; takes revenue and uses it to handle other vacant and abandoned properties

Mr. Stanczyk gave the following scenario to Mr. Robinson to understand the process. The property across from Mr. Cox is delinquent for \$4,000 with \$1,000 of penalties totaling a \$5,000 bill. Land bank wants the property and must give Onondaga County \$5,000 for the property. Mr. Robinson replied to Mr. Stanczyk that the land bank will have the money to pay the County. Mr. Stanczyk asked where the land bank gets the money. Mr. Robinson responded the land bank will bond.

Mr. Robinson continued:

- Land bank formed under the LBC law, and has bonding capabilities; bond for the promise of delinquent taxes
- Makes the County whole; sometimes ending with a higher rate
- Land bank will keep anything it collects above and beyond what it agrees to with the County to continue operations
- Scenario: if the property has \$4,000 in back taxes plus fees, the land bank would bond for that, and give it back to the County – the land bank will keep anything it collects on top of the agreed amount
- Instead of auction - land bank would turn to the neighbors and find out what they want to happen with the property
- Stats show selling at auction may get more upfront but dramatic reduction in overall property values for all in the area
- Property is going to its best use by getting local input – sometimes this means at auction it may sell for \$80,000 but it would sell for \$50,000 to neighbors ensuring it will be maintained; will stabilize the property
- Aggregate property value would stay intact or increase as opposed to the alternative
- Alternative to auction process – gives local control, keeps county/city whole, generates added revenue with increase property values and fees

Mr. Cox stated hypothetically there are 5 pieces of property in the City of Syracuse that have delinquent taxes. He asked if all of the properties go to the land bank or just targeted properties; 2 of the 5.

Mr. Robinson responded:

- All of the properties could go to land bank – no discrimination
- Syracuse Renewal Agency – can acquire a lot of properties but many there are no answers for – floundering
- Land bank – ability to take all properties in without repercussion – City/County has to approve properties for land bank
- Land bank works hand in hand with the municipalities – in the case of the 5 properties, if the Legislature wanted them conveyed to the land bank, they would be – if the Legislature wanted them to go to auction, then they would go
- Land bank cannot trump the authority of the local municipality
- The County or land bank will foreclose on the properties; at that point the property is owned by the land bank
- Land bank has not been established; land bank enabling legislation has been passed in N.Y.S.
- Background: CenterState CEO started working with the Ford Foundation 4 years ago on a variety of issues around economic development in the city and county
- Pervasive issue across the region is vacant property – Ford Foundation put CenterState CEO in touch with the pioneers of land banking in M.I.; have now started a national organization and advanced this concept among others
- CenterState CEO engaged the County Executive, Mayor, Chair Rapp and other Legislators; started to vet it with them
- Really believed in the concept and began to work with state reps: Senator DeFrancisco, Senator Valesky, Assemblyman Magnarelli plus a few others – really looked at legislation in N.Y.S.
- Bill was put out last year, held up at Ways and Means Committee, never saw the floor – this year it passed
- Governor still has to sign it – once signed the County or City is able to form a land bank
- Legislation written: any tax foreclosing government entity can form a land bank; the City or County
- No funding from the State necessary – revenue neutral bill; will not affect county or city budget
- Land bank is an independent 501(c)3 that bonds on the tax liens
- Michigan land bank will collect 115% of delinquent taxes

Mr. Stanczyk requested back up information. Mr. Robinson agreed.

Mr. Robinson continued:

- Current system has no regard for what's best for the community – properties still sold to private market
- Land bank has ability to make sure property is taken care of – no matter if sold or not
- Land bank generates revenues with fees collected and properties sold; revenues used to address vacant properties
- Dilapidated building in City no one wants to touch because of environmental concerns, etc. goes to land bank, city or county not liable; land bank being a separate 501(c)3; can use revenue to demo or asbestos abatement, etc.

Mr. Stanczyk commented it sounds wonderful to say it works but more properties must be demoed then redone. There was a Community Development program, before Mr. DeMore, with a \$20,000 grant. The list was cherry picked, and still no money made. Mr. Stanczyk asked Mr. Robinson how the land bank would absorb these properties (with asbestos issues or demolition necessary), and still be ahead on other revenues to keep going. Mr. Robinson replied it would not happen all at once but overtime.

Mr. Robinson continued:

- Most effective models out there are when there are economies of scale, and intergovernmental collaboration
- Proposal: create a City/County land bank, eliminate the amount of bureaucracy that it requires, increase the overall revenues on both sides, allow for the most effective model possible
- Delinquent taxes paid when threatening foreclosure a high percentage of the time

Mr. DeMore:

- Community Development receives funding from the feds and the State; land bank would also qualify for those funds
- Inner towns, like Geddes or Salina, block with 2 or 3 houses coming up for tax sale – land bank would come in to stabilize area
- Theory behind the land bank as opposed to a person from Brooklyn buying the property on auction, driving up and seeing it is not what was expected
- Trying to avoid this situation by having an entity in charge of foreclosures – trying to stabilize neighborhoods
- This cannot be done all at once; point is to target a neighborhood or street and stabilize before moving on to the next

Mr. Robinson continued:

- Michigan model: property becomes tax delinquent, tax lien on the property, fees added - \$11,000 owed

- County will sell the tax liens to the land bank for what is owed so the County is made whole on the taxes and fees
- Plus the margin that is agreed upon between the County and land bank; land bank money from bonding
- Bonding for land bank is typically backed by the municipality
- Money left over in terms of the fees owed – retained by land bank
- With fees included the \$11,000 becomes \$15,000 total; \$10,000 is taxes only; land bank agrees to make the County whole plus 1% of fees and the land bank keeps 4% of the fees
- 7 out of 10 delinquent property owners end up paying in the end; land bank will take the money, whatever is generated in excess of what needs to be paid, to the bonding agency
- Land bank uses the access fees as start-up capital
- Scenario: 50 properties; 10 can be sold at market – land bank will sell on the market but decision making on the property is not solely financial; question is what is going to increase overall value in the long term; revenue generated
- Land bank can also apply for federal money to use

Mr. DeMore commented this process is a way to improve the tax properties that are being sold.

Mr. Robinson continued:

- Back to scenario of 50 properties: 10 sold on the market and made a little money; land bank has money left over from some operational – all money left is for chipping away at the other 40 properties
- Land bank will look at local planning processes; talk to local players and figure out a process that makes most sense
- If there is a property that is dragging down an area, go to this property first and stabilize that area
- If there is a property getting in the way of good development, go after this one
- Need to turn revenue – from fees, properties, etc.

Mr. Stanczyk requested information from Flint, MI and a formal print out. The government makes whole all the taxes outside the City. The City retains their ability to sell delinquencies. There is a steady stream of income because people will pay their delinquent taxes with penalties and interest. Mr. Stanczyk said to Mr. Robinson he is very interested to see when the organization will intervene there. Mr. Stanczyk also questioned the amount of money the County would lose to the land bank in fees and penalties to keep the operation going.

Mr. DeMore responded:

- No loss of any money to the government - penalties and fees will be raised from 1% to 1.5%
- The County will receive the original penalty/fee amount of 1% and the land bank will retain the remainder

Mr. Robinson commented whatever the County was making before on delinquent taxes collected, will stay the same. This will include the penalties and fees. Currently Onondaga County collects 100% on its tax delinquencies; overall net gain including the fees shows the amount to be around 100%.

Mr. Stanczyk asked Mr. Robinson how much money is needed to operate the land bank (budget), and where does it come from. If it comes from fees and penalties, what is that amount? If there is money from a grant, what is that amount? Mr. Stanczyk stated he needs these answers.

Mr. Robinson:

- Flint, MI – taken properties that are worthless and have done 1 of 3 things
- 1st - demo and turn into green space; 2nd – asbestos removal or fix the roof then sell at fair market value; 3rd – if the money is through a 501(c)3, and it can't sell on the market right away to get developer money, land bank will develop the property to sell on the market

Mr. Stanczyk stated he does not doubt this can be a very valuable tool. Currently the properties that are sold at auction do have a time limit of paying the taxes, getting insurance, etc. He referenced the scenario of the 50 properties with 10 being sold right away and 40 that are marginal. Out of the 40 that are marginal and sent to auction, 25 may sell and be worked on right away. Mr. Stanczyk questioned the incentive of the land bank to work on the 40 properties that would not be sold at auction with the new process. Mr. DeMore stated the process is to prevent people from purchasing properties unseen who end up turning their back on the property. The land bank would obtain the properties and fix them up using the revenue from previous sales.

Mr. Robinson:

- Land bank is the County's organization; board of directors - appointments by County Executive or elected officials
- If there is a 1% fee for tax delinquency, the County can increase that fee – the increase would go to the land bank
- Fees and penalties the County has always received, will continue to receive in full

Mr. Stanczyk stated the suggested increase is .5% from 1% per month. This would increase the total years fees 6% (from 12% to 18%).

Mr. Robinson:

- Been working on for a while with Rob Simpson, some legislators, the Mayor, the County Executive – learn, and advocate for it
- Now that it's passed, it's believed it will have a dramatic impact on the community
- Ford foundation – continuing to fund the group from Flint, MI to help advocate in the County and City
- Once bill signed – propose to start a proposal to bring to the Common Council and Legislature – engage members
- In August – bringing out national experts that started in Flint, MI – working together throughout the process
- Suggest 2 things: first to put together a 2 page overview of the legislation, how it would be applied here, and why it is important; second in August to bring in the team of experts to go through the process with the committee
- Will help to have people who have done this to show their model, see how it plays out, and how the most challenging properties are addressed
- Back to the 50 properties scenario – 10 can be developed by anyone; the power of the land bank is that it creates alternative financing for the harder to develop properties, puts the disposition of those properties into local control
- Land bank will have the funding for demolition; may receive City funded demolition

Mr. Stanczyk asked if the raise in the percentage of fees goes up, does it only go up for those that are in a 3 year foreclosure. Mr. Robinson responded it is a good question, and he does not know the answer. Mr. Stanczyk stated it is a huge question because there are people who fall into delinquency and have a hard time with the current fees. If they went from 1% to 1.5%, it would be daunting. Mr. Robinson responded the land bank has worked to become a foreclosure prevention model. This would offer a reduction in fees, and a payment method would be established.

The meeting was adjourned at 11:18 a.m.

Respectfully submitted,

Jamie M. McNamara, Assistant Clerk
Onondaga County Legislature

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**WAYS AND MEANS COMMITTEE MINUTES – JULY 15, 2011
CASEY JORDAN, CHAIRMAN**

MEMBERS PRESENT: Mr. Warner, 3Mr. Lesniak, 2Mr. Corbett, Mr. Holmquist, Mr. Buckel, Mr. Kilmartin, 4Mr. Stanczyk, 1,5Mr. Kinne
ALSO PRESENT: *see attached list*

Chairman Jordan called the meeting to order at 8:45 a.m. *A motion was made by Mr. Warner, seconded by Mr. Buckel to waive the reading and approve the proceedings of the previous committee. Passed unanimously; MOTION CARRIED.*

CONSENT AGENDA

1. EMERGENCY MANAGEMENT:

a. Amending the 2011 County Budget to Accept Homeland Security Funds for the Onondaga County Department of Emergency Management and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$100,275)

2. ONONDAGA COUNTY PUBLIC LIBRARY:

a. Amending the 2011 County Budget to Accept Funds for the Onondaga County Public Library and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$40,000)

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

WAYS AND MEANS COMMITTEE AGENDA

1. DEPARTMENT OF TRANSPORTATION: Brian Donnelly, Commissioner

a. Amending the 2011 County Budget to Fund in the First Instance 100% of the Federal Aid Eligible Costs at a Maximum Amount of \$828,000 for the Design (Scoping I-VI) and Right-of-Way Incidentals of Various Federally Aided Local Projects and Authorizing the County Executive to Enter into Agreements to Implement the Intent of this Resolution (\$828,000)

b. Amending the 2011 County Budget to Fund in the First Instance 100% of the Federal Aid Eligible Costs at a Maximum Amount of \$7,644,000 for the Construction and Construction Inspection Phases of Various Federally Aided Local Projects and Authorizing the County Executive to Enter into Agreements to Implement the Intent of this Resolution (\$7,644,000)

A motion was made by Mr. Stanczyk, seconded by Mr. Corbett to approve items 1a and 1b. Passed unanimously; MOTION CARRIED.

Mr. Kilmartin referred to a previous request, asking Mr. Rowley to provide the legislature with a print out of all employees by title, not names, noting which position are funded by grant, State or Federal monies. Mr. Stanczyk asked that the grade and salary also be listed. Mr. Rowley noted that it is not clear cut with all titles, some are partially funded. **Mr. Kilmartin said that he would like the information before budget review starts.**

1Mr. Kinne arrived at the meeting.

2. WEP: No department representative was present to address this item.

a. Amend Budget to Accept Grant Funds from U.S. Dept. of Agriculture, Forest Service, Urban and Community Forestry Prog. for the Urban Forestry Tree Plantings on Brownfield Sites (\$219,670)

Mr. Corbett said that this grant funded. The partners are Atlantic States, Cornell Cooperative Extension, City and County. When this item originally came forward there was nothing listed in the County column – the County was administering, but getting nothing. The plan was amended; money shifted to the County.

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

Chairman Jordan referred to another item which went to Env. Prot. Committee, not on Ways & Means agenda today, regarding landscaping improvements in front of City Hall. He asked if any of these monies could be used for that project. Mr. Corbett said that he was not sure; this grant is specific for urban forestry.

Mr. Lesniak asked to be provided with the capital fund balance that this project is coming from. Mr. Rowley said that he will report back on it.

Mr. Lesniak seconded the motion. Passed unanimously; MOTION CARRIED.

3. *COMMUNITY DEVELOPMENT: No department representative was present to address this item.

a. Create R.P. 03 01103520 1771, Housing Rehab. Aide, Gr. 6 @ \$33,885 - \$37,435 eff. Aug. 2, 2011

Mr. Stanczyk said that there is a person in place part time – desire to make position full time to speed up receipt of state and capital monies; position will be put in the 2012 budget. Mr. Warner asked about the costs when the person retires. Mr. Stanczyk said that the County will pay for all retirement costs for these employees. Mr. Warner asked if the grant covers the salaries when employed, and then the County picks up the cost for retirement. Mr. Stanczyk agreed that it does.

Chairman Jordan asked why the person needs to go from part time to full time. Mr. Stanczyk said that there is sufficient work for full time. Mr. Seitz said that they are having a problem trying to keep up – they have a lot of lead money; can't get the applications in to get the federal aid fast enough – creating significant cash flow issues. Mr. Lesniak questioned the cost in the budget for next year; Mr. Stanczyk did not know.

A motion was made by Mr. Stanczyk, seconded by Mr. Kinne to approve this item. AYES: 6 (Buckel, Kinne, Stanczyk, Kilmartin, Corbett, Lesniak); NOES: 0; ABSTENTIONS: 3 (Jordan, Holmquist, Warner). MOTION CARRIED.

4. WAYS & MEANS MISC:

- a. Confirming Appointments to CNY Works Board of Directors (Gregory Lancette, Richard Knowles, Anne Marie Taliercio)**

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

5. LAW:

- b. Settlement of Litigation:** John Sharon, Senior Deputy County Attorney

A motion was made by Mr. Corbett, seconded by Mr. Stanczyk to enter into executive session to discuss litigation: Smith "on behalf of" Patterson vs. County of Onondaga, et al. Passed unanimously; MOTION CARRIED.

A motion was made by Mr. Corbett, seconded by Mr. Warner to exit executive session and enter regular session, noting that no action was taken during executive session. Passed unanimously; MOTION CARRIED.

Mr. Corbett left the meeting.

- a. Informational Update:** Gordon Cuffy, County Attorney, Joanna Gozzi, Chief Deputy County Attorney

Mr. Cuffy said that he will discuss what the Law Dept does, with the resources that it has, regarding community based projects. He asked Ms. Gozzi to speak about the family court unit.

Joanna Gozzi:

- In addition to daily family court responsibilities, department participates in a lot of community outreach
- Changes in family court system – juvenile reform; years ago placed kids out of homes – now changes to keep them community based and provide them services
- Prosecute abuse and neglect cases; focus on children – rather than keeping them languished in foster care; a lot of changes made to provide resources and give the families a short period of time to make changes
- File approximately 450 neglect & abuses cases/year – handled by 8 attorneys; also do JDs and PINs, custodies, termination of parental rights, modifications – whole array of cases
- Juvenile justice reform – for past 6 years involved in team of professionals which include agencies, judiciary, probation – efforts to see what can be done to reduce disparate minority representation in juvenile justice system – resulted in reduced amount of children detained at Hillbrook and the number placed in outside facilities

In answer to Mr. Lesniak, Mrs. Gozzi explained that about 25 years ago there was overflow at Hillbrook – between 30 – 60 kids; now there is an average of two/day. The period of time they stay is much shorter also. In further answer to Mr. Lesniak, Mrs. Gozzi said that the number has been greatly reduced especially within the past 6 years. Things like the special supervision program are used – while case is pending in court, the child will be released under special supervision. Mr. Cuffy said that they can report back on the numbers in reference to a more recent time frame.

Mr. Warner asked what the total local dollar cost is for family court. Mrs. Gozzi did not know. Mr. Warner asked if the programs are mandatory. Mrs. Gozzi said "no", they are something that they have developed. Mrs. Gozzi said that if they cannot prevent the risk to the community, and there is likelihood of committing other offenses, then the child is kept in Hillbrook. If they can't do community based alternatives to placement, then they have to be placed at a cost of about \$200,000/child/year. Mr. Warner asked what percentage of the \$200,000 is local cost; Mrs. Gozzi did not know. Mr. Warner said that at budget time, some of the numbers will be needed. Mr. Cuffy said that the reduction in children going into a facility, as opposed to finding alternatives, is pushed by the State. Mrs. Gozzi said that some of the facilities have been closed; they are not an effective way of rehabilitating youth. Mr. Warner said that the governmental agencies are shifting their costs back to the local level. Mrs. Gozzi said that there is grant money; Probation would be able to provide the dollar amount that has been injected into the process to help set the programs up.

Mr. Buckel said to exercise care, rather than just look at numbers--have to look at the cost benefit. Mrs. Gozzi explained that as they prosecute the cases in family court, it is important to take a role in working with the other members of the team. It has been very effective. The role of the prosecutor in family court in juvenile delinquency and PINs cases is to make sure the community is protected.

3Mr. Lesniak left the meeting.

- State Court Improvement Project – work with family court and community agencies - abuse and neglect of children. Trying to enhance services and legal system so that permanency for children is achieved more quickly. Meets monthly in a large committee and there is a legal subcommittee.
- Provided a course, sponsored by Court Administration/Court Improvement Project, on how to do surrenders – how to free a child, get them adopted.
- Will continue to provide additional training at no cost to the County. There is a cost benefit because it reduces the time that a child is in care.
- Members of Child Fatality Review Team; meets monthly to discuss any child 18 and under who died, autopsied for anything other than natural causes – study deaths and decide what community outreach can be done; help community to reduce deaths – give information on child safety
- Child Abuse Response Team; Domestic Violence and Sexual Violence Coalition – meet monthly – talk about how to improve the system; no cost
- Multi-Disciplinary Team – meets with McMahon-Ryan monthly to discuss specific cases and responses. McMahon-Ryan received grant money – in process of opening state of the art child advocacy center. Will be the best in NYS; no local dollars

In answer to Mr. Warner, Mrs. Gozzi said that Julie Cecile heads up McMahon Ryan. Mr. Warner referred to a child getting disciplined and the parents being dragged into court. Mrs. Gozzi said that before a case goes into court; the Law Department reviews it; analyzes it for legal sufficiency; and decides if it should be filed or not. Mr. Cuffy said that what Mr. Warner is referring to is a serious issue – those are the types of issues that are close calls – sometimes it is just discipline; sometimes it is something more, and the only way to know is to look at it. The Family Court Unit looks at the most valuable commodity that the community has, the children, try to look out for the children in the most efficient way possible. A lot of the programs are sponsored by grants; try to participate when they feel it will help the community as a whole.

4Mr. Stanczyk left the meeting.

Mr. Kinne asked if there is overwhelming evidence that shows that the more money and time spent on intervention at early ages, then the less money will be spent on police and jails, and it helps young kids get on the right path. Mr. Cuffy said that the legislature decides how

much money to put into programs affecting the children. Their oath is to make sure that they protect the children; required to protect the children; will try to do the best with the resources that they have. Mr. Kinne referred to his involvement in the Valley Field Days and noted the difference in the reaction of the kids between a police officer and a probation officer; they are more scared of probation officers and behave better when they are around. Probation officers have a better connection with the kids than the police officers. Mr. Jordan said that they spend time with the kids and know them – not just someone in a blue suit that they may have never seen before.

Mrs. Gozzi noted that Probation Dept., Social Services, and our Juvenile Justice Reform are models in the state. They pushed the money away from placement and put it into alternatives to detention. DSS was pilot program for FAR, which was designed so that when a report comes in, it is not taken as a report of abuse or neglect; work with the family; front load services to avoid going to court, to avoid placing children. It has now been passed into state legislation--now something that all other social services departments in the state will do. There are lower numbers in family court because of the efforts made. A juvenile case doesn't go to court until after the process of Diversion, which is done after the arrest – child is referred to Probation and offered services there. Unless a child totally bombs out, the case doesn't even get to court.

5Mr. Kinne left the meeting.

Chairman Jordan said that there is an enormous level frustration due to inconsistency. He referenced examples of his clients. Mrs. Gozzi said that impact to the child has to be demonstrated. Mr. Cuffy said that there has to be proof. Mr. Cuffy said that there are disputes and evidentiary issues. Chairman Jordan said that from his perspective, there is enormous level of inconsistency – similar conduct is treated dissimilarly; all too often the shield is used as a sword.

Mr. Buckel asked to be provided with results/data of repeat offenses, educational improvements/accomplishments from the last 6 years. Mrs. Gozzi said that they have the data and can provide it. Chairman Jordan said that he would like to see how much is going toward rehabilitation of the child and how much is going toward education of the parent. Mrs. Gozzi said under Article III, there is nothing that holds a parent accountable. Article VII, PINS proceeding – can get an order over the parent; she has expressed for years that there is no parental accountability.

Mrs. Gozzi continued noting that they also:

- go into high schools and middle schools and talk to kids – let them know what they do for a living; inform them about court
- give instruction to foster parents

Mr. Cuffy referred to FOILS

- increasing for County
- allowing public to submit paperless FOIL requests
- created a dedicated email for FOIL – FOIL accounts make it easier for public to access FOILS
- storing FOIL files digitally
- Because majority of FOILS are paperless, the cost to the county has been reduced

Mr. Buckel asked if construction documents are also paperless; Mr. Cuffy said “when they can be”. Sometimes the documents are voluminous and don't work in the “Cloud” system.

- Saving because not using a disk
- Saves public money because they don't pay for the cop

*Robert DeMore asked to address the committee regarding item 3a. He reported that fringe benefits are all paid for out of the grant, including retirement. **Mr. Warner asked to be provided with a one-page detail prior to session--costs paid for out of the grant, including retirement.** Mr. DeMore said he was advised by Jennifer Wells, Personnel Dept., that it is.

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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