



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

JAMES M. RHINEHART
Chairman

KATHERINE M. FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
Phone: 315.435.2070 Fax: 315.435.8434
www.ongov.net

RESOLUTION NOS. 515 – 535

OFFICE OF THE CLERK

November 1, 2011

PUBLIC HEARINGS:

- 12:50 P.M. – Re: A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Electronics Park**
- 12:51 P.M. – Re: A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Metro WWTP**
- 12:52 P.M. – Re: A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Oak Orchard**
- 12:53 P.M. – Re: A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Sewer Cleaner, Tanker**

Listed below are the resolutions to be presented to the County Legislature at the November Session. The meeting will be held at **1:00 p.m. on Tuesday, November 1, 2011.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mrs. Tassone**
- D. SALUTE TO FLAG – **Mrs. Rapp**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. **Correspondence:**
 - a. 09-19-11 Letter from County Executive Mahoney – Re: Reappointment to the Board of Directors of the Onondaga County Civic Development Corporation (Cydney M. Johnson)
 - b. 10-21-11 Memo from Chairman Rhinehart – Re: Reappointments to the Onondaga County Water Authority (Dr. Eileen D. Gilligan, Susan A. Miller)
 - 2. **In Memoriam** – Tony Nesci
 - 3. **Public Comment:**
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 4)

5TH DISTRICT – MRS. RAPP – CO. FACILITIES; PLANNING & ECONOMIC DEVELOPMENT

- 1. **NO. 515** Confirming Reappointment to the Onondaga Civic Development Corporation Board of Directors (Cydney Johnson) (17-0-2 Stanczyk, Kinne)
- 2. **NO. 516** Amending the 2011 County Budget to Provide the Syracuse-Onondaga County Planning Agency with Additional Funds Beyond the Estimated Dollars Appropriated in the 2011 Budget, and Authorizing the County Executive to Amend the Contract with the Syracuse Metropolitan Transportation Council (SMTTC) to Implement this Resolution (\$295,851) (17-0-2 Stanczyk, Kinne)
- 3. **NO. 517** Designating the Centerstate Corporation for Economic Opportunity as the Agency Authorized to Make Application to the New York State Department of Economic

Development and to Receive Matching Funds Therefrom Under the New York State Tourist Promotion Act (17-0-2 Stanczyk, Kinne)

6TH DISTRICT – MR. RHINEHART

4. **NO. 518** Amending the 2011 Onondaga County Budget to Provide Funds for the Payment to New York State for the Early Retirement Incentive Program (\$12,115,522) (17-0-2 Stanczyk, Kinne)
5. **SENT TO PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE** Memorializing the Support of the Onondaga County Legislature for a Video Lottery Gaming Facility in Onondaga County, Subject to Satisfaction of Various Conditions
6. **NO. 519** Confirming Reappointments to the Onondaga County Water Authority (Dr. Eileen D. Gilligan, Susan A. Miller) (17-0-2 Stanczyk, Kinne)

8TH DISTRICT – MR. CORBETT – ENVIRONMENTAL PROTECTION

7. **NO. 520** Authorizing the Acceptance of the Seventh North Street Water Main from the City of Syracuse for and on Behalf of the Onondaga County Sanitary District; Approving the Classification of an Unlisted Action Under the State Environmental Quality Review Act (SEQRA); Declaring Lead Agency Status; Accepting the Short Environmental Assessment Form; Making and Declaring a Negative Declaration; and Authorizing the County Executive to Enter into Agreements (17-0-2 Stanczyk, Kinne)
8. **NO. 521** Authorizing the Execution of an Agreement with the Town of Geddes to Reimburse the Town Costs Related to Preventing Potential Backup of Sanitary Sewers in the Bronson Road Area (\$40,000) (18-0-1 Stanczyk)
9. **NO. 522** Authorizing the Execution of Agreements with the New York State Department of Environmental Conservation Under the Water Quality Improvement Projects and Nonagricultural Nonpoint Source Projects Grant Program and Amending the County Budget to Accept the Grant Funds (\$3,000,000) (18-0-1 Stanczyk)
10. **NO. 523** A Resolution Approving the Purchase of a Combination Sewer Cleaner, as Well as a Tanker, for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
11. **NO. 524** Bond Resolution. A Resolution Authorizing the Issuance of \$449,000 Bonds of the County of Onondaga, New York, to Pay the Cost of The Purchase of a Combination Sewer Cleaner, as Well as a Tanker, for the Onondaga County Sanitary District in and for Said County (\$449,000) (18-01-1 Stanczyk)
12. **NO. 525** A Resolution Approving the Construction of Certain Improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
13. **NO. 526** Bond Resolution. A Resolution Authorizing the Issuance of \$10,000,000 Bonds of the County of Onondaga, New York, to Pay the Cost of the Construction of Certain Improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District in and for Said County (\$10,000,000) (18-0-1 Stanczyk)
14. **NO 527** A Resolution Approving Various Improvements at the Metro WWTP Including the Grit Handling Operations in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
15. **NO. 528** Bond Resolution. A Resolution Authorizing the Issuance of \$5,600,000 Bonds of the County of Onondaga, New York, to Pay the Cost of Various Improvements at the Metro WWTP Including the Grit Handling Operations in and for the Onondaga County Sanitary District in and for Said County (\$5,600,000) (18-0-1 Stanczyk)
16. **NO. 529** A Resolution Approving the Construction of Certain Improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
17. **NO. 530** Bond Resolution. A Resolution Authorizing the Issuance of \$12,405,000 Bonds of the County of Onondaga, New York, to Pay the Cost of the Construction of Certain Improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District in and for Said County (\$12,405,000) (18-0-1 Stanczyk)

14TH DISTRICT – MR. JORDAN – WAYS AND MEANS

a17 **NO. 531 (Waiver)** Authorizing the Settlement of the Action Filed with the Supreme Court of the State of New York, County of Onondaga, Brian Frederick Radford v. County of Onondaga (17-1 Masterpole -1 Stanczyk)

16TH DISTRICT – MR. LAGUZZA

aa17 **NO. 532 (Waiver)** A Resolution Calling a Public Hearing to Consider Support for Video Lottery Terminals within Onondaga County (18-0-1 Stanczyk)

19TH DISTRICT – MRS. ERVIN

17a **NO. 533 (Waiver)** A Resolution Calling a Public Hearing to Consider the Proposed County Source Separation Law and Changes to Local Law No. 12 – 1989, as Amended, and Local Law No. 5 – 2003 (12 Tassone, Rapp, Buckel, Corbett, Warner, Kinne, Laguzza, Masterpole, Williams, Ervin, Dougherty, Rhinehart -6 Lesniak, Holmquist, Kilmartin, Cox, Jordan, Meyer – 1 Stanczyk)

1ST DISTRICT – MR. LESNIAK

18. **NO. 534** Authorizing an Agreement with the Town of Lysander to Defray the Cost of Waste Water Improvements for Whispering Oaks Pursuant to Local Law No. 1 – 2011 (17-0-2 Stanczyk, Kinne)

3RD DISTRICT – MR. MEYER

19. **NO. 535** Amending Resolution No. 265 - 1994, as Amended by Resolution No. 4 - 1995, Regarding Partial Payments of County and Town Real Property Taxes (17-0-2 Stanczyk, Kinne)

LOCAL LAW:

- A. **PASSED** - A Local Law Authorizing the Sale of County Property to Tuscarora Golf Club, Inc. (Sponsored by Mr. Rhinehart) (15-0-2 Stanczyk, Kinne -2 Kilmartin, Masterpole)
- B. **PASSED** - A Local Law Providing for the Defense and Indemnification of the Directors of the Onondaga County Convention Center War Memorial Complex Management Corporation (Sponsored by Mrs. Rapp) (17-0-2 Stanczyk, Kinne)
- C. **PASSED** - A Local Law Enacting a New County Source Separation Law, and Repealing Local Law No. 12 – 1989 as Amended by Local Law No. 14 – 1991 (Sponsored by Mr. Corbett) (17-0-2 Stanczyk, Kinne)
- D. **PASSED** - A Local Law Amending Local Law No. 5 – 2003 Which Provided for the Regulation, Collection and Disposal of Solid Waste Originating In the County of Onondaga (Sponsored by Mr. Corbett) (17-0-2 Stanczyk, Kinne)

- K. UNFINISHED BUSINESS
- L. ANNOUNCEMENTS FROM THE CHAIR
- M. ADJOURNMENT

Respectfully submitted,

DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE

November 1, 2011

515

Motion Made By Mrs. Rapp

RESOLUTION NO. _____

CONFIRMING REAPPOINTMENT BY THE COUNTY EXECUTIVE TO THE BOARD OF DIRECTORS OF THE ONONDAGA CIVIC DEVELOPMENT CORPORATION

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, pursuant to Resolution No. 192 - 2010, as amended by Resolution No. 472 - 2011, has duly reappointed and designated, subject to confirmation by the Onondaga County Legislature, the following individual to serve as the County Executive's appointee to the Board of Directors of the Onondaga Civic Development Corporation:

REAPPOINTMENT:

Cydney Johnson
111 Edwards Drive
Fayetteville, New York 13066-1003

TERM EXPIRES:

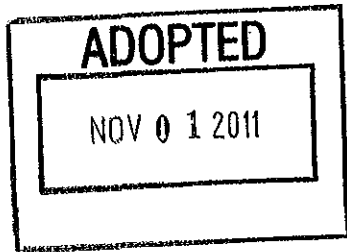
October 6, 2014

and

WHEREAS, it is the desire of this Legislature to confirm said reappointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the reappointment of the above individual to serve as the County Executive appointee to the Board of Directors to the Onondaga Civic Development Corporation.

OCDCApptResCJ.doc
lht/nlm
kam



FILED WITH CLERK
ONON. CO. LEG.
Sept 30, 2011
KMF

11 OCT 27 AM 9:49

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mrs. Rapp

RESOLUTION NO. 516

AMENDING THE 2011 COUNTY BUDGET TO PROVIDE THE SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY WITH ADDITIONAL FUNDS BEYOND THE ESTIMATED DOLLARS APPROPRIATED IN THE 2011 BUDGET, AND AUTHORIZING THE COUNTY EXECUTIVE TO AMEND THE CONTRACT WITH THE SYRACUSE METROPOLITAN TRANSPORTATION COUNCIL (SMTC) TO IMPLEMENT THIS RESOLUTION

WHEREAS, the New York State Department of Transportation (NYSDOT) has agreements with Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to administer the Statewide transportation program for metropolitan areas; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has been designated as the organization responsible to carry out transportation planning and programming necessary to continue federal transportation funding for the Syracuse metropolitan area; and

WHEREAS, pursuant to state and federal requirements, pursuant to Resolution No. 282-2010, this Onondaga County Legislature has authorized the County of Onondaga to act as host agency for 2011 and to fund in the first instance all SMTC charges, subject to reimbursement from the NYSDOT; and

WHEREAS, the County of Onondaga has subcontracted with the Central New York Regional Planning & Development Board (CNYRPDB) for administrative services relative to the SMTC program and that applicable administrative cost of CNYRPDB shall be funded in the first instance by the County of Onondaga, subject to reimbursement from the NYSDOT; and

WHEREAS, the SMTC work program for 2011 has been expanded through the Supplemental Agreement Cover since the 2011 budget was prepared; and

WHEREAS, SMTC has projected the need for additional appropriations to complete the Work Program; now, therefore be it

RESOLVED, the County Executive is authorized to amend the SMTC contract to implement the intent of this resolution; and, be it further

RESOLVED, that the 2011 County Budget be amended as follows:

REVENUES:

CG510 Estimated Revenues	\$295,851
In Admin. Unit 10-87	
Syracuse-Onondaga County Planning Agency	
FAMIS Index #260133	
In Account 018-0267 and 018-0257	
Federal Aid SMTC	\$295,851

APPROPRIATIONS:
CG 960 Appropriations
In Admin. Unit 10-87
Syracuse-Onondaga County Planning Agency
FAMIS Index # 260133
In Account 570-9570 Contracted Services

\$295,851

\$295,851

SOCPA-SMTC.doc
LHT 9.29.11
chm
kam

ADOPTED
NOV 0 1 2011

RECEIVED
ONONDAGA COU
LEGISLATURE
OCT 18 AM 11

November 1, 2011

Motion Made By Mrs. Rapp

RESOLUTION NO. 517

DESIGNATING THE CENTERSTATE CORPORATION FOR ECONOMIC OPPORTUNITY AS THE AGENCY AUTHORIZED TO MAKE APPLICATION TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TO RECEIVE MATCHING FUNDS THEREFROM UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

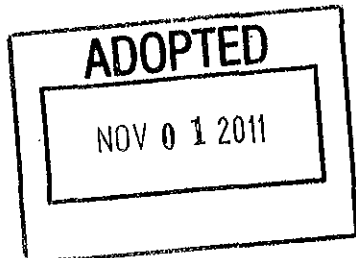
WHEREAS, pursuant to Article 5-A of the Economic Development Law, the New York State Legislature has authorized the New York State Department of Economic Development to match funds expended by authorized tourist promotion agencies; and

WHEREAS, the CenterState Corporation for Economic Opportunity has requested designation as the agency to promote tourism in Onondaga County; and

WHEREAS, said organization is prepared to match the State funds available under the New York State Tourist Promotion Act; now, therefore be it

RESOLVED, that the CenterState Corporation for Economic Opportunity is herein designated and authorized to make application to and receive matching State funds under the New York State Tourist Promotion Act as the agency designated to promote tourism in the County of Onondaga.

I love NY.doc
KMB
kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT 12 PM 1:30

November 1, 2011

Motion Made By Mr. Rhinehart

RESOLUTION NO. 518

AMENDING THE 2011 ONONDAGA COUNTY BUDGET TO PROVIDE FUNDS FOR THE PAYMENT TO NEW YORK STATE FOR THE EARLY RETIREMENT INCENTIVE PROGRAM

WHEREAS, by local laws adopted dated July 6, 2010, the County authorized participation in the New York State Early Retirement Incentive Program pursuant to Chapter 105 of the Laws of 2010 (Part A) and (Part B) for eligible employees of the County of Onondaga; and

WHEREAS, the 2011 County Budget provides for \$2,646,038 in funds for the first payment of the five year estimated costs of amortizing the Early Retirement Incentive Program; and

WHEREAS, due to significant financing costs imposed by the State for amortizing the Early Retirement Program costs over five years, it is the desire of the County to make one lump sum payment in the amount of \$12,115,522 in 2011, thereby saving annual interest costs in the amount of \$1,882,944 for five years; and

WHEREAS, this additional \$9,469,483 will be comprised of \$1,482,805 in additional federal and state aid, leaving \$7,986,679 owing; and

WHEREAS, it is the desire of this Legislature to amend the County Budget to provide funds for the lump sum payment to New York State for the Early Retirement Incentive Program costs; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into agreements to implement the intent of this resolution; and, be it further

RESOLVED, that the 2011 County Budget be amended and the following amounts be provided and made available:

APPROPRIATIONS:

A960 Appropriations \$7,365,151

In Admin. Unit 10-23-65-15	
County General Special Expense	
FAMIS Index #140061	
In Acct. 120-9120 Employee Benefits	-\$2,049,398

In Admin. Unit 10-23-85	
County Gen. Interfund Transfers	
FAMIS Index #140541	
In Acct. 970-6870 Trans to County Road Fund	\$821,516
In Acct. 978-6878 Trans to Library Fund	<u>\$47,849</u>
	\$869,365

In Admin. Unit 80-05-10	
Facilities Management	
FAMIS Index #470005	
In Acct. 120-9120 Employee Benefits	\$177,231

In Admin. Unit 10-13-20
Audit and Control - Accounting
FAMIS Index #102038
In Acct. 120-9120 Employee Benefits \$79,991

In Admin. Unit 10-13-30
Audit and Control - Auditing
FAMIS Index #102046
In Acct. 120-9120 Employee Benefits \$39,491

In Admin. Unit 40-15
Corrections
FAMIS Index #290015
In Acct. 120-9120 Employee Benefits \$106,970

In Admin. Unit 10-19
County Clerk
FAMIS Index #110007
In Acct. 120-9120 Employee Benefits \$20,485

In Admin. Unit 10-21
County Executive
FAMIS Index #130039
In Acct. 120-9120 Employee Benefits \$67,520

In Admin. Unit 10-25
County Legislature
FAMIS Index #130039
In Acct. 120-9120 Employee Benefits \$108,658

In Admin. Unit 10-27
Information Technology
FAMIS Index #160028
In Acct. 120-9120 Employee Benefits \$305,618

In Admin. Unit 40-31-10
District Attorney
FAMIS Index #300200
In Acct. 120-9120 Employee Benefits \$181,654

In Admin. Unit 40-34-00
Emergency Communications
FAMIS Index #305011
In Acct. 120-9120 Employee Benefits \$120,306

In Admin. Unit 40-38-00
Emergency Management
FAMIS Index #309989
In Acct. 120-9120 Employee Benefits \$105,242

In Admin. Unit 10-39-10
Finance - Treasury
FAMIS Index #200246
In Acct. 120-9120 Employee Benefits \$118,079

In Admin. Unit 10-39-15
Finance – Div. of Management and Budget
FAMIS Index #200501
In Acct. 120-9120 Employee Benefits \$71,114

In Admin. Unit 40-43
Health Department
FAMIS Index #319962
In Acct. 120-9120 Employee Benefits \$1,037,769

In Admin. Unit 40-43-51
Health – Center for Forensic Science
FAMIS Index #330308
In Acct. 120-9120 Employee Benefits \$156,037

In Admin. Unit 10-47
County Attorney
FAMIS Index #210096
In Acct. 120-9120 Employee Benefits \$139,769

In Admin. Unit 40-53-10
Mental Health Department
FAMIS Index #360420
In Acct. 120-9120 Employee Benefits \$341,900

In Admin. Unit 80-69
Parks and Recreation
FAMIS Index #510024
In Acct. 120-9120 Employee Benefits \$437,622

In Admin. Unit 10-71-10
Personnel
FAMIS Index #230128
In Acct. 120-9120 Employee Benefits \$65,753

In Admin. Unit 10-71-20
Personnel – CNY Works
FAMIS Index #230235
In Acct. 120-9120 Employee Benefits \$69,849

In Admin. Unit 40-73-20
Probation
FAMIS Index #401101
In Acct. 120-9120 Employee Benefits \$381,336

In Admin. Unit 40-73-90
Probation - Hillbrook
FAMIS Index #400200
In Acct. 120-9120 Employee Benefits \$155,696

In Admin. Unit 10-75
Division of Purchase
FAMIS Index #240028
In Acct. 120-9120 Employee Benefits \$147,264

In Admin. Unit 40-79-20
Sheriff
FAMIS Index #410001
In Acct. 120-9120 Employee Benefits \$663,213

In Admin. Unit 40-79-30
Sheriff-Custody
FAMIS Index #410027
In Acct. 120-9120 Employee Benefits \$279,322

In Admin. Unit 40-81-10
Department of Social Services
FAMIS Index #430009
In Acct. 120-9120 Employee Benefits \$3,060,839

In Admin. Unit 10-87
SOCPA
FAMIS Index #260133
In Acct. 120-9120 Employee Benefits \$77,352

In Admin. Unit 40-95
Veterans
FAMIS Index #460006
In Acct. 120-9120 Employee Benefits \$29,104

FUND BALANCE:
A599 Appropriated Fund Balance \$5,882,345

REVENUES:
A510 Estimated Revenues \$1,482,806

In Admin. Unit 10-23-65-20
County General Undistributed Personnel Expense
FAMIS Index #140376
In Acct. 057-2040 Other unclassified revenue -\$385,659

In Admin. Unit 40-53-10
Mental Health Department
FAMIS Index #360420
In Acct. 023-0490 State Aid Mental Health \$170,950

In Admin. Unit 10-71-20
Personnel -- CNY Works
FAMIS Index #230235
In Acct. 036-1288 Co Svce Rev Other \$69,849

In Admin. Unit 40-73-90
Probation - Hillbrook
FAMIS Index #400200
In Acct. 025-0551 State Aid Hillbrook \$76,291

In Admin. Unit 40-81-10
Department of Social Services
FAMIS Index #430009
In Acct. 015-0185 Fed Aid Soc. Svcs \$765,210
In Acct. 025-0540 St. Aid Soc. Svcs \$765,210
\$1,530,420

In Admin. Unit 40-95
Veterans
FAMIS Index #460006
In Acct. 060-3003 Other Interdept chgs. \$20,955

APPROPRIATIONS:

D960 Appropriations \$821,516
In Admin. Unit 80-93-20
Department of Transportation- Highways Div.
FAMIS Index #534040
In Acct. 120-9120 Employee Benefits \$821,516

REVENUES:

D510 Estimated Revenues \$821,516
In Admin. Unit 80-93-20
Dept of Transportation- Highways Div.
FAMIS Index #534040
In Acct. 070-3701 Cont from Gen Fund \$821,516

APPROPRIATIONS:

CH960 Appropriations \$1,160,974
In Admin. Unit 40-49-20
Van Duyn
FAMIS Index #351677
In Acct. 120-9120 Employee Benefits \$1,160,974

FUND BALANCE:

CH599 Appropriated Fund Balance \$1,160,974

APPROPRIATIONS:

F960 Appropriations \$157,636
In Admin. Unit 80-57-00
Metropolitan Water Board
FAMIS Index #500009
In Acct. 120-9120 Employee Benefits \$157,636

FUND BALANCE:

F599 Appropriated Fund Balance \$157,636

APPROPRIATIONS:

G960 Appropriations \$589,496

In Admin. Unit 80-33-30

WEP - Consolidated Sanitary District

FAMIS Index #480020

In Acct. 120-9120 Employee Benefits \$572,409

In Admin. Unit 80-33-20

WEP Flood Control

FAMIS Index #480004

In Acct. 120-9120 Employee Benefits \$17,087

FUND BALANCE:

G599 Appropriated Fund Balance \$589,496

In Admin. Unit 80-33-30

WEP - Consolidated Sanitary District

FUND BALANCE:

G599 Appropriated Fund Balance \$589,496

In Admin. Unit 80-33-20

WEP Flood Control

APPROPRIATIONS:

L960 Appropriations \$158,749

In Admin. Unit 40-65-10

Onon. Co. Public Library

FAMIS Index #390114

In Acct. 120-9120 Employee Benefits \$47,849

In Admin. Unit 40-65-30

OCPL Syracuse Branch Libraries

FAMIS Index #390039

In Acct. 120-9120 Employee Benefits \$110,900

REVENUES:

L510 Estimated Revenues \$158,749

In Admin. Unit 40-65-10

Onon. Co. Public Library

FAMIS Index #390114

In Acct. 070-3703 Trans. to Library Fund \$47,849

FUND BALANCE:

L599 Appropriated Fund Balance \$110,900

In Admin. Unit 40-65-30

OCPL Syracuse Branch Libraries

REVENUES:

CP510 Estimated Revenues		\$85,326
In Admin. Unit 10-35-20		
Community Development		
In Acct. 013-0136		
082-3799 Tr from Project Funds	\$85,326	

APPROPRIATIONS:

CP960 Appropriations		\$85,326
In Admin. Unit 10-35-20		
Community Development		
FAMIS Index #180182		
In Acct. 120-9120 Employee Benefits	\$85,326	

2011 Early Retirement.doc
PCS 09.10.11
LHT 09.12.11
CIm
kam



11 OCT 17 PM 4: 30
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

6.

November 1, 2011

Motion Made By Mr. Rhinehart

RESOLUTION NO. 519

CONFIRMING REAPPOINTMENTS TO THE ONONDAGA COUNTY WATER AUTHORITY

WHEREAS, pursuant to the provisions of the Public Authorities Law and appointments heretofore made to the Onondaga County Water Authority two vacancies occur due to the expiration of the terms of Dr. Eileen Gilligan and Susan Miller; and

WHEREAS, the Chairman of the Onondaga County Legislature has designated and reappointed Eileen Gilligan and Susan Miller as members of the Onondaga County Water Authority, subject to confirmation of this Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature hereby confirms the reappointment of the following individuals to the Onondaga County Water Authority for the terms specified:

REAPPOINTMENTS:

Dr. Eileen D. Gilligan
2739 Summer Ridge Road
LaFayette, New York 13084

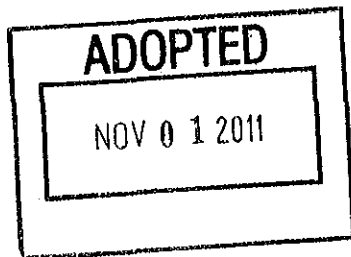
TERM EXPIRES:

July 1, 2014

Susan A. Miller
12 Warren Street
Tully, New York 13159

July 1, 2014

OCWA 11_11
SS
kam



FILED WITH CLERK
ONON. CO. LEG.
OCT 26, 2011
KUP

11 OCT 27 AM 9:48

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Corbett, Mrs. Tassone

RESOLUTION NO. 520

AUTHORIZING THE ACCEPTANCE OF THE SEVENTH NORTH STREET WATER MAIN FROM THE CITY OF SYRACUSE FOR AND ON BEHALF OF THE ONONDAGA COUNTY SANITARY DISTRICT; APPROVING THE CLASSIFICATION OF AN UNLISTED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA); DECLARING LEAD AGENCY STATUS; ACCEPTING THE SHORT ENVIRONMENTAL ASSESSMENT FORM; MAKING AND DECLARING A NEGATIVE DECLARATION; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AGREEMENTS

WHEREAS, on December 27, 2007, Onondaga County entered into a Consent Agreement with the New York State Department of Environmental Conservation requiring the County to mitigate sanitary sewer overflows that occur during wet weather from the Electronics Park Trunk Sewer; and

WHEREAS, pursuant to Article 11-A of the Onondaga County Administrative Code, the Acting Commissioner of Department of Water Environment Protection has heretofore recommended to this County Legislature the purchase from the City of Syracuse of a 9,625 linear foot pipe situated in the Town of Salina, County of Onondaga, State of New York being known as Tax Map ID #648.89-9999-244.400/1301 (hereinafter, "Seventh North Street Water Main") at a maximum estimated cost of \$1.00 plus reimbursement for any taxes paid by the City from the date of conveyance through the end of the calendar year; said Seventh North Street Water Main to be incorporated into the sanitary sewer overflow mitigation project for the Electronic Park Trunk Sewer and to promote the public health and welfare of the County in the area to be served by said mitigation project; and

WHEREAS, the Acting Commissioner of the Department of Water Environment Protection held a hearing on June 29, 2011 and has duly filed his Report and Recommendations dated June 30, 2011; and

WHEREAS, by resolution adopted July 5, 2011, this County Legislature called for a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York, on August 2, 2011 at 12:50 p.m.; Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and Recommendations of the Acting Commissioner of the Department of Water Environment Protection and the evidence given at said public hearing; now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of the property known as and described herein as the Seventh North Street Water Main at a maximum estimated cost of \$1.00 plus reimbursement for any taxes paid by the City from the date of conveyance through the end of the calendar year; and, be it further

RESOLVED, that the County Executive is hereby authorized to execute agreements to implement the intent of this resolution; and, be it further

RESOLVED, that the County Comptroller be and hereby is authorized and directed to draw a check payable to the City of Syracuse in payment thereof, said check to be delivered to the County Attorney who shall obtain proper conveyance and approve title before delivery of said check and that said sum be, and hereby is, made a charge upon the proper fund or funds; and, be it further

RESOLVED, that the County of Onondaga is hereby authorized, directed, and designated to act as the lead agency; and, be it further

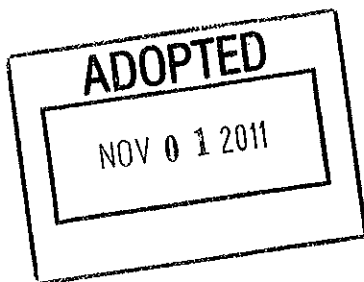
RESOLVED, that as lead agency, the County Legislature hereby determines that the proposed action is a Type II Action under SEQRA with a finding of no significant impact; and, be it further

RESOLVED, that the negative declaration finding prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County; and, be it further

RESOLVED, that the County Legislature does hereby make and adopt a Negative Declaration for the project and has determined that the proposed action will not have a significant effect on the environment; and, be it further

RESOLVED, that the Onondaga County Executive, or her designee, is authorized to take action to comply with the requirements of SEQRA, including identification and circulation of the proposed findings to other involved agencies, if any, the execution of documents and filing of the same, and any other actions to implement the intent of this resolution.

Water Main reso.doc
LHT 9.29.11
clm
kam



11 SEP 30 AM 10:26

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

8.

November 1, 2011

521

Motion Made By Mr. Corbett, Mrs. Tassone

RESOLUTION NO. _____

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWN OF GEDDES TO REIMBURSE THE TOWN COSTS RELATED TO PREVENTING POTENTIAL BACKUP OF SANITARY SEWERS IN THE BRONSON ROAD AREA

WHEREAS, by Local Law No. 1 - 2011, the County adopted a Capacity Management Operations and Maintenance program; and

WHEREAS, the Town of Geddes seeks to implement a program to install backflow preventers for homes in the Bronson Road area and repair leaking plumbing connections identified during the installation of the backflow prevention valves; and

WHEREAS, the installation and repair work will reduce infiltration to the County trunk sewer from laterals of approximately eighteen homes and will address the potential for sewer back-ups into residences in that area; and

WHEREAS, the Town has requested the County to provide financial assistance to the Town to install the backflow preventers and repair the connections, at an estimated total cost of \$40,000; and

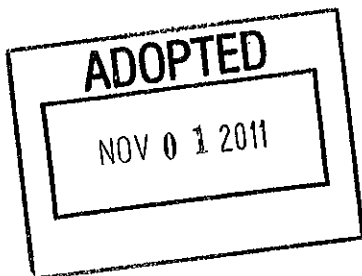
WHEREAS, reimbursement will be made in the form of a credit to be deducted from funds paid by the Town to the County for sewer maintenance; and

WHEREAS, Local Law No. 1 - 2011 provides in Sections 12(D) and 20(C) that the County Executive and County Legislature may approve reimbursement for this type of program; and

WHEREAS, it is to the mutual benefit of the Town and the County to enter into said agreement; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into agreements with the Town of Geddes to provide reimbursement in an amount not to exceed a total of \$40,000.00 for use by the Town to install backflow preventers and repair leaking plumbing connections identified during the installation of the backflow prevention valves for residences in the Bronson Road area, and to implement the intent of this Resolution.

Geddes Reimbursement.doc
LHT 9.29.11
clm
kam



11 SEP 30 AM 10:27

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Corbett, Mrs. Rapp

RESOLUTION NO. 522

AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE WATER QUALITY IMPROVEMENT PROJECTS AND NONAGRICULTURAL NONPOINT SOURCE PROJECTS GRANT PROGRAM AND AMENDING THE COUNTY BUDGET TO ACCEPT THE GRANT FUNDS

WHEREAS, during wet weather events, stormwater in the sewers triggers combined sewer overflows into Onondaga Creek and Onondaga Lake, contributing to high levels of nutrients and sediment; and

WHEREAS, New York State Department of Environmental Conservation has authorized grant funds under the water quality improvement projects and nonagricultural nonpoint source projects grant program, pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects; and

WHEREAS, the Onondaga County Department of Water Environment Protection has been awarded a grant under that program in the amount of \$3,000,000; and

WHEREAS, the grant funds will be used to complete the Project known as "Greening the Civic Strip", which includes as many as fifteen (15) projects designed to capture and limit stormwater runoff that enters into the combined sewer system; and

WHEREAS, the resulting capture and limitation of stormwater runoff using "green" stormwater infrastructure will serve to reduce pollutant loadings to Onondaga Lake; and

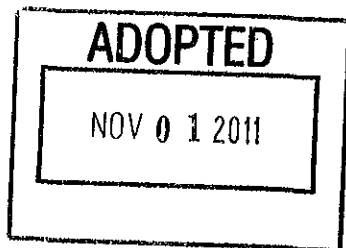
WHEREAS, the grant terms require a 25% local match by the County, which funds have been appropriated and are available to the Department; and

RESOLVED, that the County Executive, or her successor in office, is the representative authorized to act on behalf of Onondaga County's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation and otherwise act for Onondaga County's governing body in all matters related to the Project and to State assistance; and, be it further

RESOLVED, that Onondaga County agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and, be it further

RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation and this Resolution shall take effect immediately.

WQIP grant.doc
LHT 9.29.11
clm
kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 SEP 30 AM 10:26

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 523

A RESOLUTION APPROVING THE PURCHASE OF A COMBINATION SEWER CLEANER, AS WELL AS A TANKER, FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated October 4, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the purchase of a combination sewer cleaner, as well as a tanker, all as more fully set forth in the Report, at a maximum estimated cost of \$449,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:53 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the purchase of a combination sewer cleaner, as well as a tanker, for the Onondaga County Sanitary District at an estimated maximum cost of \$449,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

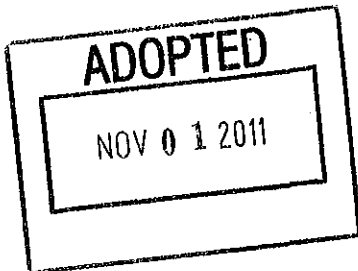
Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: James M. Mahoney
County Executive, Onondaga County

Aquatech app reso.doc
clm/kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 2:26

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 524

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$449,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A COMBINATION SEWER CLEANER, AS WELL AS A TANKER, FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the purchase of a combination sewer cleaner, as well as a tanker, there are hereby authorized to be issued \$449,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$449,000, and the plan for the financing thereof shall consist of the issuance of the \$449,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be

determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

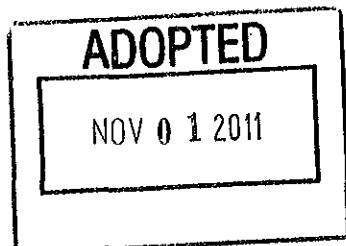
Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: James M. Mahoney
County Executive, Onondaga County

Aquatech bond reso.doc
clm/kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 2:25

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 525

A RESOLUTION APPROVING THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE ELECTRONICS PARK TRUNK SEWER SYSTEM IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the construction of certain improvements to the Electronics Park Trunk Sewer System to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$10,000,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:50 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the construction of certain improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$10,000,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

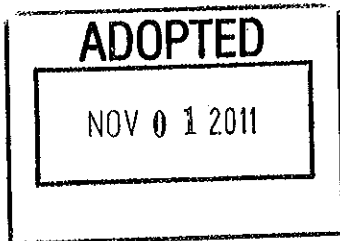
Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: James M. Mahoney
County Executive, Onondaga County

Electronic Park app.doc
clm/kam



11 OCT -7 PM 2:20

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO.: 526

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE ELECTRONICS PARK TRUNK SEWER SYSTEM IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the construction of certain improvements to the Electronics Park Trunk Sewer System to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$10,000,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$10,000,000, and the plan for the financing thereof shall consist of the issuance of the \$10,000,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0

ABSENT: 1

Dated: November 1, 2011

Approved: Janne M. Mahoney
County Executive, Onondaga County

Electronic Park bond.doc
elm
kam

ADOPTED
NOV 01 2011

RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 3:10

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 527

A RESOLUTION APPROVING VARIOUS IMPROVEMENTS AT THE METRO WWTP INCLUDING THE GRIT HANDLING OPERATIONS IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of various improvements at the Metro WWTP including the grit handling operations, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$5,600,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:51 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake various improvements at the Metro WWTP including the grit handling operations in and for the Onondaga County Sanitary District, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$5,600,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

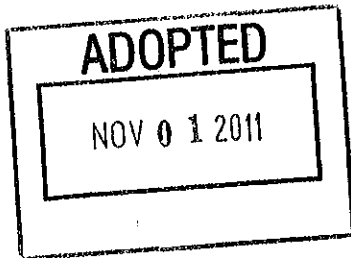
Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Grit app
clm/kam



11 OCT 17 PM 3:09

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 528

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,600,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS AT THE METRO WWTP INCLUDING THE GRIT HANDLING OPERATIONS IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of various improvements at the Metro WWTP including the grit handling operations, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$5,600,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$5,600,000, and the plan for the financing thereof shall consist of the issuance of the \$5,600,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations

prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

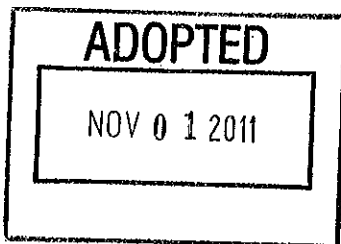
Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: NOVEMBER 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Grit bond.doc
clm/kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
OCT 7 - 11 PM 2:24

16.

November 1, 2011

Motion Made By Mr. Corbett , Mr . Jordan

RESOLUTION NO. 529

A RESOLUTION APPROVING THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE OAK ORCHARD FACILITIES IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the construction of certain improvements to the Oak Orchard Facilities, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$12,405,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:52 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the construction of certain improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$12,405,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: *James M. Mahoney*
County Executive, Onondaga County

Oak Orchard app.doc
clm/kam

ADOPTED
NOV 01 2011

RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 2:25

November 1, 2011

Motion Made By Mr. Corbett, Mr. Jordan

RESOLUTION NO. 530

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$12,405,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE OAK ORCHARD FACILITIES IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the construction of certain improvements to the Oak Orchard Facilities, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$12,405,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$12,405,000, and the plan for the financing thereof shall consist of the issuance of the \$12,405,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

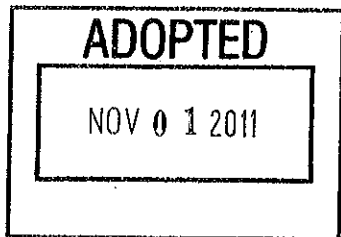
Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Oak Orchard bond.doc
clm/kam



11 OCT - 7 PM 2:19
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

917

Waiver

November 1, 2011

Motion Made By Mr. Jordan

RESOLUTION NO. 531

AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, BRIAN FREDERICK RADFORD V. COUNTY OF ONONDAGA

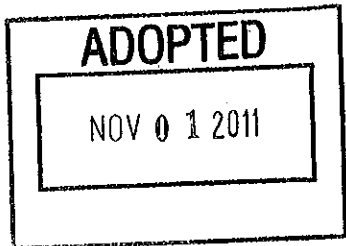
WHEREAS, on or about January 27, 2010, by Summons and Complaint, Plaintiff, Brian Frederick Radford, commenced this action against the County of Onondaga demanding payment for any claims of bodily injuries as a result of a bicycle accident on Canton Street in the County of Onondaga, New York; and

WHEREAS, Plaintiff, Brian Frederick Radford, is willing to settle against the County Defendant, upon the payment of \$75,000, including attorney fees and costs; now, therefore be it

RESOLVED, that the County Attorney is hereby authorized to settle this action in the amount of \$75,000, and the Comptroller be and hereby is authorized to draw his warrant charging it against the proper funds; and, be it further

RESOLVED, that this warrant shall be released to the County Attorney upon receipt of the proper Settlement Agreement and Stipulation of Discontinuance.

RadfordRes.doc
JWS/nlm
kam



11 NOV - 1 PM 1:21

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

aa. 17.

Waiver

November 1, 2011

Motion Made By Mr. Laguzza, Mrs. Rapp,
Mr. Cox

RESOLUTION NO. 532

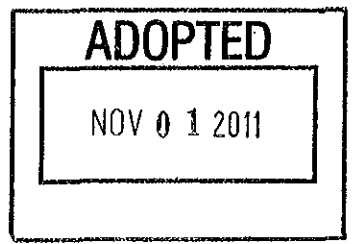
A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER SUPPORT FOR VIDEO
LOTTERY TERMINALS WITHIN ONONDAGA COUNTY

WHEREAS, Onondaga County is debating whether to support video lottery terminals and associated gaming use within the county; and

WHEREAS, pursuant to New York State Tax Law, counties may authorize eligible video lottery gaming facilities within county boundaries upon the enactment of a local law; now, therefore be it

RESOLVED, that a meeting of the County Legislature of the County of Onondaga shall be held in the Legislative Chambers in the County Courthouse in Syracuse, New York on November 17, 2011, at 7:00 p.m. for the purpose of conducting a public hearing upon the aforesaid matter, and that the Clerk of the County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published as soon as practicable prior to the date of the public hearing in such publication and in such manner as provided by law.

Public Hearing - VLT.doc
KMB



11 NOV - 1 PM 2:40

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

waiver

17a.

November 1, 2011

Motion Made By Mrs. Ervin

RESOLUTION NO. 533

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER THE PROPOSED COUNTY SOURCE SEPARATION LAW AND CHANGES TO LOCAL LAW NO. 12 – 1989, AS AMENDED, AND LOCAL LAW NO. 5 - 2003

WHEREAS, Onondaga County is proposing to enact a new county source separation law and repealing Local Law No. 12 – 1989, as amended, and amending Local Law No. 5 - 2003; and

WHEREAS, the purpose of the proposed source separation law is (a) to encourage and facilitate the maximum recycling practicable on the part of each and every household, business, apartment complex, industry and institution within Onondaga County; (b) to establish, implement, and enforce minimum recycling-related practices and procedures to be applicable to all Waste Generators, Waste Haulers/Recyclable Collectors, and Materials Recovery Facilities/Recycling Facilities located within Onondaga County; and (c) to require onsite source separation by each and every Waste Generator within Onondaga County and to ensure that recyclable materials that are source separated are recycled properly and kept separate from solid waste; now, therefore be it

RESOLVED, that a meeting of the County Legislature of the County of Onondaga shall be held in the Legislative Chambers in the County Courthouse in Syracuse, New York on December 6, 2011, at 12:50 p.m. for the purpose of conducting a public hearing upon the aforesaid matter, and that the Clerk of the County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published at least ten (10) days prior to the date of the public hearing in such publication and in such manner as provided by law.

Public Hearing - OCRRA LL.doc
KMB
kam

ADOPTED
NOV 01 2011

11 NOV -1 PM 12:50

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Lesniak, Mr. Warner

RESOLUTION NO. 534

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE TOWN OF LYSANDER TO DEFRAY THE COSTS OF WASTEWATER COLLECTION IMPROVEMENTS PURSUANT TO LOCAL LAW NO.1 OF 2011

WHEREAS, the Whispering Oaks community, consisting of approximately 50 homes in the Town of Lysander near the Seneca River, is within the County sewer district but currently served by a community septic system; and

WHEREAS, that septic system was deemed by the Town and the Onondaga County Department of Health to have failed, resulting in health and safety issues to homeowners and the Seneca River; and

WHEREAS, the Town of Lysander in 2010 entered into a Consent Agreement with the NYS Department of Environmental Conservation to address the failure of this septic system consistent with the Clean Water Act and NYS Environmental Conservation Law; and

WHEREAS, Onondaga County enacted Local Law No. 1 of 2011, to ensure that expansions or additions to the Onondaga County Combined sewer district occur in a manner that provides for the most cost effective solution while also ensuring the maintenance of sufficient capacity for dry and wet weather flows at County pump stations and treatment facilities, and

WHEREAS, the project as originally proposed by the Town of Lysander in 2010 would have compromised the limited existing capacity of the Van Buren Pump Station; and

WHEREAS, working in cooperation with the County, NYS Department of Environmental Conservation, and the NYS Environmental Facilities Corporation, the Town worked to modify its project plan, thus preserving the existing capacity of the Van Buren Pump Station; and

WHEREAS, the Town has indicated that the additional costs of the modified project, minus a State of New York Environmental Protection Fund Grant, totals \$120,000; and

WHEREAS, it is the desire of this Legislature, consistent with the provisions of Local Law No 1 of 2011, to provide financial assistance toward 50% of the additional project costs associated with the project modifications; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Town of Lysander to provide financial assistance toward this public works project in an amount not to exceed \$60,000.00 from the Department of Water Environment Protection.

Whispering Oaks Resolution
kam

FILED WITH CLERK
ONONDAGA CO. LEG.
OCT 27 2011
KMF

ADOPTED
NOV 01 2011

64:6 AM 9:49 11 OCT 27 AM 9:49

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

November 1, 2011

Motion Made By Mr. Meyer, Mr. Lesniak, Mrs. Rapp, RESOLUTION NO. 535
Mr. Dougherty, Mrs. Tassone, Mr. Corbett,
Mr. Rhinehart, Mr. Holmquist, Mr. Warner,
Mr. Kilmartin, Mr. Jordan

AMENDING RESOLUTION NO. 265 - 1994, AS AMENDED BY RESOLUTION NO. 4 - 1995,
REGARDING PARTIAL PAYMENTS OF COUNTY AND TOWN REAL PROPERTY TAXES

WHEREAS, by Resolution No. 265 - 1994, as amended by Resolution No. 4 - 1995, this Legislature authorized town collection officers to accept partial payments of county and town real property taxes, special ad valorem levies, and special assessments; and

WHEREAS, in these difficult economic times, many residents of Onondaga County are finding it difficult to budget real property tax payments according to the existing schedules established in such resolutions; and

WHEREAS, when a resident is unable to make conforming payments, the municipality is negatively affected because it misses out on having cash in-hand and the resident is negatively affected because of the statutory interest and penalties accruing on the outstanding balance; and

WHEREAS, it is necessary to amend the prior resolutions so as to provide residents greater flexibility in making partial real property tax payments in amounts other than fifty percent of the total tax due for each of the three permissible installments; now, therefore be it

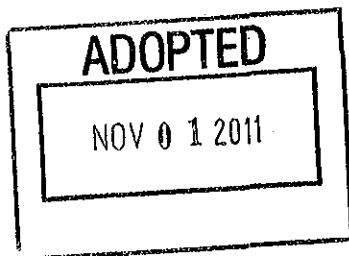
RESOLVED, that Resolution No. 265 - 1994, as amended by Resolution No. 4 - 1995, is hereby further amended to allow partial payments of county and town real property taxes, special ad valorem levies, and special assessments, as shall be consistent with the following:

1. County and town real property taxes, special ad valorem levies and special assessments may be paid in up to four partial payments prior to the expiration of the town's warrant on March 31 of the then current tax year.
2. The initial partial payment shall be paid not later than January 31 of the then current tax year. Interest and penalties shall be charged against the unpaid balance after such date.
3. No minimum amount is required for a partial payment, except that the final partial payment shall be in the amount of the remaining unpaid balance due and owing.
4. No partial payment shall be accepted from a property owner if there are delinquent real property taxes, special ad valorem levies, and special assessments owed on such property, unless the property owner is current on installment payments to the County pursuant to Local Law No. 7 - 1995 as may be amended from time to time; and, be it further

RESOLVED, that in all other respects, Resolution No. 265 - 94, as amended by Resolution No. 4 - 1995, shall remain in full force and effect; and, be it further

RESOLVED, that the Clerk of this Legislature is directed to file a certified copy of this resolution with the Commissioner of the New York State Office of Real Property Tax Services no later than thirty days after adoption.

Partial Payments - County Town Taxes.doc
KMB
kam



11 OCT 24 PM 2:13

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

A.

LOCAL LAW NO. _____ - 2011

A LOCAL LAW AUTHORIZING THE SALE OF COUNTY PROPERTY TO TUSCARORA GOLF CLUB, INC.

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. The County of Onondaga is the owner of a 75' x 2,510' parcel of land, being part of Camillus Tax Map No. 025-03-11, which is a portion of the former Syracuse & Auburn Electric Railway Line that runs through property owned by Tuscarora Golf Club, Inc., as shown on the tax map for said property.

Section 2. Tuscarora Golf Club, Inc., a New York Not-For-Profit corporation, has expressed an interest in acquiring said property, measuring approximately 4.32 ± acres, for a consideration of \$13,000.00, payable in 15 annual payments of \$866.67.

Section 3. Said property is not needed for County purposes.

Section 4. The County of Onondaga is hereby authorized, directed and designated to act as the lead agency. An analysis of the potential environmental impacts, if any, has been done under the State Environmental Quality Review Act (SEQRA), and as lead agency the County hereby determines that the proposed action is an Unlisted Action under SEQRA and a Short Environmental Assessment Form has been prepared. The Short Environmental Assessment Form prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County. Onondaga County does hereby make and adopt a Negative Declaration for the project, and has determined that the proposed action will not have a significant effect on the environment.

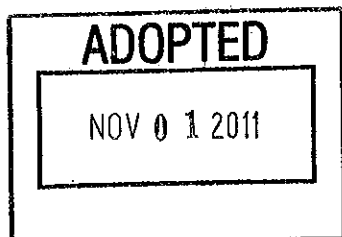
Section 5. The Onondaga County Executive, or her designee, is authorized to take such action to comply with the requirements of SEQRA, including without limitation, the execution of documents and filing of same and any other actions to implement the intent of this local law.

Section 6. The County Executive is hereby authorized to transfer to Tuscarora Golf Club, Inc., a New York Not-For-Profit corporation, said parcel of land consisting of approximately 4.32 ± acres located within the Town of Camillus, as shown on Tax Map No. 025-03-11, for a consideration of \$13,000.00, payable in 15 annual payments of \$866.67.

Section 7. The County Executive is hereby authorized to execute agreements to further the intent of this local law.

Section 8. This local law shall be filed and take effect in accordance with provisions of the Municipal Home Rule Law and is subject to a permissive referendum.

Trolley Line Sale LL.doc
MJM/cmb
LHT 8.18.11
clm/kam



11 OCT 14 PM 12:36

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

B.

LOCAL LAW NO. ___ - 2011

A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF THE DIRECTORS
OF THE ONONDAGA COUNTY CONVENTION CENTER WAR MEMORIAL COMPLEX
MANAGEMENT CORPORATION

BE IT ENACTED, BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF
ONONDAGA, AS FOLLOWS:

Section 1. Findings/Purpose. Onondaga County owns the Onondaga County Convention Center/War Memorial Complex (Oncenter Complex), a facility which hosts various events, including athletics, concerts, conventions and other related business for the purpose of promoting economic development in Onondaga County and, particularly, the downtown area, including its hotels, shops, and restaurants. In order to provide for the efficient and professional operation of the Oncenter Complex, the County has entered into a Management Agreement, dated October 2007, with the Onondaga County Convention Center/War Memorial Complex Management Corporation (Corporation) for management of the Oncenter Complex, with it being the sole purpose of the Corporation to manage this county-owned facility. The Corporation's board members are elected from among a pool of candidates appointed in part by Onondaga County and serve without compensation. By Resolutions Nos. 135 – 2010 and 208 – 2010, this Onondaga County Legislature has approved several amendments to such agreement to support the Corporation in providing its management services to the County. To promote future civic involvement and as recognition for the valuable service provided to the County, this local law provides the Corporation's board members with defense and indemnification from lawsuits arising from actions committed by those board members within the scope of their official duties.

Section 2. (a) Onondaga County shall provide for the defense of any director of the Onondaga County Convention Center/War Memorial Complex Management Corporation (Corporation) in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the director was acting in good faith within the scope of such director's public employment or duties as shall be determined by the Onondaga County Attorney. This duty to provide a defense shall not arise in conjunction with a criminal or quasi criminal proceeding. This local law extends defense and indemnification benefits only to the Corporation's directors. An employee of the Corporation is not an employee of Onondaga County and is not covered by the provisions of this local law.

(b) The director shall be entitled to be represented by private counsel of such director's choice in any civil action or proceeding whenever the Onondaga County Attorney determines that a conflict of interest exists, or whenever a court, upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the director is entitled to be represented by counsel of the director's choice, provided, however, that the Onondaga County Attorney may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such directors be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by Onondaga County to such private counsel from time to time during the pendency of the civil action or proceeding with the approval of the Onondaga County Legislature.

(c) Any dispute with respect to representation of multiple directors by a single counsel or the amount of litigation expenses or the reasonableness of attorneys' fees shall be resolved by the court upon motion or by way of a special proceeding.

(d) Where the director delivers process and a written request for a defense to Onondaga County under Section 4 of this local law, the County shall take the necessary steps on behalf of the director to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

(e) Upon a finding by a Court of competent jurisdiction that any director engaged in acts of intentional misconduct, or that said actions subject the director to punitive or exemplary damages, or that such actions were outside the scope of employment of the director, or that the director is otherwise not entitled to defense and indemnification, then the County Attorney shall consider the initiation of an action in good faith to recover any moneys expended by the County for representation of the director by private counsel.

Section 3. (a) Onondaga County shall indemnify and save harmless the Corporation's directors in the amount of any judgment obtained against such directors in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the director was acting within the scope of the director's public employment or duties; provided further, that in the case of a settlement the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Onondaga County Legislature where required.

(b) Except as otherwise provided by law, the duty to indemnify and save harmless prescribed by this subdivision shall not arise where the injury or damage resulted from bad faith, recklessness, criminal act, or was otherwise not within the director's scope of duties for the County.

(c) Nothing in this subdivision shall authorize Onondaga County to indemnify or save harmless a director with respect to punitive or exemplary damages, fines or penalties, or money recovered from a director pursuant to Section 51 of the General Municipal Law.

(d) Upon entry of a final judgment against the director, or upon the settlement of the claim, the director shall serve a copy of such judgment or settlement, personally or by certified or registered mail within thirty days of the date of entry or settlement, upon the Onondaga County Attorney; and if not inconsistent with the provisions of this section, the amount of such judgment or settlement shall be paid by Onondaga County.

Section 4. The duty to defend or indemnify and save harmless prescribed by this section shall be conditioned upon: (i) receipt by the Onondaga County Attorney of the original of a summons, complaint, process, notice, demand, or pleading immediately upon the director being served with such document, but in no event later than 3 days thereafter, along with a written request for defense; and (ii) the full cooperation of the director in the defense of such action or proceeding and in defense of any action or proceeding against Onondaga County based upon the same act or omission, and in the prosecution of any appeal. Should the director fail or refuse to cooperate in the defense of the matter subsequent to the assumption of defense by the County, the County may withdraw its representation and duty to indemnify and/or defend upon ten days written notice to the director.

Section 5. The benefits of this section shall inure only to directors as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the workers' compensation law.

Section 6. This section shall not in any way affect the obligation of any claimant to give notice to Onondaga County under Section 10 of the Court of Claims Act, Section 50-e of the General Municipal Law, or any other provision of law.

Section 7. Onondaga County is authorized and empowered, but not obligated, to purchase insurance from any insurance company created by or under the laws of this state, or authorized by law to transact business in this state, against any liability imposed by the provisions of this section, or to act as a self-insurer with respect thereto.

Section 8. All payments made under the terms of this section, whether for insurance or otherwise, shall be deemed to be for a public purpose and shall be audited and paid in the same manner as other public charges.

Section 9. The provisions of this section shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

Section 10. Except as otherwise specifically provided in this section, the provisions of this section shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity to liability available to or conferred upon any unit, entity, officer or employee of Onondaga County by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

Section 11. If any provision of this local law or the application thereof to any person or circumstance be held unconstitutional or invalid in whole or in part by any court, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this section or the application of any such provision to any other person or circumstance.

Section 12. Resolution No. 168 - 1990, as previously amended, continues in effect unaffected by this local law.

Section 13. If the Corporation has any insurance for claims covered by this local law, the coverage provided through this local law shall be excess over such insurance, regardless of whether such insurance is collectible or designated as primary or excess.

Section 14. This local law shall take effect immediately with respect to any action of claim initiated or made on or after the date of passage of this local law. Further, this local law shall be filed pursuant to the provisions of the New York State Municipal Home Rule Law.

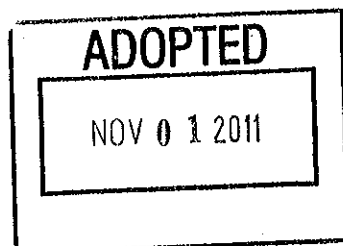
Oncenter LL.doc
KMB 9.29.11
clm
kam

FILED WITH CLERK
ONON. CO. LEG.

Oct. 12, 2011
KMB

11 OCT 21 PM 1:14

RECEIVED
ONONDAGA COUNTY
LEGISLATURE



C.

LOCAL LAW NO. ____ - 2011

A LOCAL LAW ENACTING A NEW ONONDAGA COUNTY SOURCE SEPARATION LAW, AND
REPEALING LOCAL LAW NO. 12-1989, AS AMENDED BY LOCAL LAW NO. 14-1991

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF
ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Legislative Findings and Purpose

This Legislature finds and determines that the Onondaga County Resource Recovery Agency ("OCRRA") has been administering a county source separation law for over 20 years and, through this administration, has reported that the best way to ensure proper recycling of all County Recyclable Materials is to require onsite Source Separation of these materials by Waste Generators. This Legislature further finds and determines that OCRRA has ascertained that no entity is currently in the business of taking mixed streams of Solid Waste and Recyclable Waste from Waste Generators and source separating them offsite. This Legislature further finds and determines that the penalties and enforcement provisions in the prior Onondaga County Source Separation Law are outdated and need to be amended in order to deter violations of the law.

The purpose of the Onondaga County Source Separation Law is (a) to encourage and facilitate the maximum recycling practicable on the part of each and every household, business, apartment complex, industry, and institution within Onondaga County; (b) to establish, implement, and enforce minimum recycling-related practices and procedures to be applicable to all Waste Generators, Waste Haulers/Recyclable Collectors, and Materials Recovery Facilities/Recycling Facilities located within Onondaga County; and (c) to require onsite Source Separation by each and every Waste Generator within Onondaga County and to ensure that those County Recyclable Materials that are Source Separated are recycled properly and kept separate from Solid Waste.

Section 2. Definitions

For purposes of this local law, the terms listed below shall be defined as follows:

A. "County Recyclable Materials" means the following:

i. Corrugated Paper: Cardboard containers, boxes and packaging, including pizza boxes, which are cleaned of contamination by food wastes or polystyrene commonly called Styrofoam, and which have been flattened for transport;

ii. Glass: Empty, washed glass jars, bottles and containers of clear, green and amber (brown) that contained food and drink, caps removed. This term excludes ceramic, window glass, auto glass, mirror and kitchenware;

iii. Metal: All ferrous and non-ferrous metals, including: steel, aluminum and composite cans and containers (cleaned of food wastes) and empty aerosol cans that did not contain hazardous material. Scrap metal, wire, pipes, tubing, motors, sheet metal, etc. are recyclable but must be recycled through scrap dealers;

iv. Newspapers, Magazines, and Catalogues: Includes common machine finished paper made chiefly from wood pulp used for printing newspapers, as well as glossy inserts, magazines and catalogues. All must be

free of contaminants;

v. Office Paper: All bond paper, and also computer printout, stationery, photocopy and ledger paper of any color from all Waste Generators. This term excludes carbon paper, chemical transfer paper and tyvek or plastic coated envelopes;

vi. Plastics: All HDPE and PET type plastic bottles (#1 & #2), including empty, washed food, beverage, detergent, bleach and hair care containers. This term excludes all photographic film, vinyl, rigid and foam plastic materials, as well as plastics numbered 3, 4, 6, and 7 and HDPE oil bottles, as well as #1 and #2 containers that are not bottles or contained hazardous material. Also included as a recyclable, all #5 polypropylene containers, including baby bottles, cottage cheese/cream cheese containers, yogurt cups, margarine tubs, plastic ice cream containers, food storage containers, and take-out containers marked as #5 plastic;

vii. Kraft Paper: As found in brown paper bags and package wrapping;

viii. Beverage Cartons: Includes gable topped paper cartons that contained milk and juice products. Also included as a Recyclable, aseptic containers for juice, broth or soup;

ix. Paperboard: Includes paper packaging as found in cereal, cracker and tissue boxes, etc. and toilet tissue and paper towel tubes;

x. Mixed Paper: Includes discarded and bulk mail, computer paper, colored paper, envelopes, greeting cards, wrapping paper and carbonless multi-part forms. Excludes any paper coated with foil or plastic; and

xi. Soft Cover Books: Including paperback books, product manuals, and educational materials that do not have a hard cover, nor a metal or plastic spiral binding.

B. "Collection Service" means the collection, pick-up or removal of Solid Waste originating in any location within the County by a Waste Hauler pursuant to an arrangement with the Waste Generator.

C. "Curb" means that street curb immediately in front of the property from which Solid Waste and County Designated Recyclable Materials are generated or, in the absence of an actual curb, that portion of the property which is immediately adjacent to the street.

D. "Curbside Collection" means the use of collection receptacles for County Recyclable Materials, including, but not limited to, Recycling Containers for Waste Generators and the regular periodic transfer of the contents of such receptacles by a Waste Hauler/Recyclables Collector to a Materials Recovery Facility or Recycling Facility from the location of the Waste Generator.

E. "Disposal Facility" means a solid waste management facility to which solid waste is delivered for permanent disposal.

F. "Materials Recovery Facility" means any person, firm, corporation or other entity in the business of receiving and processing Recyclables into marketable commodities for sale to end markets.

G. "OCRRA" means the Onondaga County Resource Recovery Agency.

H. "Person" means any individual, firm, company, partnership or corporation or other business entity.

I. "Recyclables" means those materials defined in Section 2 above.

J. "Recyclables Collector" means any person, firm, corporation or other entity contracted with for the purpose of collecting Recyclables from Waste Generators for delivery to a Materials Recovery Facility or Recycling Facility.

K. "Recycle" means to process used materials into new products to prevent waste of potentially useful materials.

L. "Recycling Container" means the bin or other container supplied by the Onondaga County Resource Recovery Agency for use by Waste Generators. Such containers shall be used exclusively for the storage of County Recyclable Materials. Such containers shall, at all times, remain the property of the Onondaga County Resource Recovery Agency.

M. "Recycling Facility" means a public or private facility that receives Recyclables that have been separated from the waste stream for handling and resale to end markets without further processing.

N. "Recycling Receptacle" means a tote, dumpster or similar container provided by a hauler, business, apartment complex or institution for aggregating Recyclables.

O. "Recycling Services" means commercial services associated with the temporary storage, collection and transport of recyclable materials by a Waste Hauler or Recyclables Collector to a Materials Recovery Facility or Recycling Facility.

P. "Solid Waste" or "Disposable Materials" means all materials discarded as being spent, useless, worthless or in excess to the owners at the time of discard or rejection, including but not limited to garbage or refuse, but shall not include Recyclables, Yard and Garden Waste, human wastes, rendering wastes, major appliances, regulated medical waste, construction and demolition wastes, residue from incinerators or other destructive systems for processing waste, junked automobiles, pathological, toxic, explosive, liquid, radioactive material or other waste material which, under existing or future federal, state or local laws, require special handling in its collection or disposal.

Q. "Source Separation" means the segregation of County Recyclable Materials and Yard and Garden Waste from non-recyclable Solid Waste at the point of generation by Waste Generators, and the placement of County Recyclable Materials into Recycling Receptacles for collection and delivery to a Materials Recovery Facility or Recycling Facility.

R. "Waste Generator" means any individual or person (as defined herein to include any individual, firm, company, partnership or corporation or other business entity) that produces Solid Waste requiring off-site disposal. Classifications of Waste Generator are as follows:

i. Residential Waste Generator means any individual who resides in a single family residence or residential building that produces Solid Waste requiring off-site disposal.

ii. Nonresidential Waste Generator means the owner and/or operator of an Apartment Complex, a Commercial Facility, an Industrial Facility, or an Educational /Government Facility, referred to herein as Apartment Complex Waste Generator, Commercial Property Waste Generator, Industrial Facility Waste Generator and Educational/Government Waste Generator, that produces Solid Waste requiring off-site disposal.

a. "Apartment Complex" means any building containing more than two residential units.

b. "Commercial Property" means any office, retail location, warehouse or other general business setting.

c. "Industrial Facility" means a factory or manufacturing site or plant.

d. "Educational/Governmental" facility means an entity that produces Solid waste at or from a public or private educational facility or governmental building.

The term "Waste Generator" shall not include individuals or persons located in the Town or Village of Skaneateles.

R. "Waste Hauler" means any person, company, partnership or other entity engaged in the business of providing Collection Service pursuant to any contract, agreement, or other arrangement with any Waste Generator, where Solid Waste is collected for disposal at a permitted solid waste disposal or transfer facility, or a municipal department or other governmental division responsible for collection of Solid Waste from some or all Waste Generators in Onondaga County.

S. "Yard and Garden Waste" means grass clippings, leaves, brush, cuttings from shrubs, hedges and trees.

Section 3. Source Separation and Disposal

A. Every Waste Generator shall Source Separate, which means the segregation of County Recyclable Materials from non-recyclable Solid Waste at the point of generation by Waste Generators, and the placement of County Recyclable Materials into Recycling Receptacles for collection and delivery to a Materials Recovery Facility or Recycling Facility.

B. Every Waste Generator shall Source Separate Yard and Garden Waste from County Recyclables and Solid Waste, and shall dispose of Yard and Garden Waste pursuant to applicable local laws and ordinances of the pertinent town, village or city.

C. Every Waste Generator shall deliver or arrange for the delivery of County Recyclable Materials to a Recycling Facility or make source separated County Recyclable Materials available for collection by a Waste Hauler/Recyclables Collector and ultimate delivery to a Materials Recovery Facility or Recycling Facility.

D. No Waste Generator shall make Solid Waste that has not been Source Separated available for collection by a Waste Hauler, a Recyclables Collector, or a Materials Recovery Facility.

E. No Residential Waste Generator, Recyclables Collector, Materials Recovery Facility, or Waste Hauler shall dispose or attempt to dispose of County Recyclable Materials or Yard and Garden Waste as Solid Waste.

F. No Waste Generator, Recyclables Collector, Materials Recovery Facility, or Waste Hauler shall dispose or attempt to dispose of Solid Waste as County Recyclable Materials or as Yard and Garden Waste.

G. Every Waste Generator shall set out County Recyclable Materials for recycling collection in such a manner as to prevent the contamination of such County Recyclable Materials by Solid Waste.

H. No Recyclables Collector, Materials Recovery Facility or Waste Hauler shall accept Solid Waste and County Recyclable Materials that have not been Source Separated or mix Solid Waste with County Recyclable Materials after accepting same.

I. No Recyclables Collector or Waste Hauler shall deliver or attempt to deliver County Recyclable Materials mixed with Solid Waste to a Materials Recovery Facility or Recycling Facility or dispose or attempt to dispose of such mixed materials as Solid Waste.

J. Every Waste Hauler and Recyclables Collector shall separately and properly label "trash" and "Recyclables" receptacles which it provides.

K. No Materials Recovery Facility shall accept for processing or transfer Solid Waste mixed with County Recyclable Materials that has not been Source Separated or mix Solid Waste with County Recyclable Materials after accepting same.

L. Every Commercial Property and Educational/Governmental Waste Generator that sells food or drinks for onsite consumption at such facility shall provide for the onsite source separation and recycling of Glass, Metal and Plastics (as defined herein under "County Recyclable Materials") in a manner that is readily accessible to consumers.

M. Every Apartment Complex Waste Generator shall provide recycling services for tenants, if the tenant is not required to directly arrange for such recycling services.

N. Every Residential Waste Generator residing in an Apartment Complex shall Source Separate as herein defined and place County Recyclable Materials into Recycling Containers for collection and delivery to a Materials Recovery Facility or Recycling Facility.

O. Every Waste Hauler and Recyclables Collector shall provide Recycling Services to their Waste Generator customers, unless it can be demonstrated that the Waste Generator customer has separately arranged for the transportation of Source Separated County Recycling Materials to a Materials Recovery Facility or Recycling Facility.

Section 4. Recycling Containers and Receptacles

A. Every Commercial Property Waste Generator shall provide, or require that the occupying tenants provide, an adequate number and capacity of Recycling Receptacles or Recycling Containers in sufficient number and capacity to accommodate the aggregated quantity of County Recyclable Materials.

B. Every Apartment Complex Waste Generator shall provide common area Recycling Receptacles or Recycling Containers in sufficient number and capacity to accommodate the aggregated quantity of County Recyclable Materials generated by all tenants. Recycling Receptacles shall be placed in locations at least as convenient to tenants as trash receptacles.

C. Every Commercial Property Waste Generator, Industrial Facility Waste Generator and Educational/Governmental Waste Generator shall make an adequate number of internal and external Recycling Receptacles as readily accessible as trash receptacles.

D. Every Apartment Complex Waste Generator shall ensure that all interior and exterior Recycling Containers and Recycling Receptacles are properly labeled and designated for "Recyclables", and shall provide recycling information to the residents, including instructions that identify County Recyclable Materials the tenants must Source Separate.

E. No Residential Waste Generator shall remove a Recycling Container from the County; willfully destroy a Recycling Container; dispose of an undamaged Recycling Container other than by returning such container to the issuing municipality at a designated location; or use such Recycling Container for other than the temporary storage of County Recyclable Materials.

F. Every Residential Waste Generator who changes place of residence shall leave the Recycling Container for the subsequent occupant of the property or, in the alternative, shall return the Recycling

Container to OCRRA or the issuing municipality. Every Residential Waste Generator who does not have a Recycling Container shall obtain a Recycling Container from OCRRA or the municipality within two weeks of taking possession of said property.

Section. 5. Unauthorized Removal of Recyclables. No individual other than a Waste Hauler or Recyclables Collector shall pick over, disturb, collect, pick up, remove or cause to be collected, picked up or removed any County Recyclable Materials that have been set out for collection.

Section 6. Violation

It shall be an offense punishable as provided herein for any person, as herein defined, to fail to comply with or violate the provisions of Sections 3, 4 or 5 of this local law.

Section 7. Enforcement

This local law shall be enforced within the geographic boundaries of Onondaga County, except for the Town and Village of Skaneateles, by any law enforcement agency having jurisdiction in the County, including but not limited to the Onondaga County Sheriff and Onondaga County Deputy Sheriffs, and any special deputies duly authorized to enforce this local law.

Section 8. Penalties

A. Conviction of a Waste Generator, Waste Hauler, Recyclables Collector, Materials Recovery Facility or Recycling Facility for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall result in a written warning for a first violation. Conviction for a repeat violation shall be punishable as set forth below in Sections B, C, D, and E.

B. Conviction of a Residential Waste Generator for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of Fifteen Dollars (\$15.00) for the second violation; Thirty Dollars (\$30.00) for the third violation; Fifty Dollars (\$50.00) for the fourth violation; and One Hundred Dollars (\$100.00) for each subsequent violation.

C. Conviction of a Nonresidential Waste Generator for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of not less than \$100.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$250.00 nor more than \$1,000.00 per violation.

D. Conviction of a Waste Hauler or Recyclables Collector for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of not less than \$250.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$500.00 nor more than \$1,000.00 per violation. Every day or instance of noncompliance shall constitute a new and separate violation of the provisions of this local law.

E. Conviction of a Materials Recovery Facility or Recycling Facility for failure to comply with any of the provisions of Section 3 or 4 of this local law shall be punishable by a fine of not less than \$250.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$500.00 nor more than \$1,000.00 per violation. Every day or instance of noncompliance shall constitute a new and separate offense, including but not limited to a separate offense for acceptance of each load of material by a Materials Recovery Facility or Recycling Facility in violation of this local law.

G. Conviction of an individual for failure to comply with the provisions of Section 5 of this local law shall be punishable by a fine of not less than \$100.00 and not more than \$500.00. Conviction of each subsequent offense within twelve months of a prior conviction for the same offense shall be punishable by a fine of not less than \$250.00 nor more than \$1,000.00 per violation.

Section 9. Repeal and Amendment

Local Law No. 12 - 1989, as amended by Local Law No. 14 - 1991, hereby is repealed, effective January 1, 2012.

Section 10. Effective Date

This local law shall take effect January 1, 2012, and shall be filed pursuant to the New York State Municipal Home Rule Law.

Section 11. Separability

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 12. SEQRA

This Onondaga County Legislature, acting as lead agency for purposes of the New York State Environmental Quality Review Act (SEQRA), has had prepared a Short Form Environmental Assessment Form, in which it was determined that the proposed project is an Unlisted Action and will not have an adverse impact upon the environment and, as a result, does hereby adopt a Negative Declaration under SEQRA.

OCRRA - source separation - DRAFT
kam
KMB

FILED WITH CLERK
ONONDAGA CO. LEG.
Oct. 17, 2011
KMB

ADOPTED
NOV 01 2011

11 OCT 21 PM 1:14
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

D

LOCAL LAW NO. ___ - 2011

A LOCAL LAW AMENDING LOCAL LAW NO. 5 - 2003 WHICH PROVIDED FOR THE
REGULATION, COLLECTION AND DISPOSAL OF SOLID WASTE ORIGINATING IN THE
COUNTY OF ONONDAGA

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF
ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Local Law No. 5 - 2003 hereby is amended in Section 1 to delete the phrase "(Local Law No. 12 of 1989)" and to substitute therefore "(the Revised Source Separation Local Law adopted November 1, 2011)".

Section 2. Local Law No. 5 - 2003 hereby is amended in Section 1 to delete the following phrase:

OCRRA has further advised the County that these sites were paid for with bonds issued by OCRRA, that the entire capacity of OCRRA's facility was purchased from the facility manager, that all of the facilities' capacity is exclusively dedicated to waste generated from the 33 participating municipalities in Onondaga County and that OCRRA receives the revenues from tip fees which it uses to pay on the bond debt and for the services of the facility manager.

and to substitute the following:

All of the facilities' capacity is exclusively dedicated to waste generated from the 33 participating municipalities in Onondaga County and that OCRRA receives the revenues from tip fees which it uses to pay on the bond debt and for the services of the facility manager.

Section 3. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Sections (I), (K), (Q), (V), (W) and (AA).

Section 4. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Section (U) and substitute the following:

(U) "Person" means any individual, firm, company, partnership or corporation or other business entity.

Section 5. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Section (Z) and substitute the following:

(Z) "Solid Waste" means all materials discarded as being spent, useless, worthless or in excess to the owners at the time of discard or rejection, including but not limited to garbage or refuse, but shall not include Recyclables, Yard and Garden Waste, human wastes, rendering wastes, major appliances, regulated medical waste, construction and demolition wastes, residue from incinerators or other destructive systems for processing waste, junked automobiles, pathological, toxic, explosive, liquid, radioactive material or other waste material which, under existing or future federal, state or local laws, require special handling in its collection or disposal.

Section 6. Local Law No. 5 - 2003 hereby is amended in Section 5 to delete paragraph (A)(2), paragraph (B) and paragraph (C).

Section 7. Local Law No. 5 - 2003 hereby is amended to delete Section 7.

Section 8. Local Law No. 5 - 2003 hereby is amended in Section 9 to delete paragraphs (B), (C) and (D).

Section 9. Local Law No. 5 - 2003 hereby is amended in Section 10 to delete paragraph (E).

Section 10. In all other respects, Local Law No. 5 - 2003 shall remain in full force and effect.

Section 11. This local law shall take effect upon adoption and shall be filed pursuant to the New York State Municipal Home Rule Law.

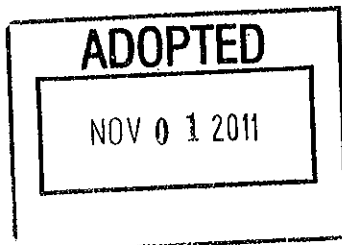
Section 12. Separability

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 14. SEQRA

This Onondaga County Legislature, acting as lead agency for purposes of the New York State Environmental Quality Review Act (SEQRA), had prepared a Short Form Environmental Assessment Form, in which it was determined that the proposed project is an Unlisted Action and will not have an adverse impact upon the environment and, as a result, does hereby adopt a Negative Declaration under SEQRA.

OCRRA Amending 2003 Local Law
kam



FILED WITH CLERK
ONON. CO. LEG.
Oct. 17, 2011
Kms

11 OCT 21 PM 1:14

RECEIVED
ONONDAGA COUNTY
LEGISLATURE