



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

JAMES M. RHINEHART
Chairman

JOHANNA H. ROBB
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. 67 - 82

OFFICE OF THE CLERK

April 6, 2010

Listed below are the resolutions to be presented to the County Legislature at the April Session. The meeting will be held at **2:30 p.m. on Tuesday, April 6, 2010.**

- 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. 2-18-10 Letter from County Executive Mahoney – Re: Appointment to the Onondaga County Fire Advisory Board (Thomas H. Sauer)
 - b. 2-18-10 letter from County Executive Mahoney – Re: Appointment to the Region 7 Fish and Wildlife Management Board (Michael Cusano)
 - c. 2-22-10 Letter from County Executive Mahoney – Re: Appointment to the Onondaga County Fire Advisory Board (Stephen Erwin)
 - d. 2-26-10 Letter from County Executive Mahoney – Re: Appointment of Peter Troiano as Commissioner of the Department of Personnel
 - 2. In Memoriam – William C. Towsley
 - 3. Certificate: Recognizing McMahon/Ryan Child Advocacy Site – April Child Abuse Awareness Month
 - 4. Gold Seal:
 - a. Recognize and Honor Stella Penizotto upon Receipt of the New York State Small Business Person of the Year Award
 - 5. 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 – COUNTY FACILITIES AND PLANNING & ECONOMIC DEVELOPMENT

- 1. **No. 67** - Amending the 2010 County Budget to Accept a Grant from the New York State Energy Research and Development Authority and to Provide for the Local Match for an Energy Management System at Van Duyn, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$360,000) (18-0-1 Kinne)
- 2. **No. 68** - Amending the 2010 County Budget to Accept Insurance Recovery Funds for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$4,497) (18-0-1 Kinne)
- 3. **No. 69** - Amending the 2010 County Budget to Accept State Special Legislative Funds to Implement the "Look It Up At Your Library" Program, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$7,000) (18-0-1 Kinne)
- 4. **No. 70** - Amending the 2010 County Budget to Accept State Special Legislative Funds to Support Reference USA for the Onondaga County Public Library, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$15,000) (18-0-1 Kinne)
- 5. **No. 71** - Advancing Funds to Facilitate the Construction of the SRC Arena Pursuant to an Agreement Between the County, Onondaga Community College and the Onondaga Community College Foundation, and a Guaranty by the Onondaga Community College Association, Inc. (14-3 Holmquist, Jordan, Masterpole -1 Absent Kinne – 1 Excused Dougherty)

6TH DISTRICT – MR. RHINEHART

- 6. **No. 72** - Amending the 2010 County Budget to Provide Additional Funds for the Purchase of Gasoline and Diesel Fuel to be Sold to the Onondaga County Soil and Water Conservation District (\$10,313) (18-0-1 Kinne)

8TH DISTRICT – MR. CORBETT – ENVIRONMENTAL PROTECTION

7. **No. 73** - Confirming Appointment to the Region 7 Fish and Wildlife Management Board (Michael Cusano) (18-0-1 Kinne)
8. **No. 74** - Authorizing an Intermunicipal Agreement with the City of Syracuse for the Construction of a New Water Main and Transmission Lines in the Harbor Brook Sewer Shed (18-0-1 Kinne)
9. **No. 75** - A Resolution Calling a Public Hearing in Connection with Proposed Improvements for the Bear Trap Ley Creek Drainage District (18-0-1 Kinne)
10. *Pulled*

11TH DISTRICT – MR. KILMARTIN – PUBLIC SAFETY

11. **No. 76** - Requesting the Onondaga County Executive to Amend the Sheriff's 2010 Budget by Eliminating \$250,000 Annual Prorated Unnecessary OCSD Operational Expenses for the OCC Police Academy and Thereby Reduce the Sheriff's Operational and Overtime Costs (17-1 Meyer-1 Kinne)

13TH DISTRICT – MR. WARNER – HEALTH

12. **No. 77** - Authorizing the County Executive to Enter into Contracts to Implement a Veterans Directed Home and Community Based Services Program (18-0-1 Kinne)

14TH DISTRICT – MR. JORDAN – WAYS AND MEANS

13. *Moved to #18*
14. **No. 78** - Confirming Appointment of Peter Troiano as Commissioner of the Onondaga County Department of Personnel (18-0-1 Kinne)
15. **No. 79** - Appointing Helen M. Kiggins as Republican Commissioner of Elections (18-0-1 Kinne)
16. **No. 80** - Confirming Appointments to the Onondaga County Fire Advisory Board (Thomas Sauer, Stephen Erwin) (18-0-1 Kinne)

17TH DISTRICT – MR. MASTERPOLE

- 16a. **Referred to Committee** - Amending Resolution No. 447 – 1957, as Amended by Resolution No. 98 – 1964 and Resolution No. 111 – 1964, to Eliminate Compensation for Future Members of the Onondaga County Water Authority
- 16b. **Referred to Committee** - Requesting the President of Onondaga Community College to Negotiate an Agreement with the Managing Entity of the SRC Arena and the County Such That a Portion of the Net Revenues Generated From the SRC Arena From Events Other Than Academic Events and Non-professional Athletic Events be Used to Reduce the County's Cost for Operating Expenses and Capital Expenditures at the College

1ST DISTRICT – MR. LESNIAK

17. **No. 81** - In Memoriam – M. Betty Christen (Adopted by rising tribute)
18. **No. 82** - Personnel Resolution (Health) (15-3 Kilmartin, Jordan, Dougherty-1 Kinne)

LOCAL LAWS:

- A. **PASSED** - A Local Law Amending Local Law No. 7 – 2009 Relating to an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458 – B of the New York State Real Property Tax Law (Sponsored by Mr. DeMore) (18-0-1 Kinne)
- B. **PASSED** - Amending Local Law No. 2 – 2008 Authorizing the Sale of Property to Destiny USA Research and Development Park, LLC, to Sell Approximately 3.2 Acres of Said Property to the Town of Salina to Implement a Remediation Plan for the Town of Salina Landfill (Sponsored by Mrs. Rapp) (18-0-1 Kinne)

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE

April 6, 2010

Motion Made By Mrs. Rapp , Mr. Corbett

RESOLUTION NO. 067

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT A GRANT FROM THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY AND TO PROVIDE FOR THE LOCAL MATCH FOR AN ENERGY MANAGEMENT SYSTEM AT VAN DUYN, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, funding is available under the American Recovery and Reinvestment Act of 2009 for the Department of Energy to award formula grants to State Energy Programs; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), which administers the State Energy Program, developed a Request for Proposals through which approximately \$49.9 Million of New York's allocation of ARRA SEP funds will be awarded for eligible energy conservation projects on a competitive basis; and

WHEREAS, Onondaga County proposed an eligible energy conservation project that has been selected by NYSERDA and has been awarded funding; and

WHEREAS, the project will provide for the upgrade of the existing energy management system at Van Duyn Hospital and Home to allow for active control of air handling units and implementation of demand control ventilation strategies; and

WHEREAS, it is estimated that the project will save 5,732/MMBTU per year, resulting in an estimated energy savings of \$47,853 per year; and

WHEREAS, the estimated cost of the project is \$360,000; and

WHEREAS, NYSERDA has made funding available for this project in the amount of \$288,000, and the 20% local share will be made available through a transfer of funds from the 2010 adopted county budget; and

WHEREAS, it is the desire of this Legislature to accept such grant funds and to provide for said transfer; now, therefore be it

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

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

APPROPRIATIONS:

A 960 Appropriations	\$0
In Admin Unit: 80-05-00	
Facilities Management	
Index: 470005	
Account: 413-9413 Maintenance Utilities and Rents	(\$72,000)
Account: 960-7460 Provisions for Capital Projects	\$72,000

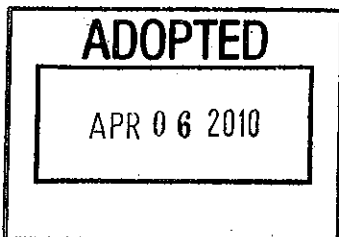
REVENUES:

H 510 Estimated Revenue \$360,000
In Admin Unit: 80-05-00
Facilities Management
Index: 470021
Project#: 512584-001 (NEW)
Project Title: Van Duyn Energy
Management System Upgrade
Account: 057-2039-2770 NYSERDA Reimbursement \$288,000
Account: 3701-5031 Transfer From General Fund \$72,000

APPROPRIATIONS:

H 960 Appropriations \$360,000
In Admin Unit: 80-05-00
Facilities Management
Index: 470021
Project#: 512584-001 (NEW)
Project Title: Van Duyn Energy
Management System Upgrade \$360,000

NYSERDAGrant.doc
LHT 12.12.10
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR -3 PM 4:41

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mrs. Rapp, Mr. Corbett

RESOLUTION NO. 068

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT INSURANCE RECOVERY FUNDS FOR THE ONONDAGA COUNTY PUBLIC LIBRARY, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, property damage was sustained at Hazard Branch Library, located at 1620 West Genesee Street, resulting from an automobile crash in July 2009; and

WHEREAS, an estimate for the needed repairs to the County's property was submitted to the driver's insurance company, and the insurance company has remitted to the County payment intended to cover such repairs; and

WHEREAS, is the desire of this Onondaga County Legislature to accept this insurance payment for the purpose of making such repairs; now, therefore be it

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

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

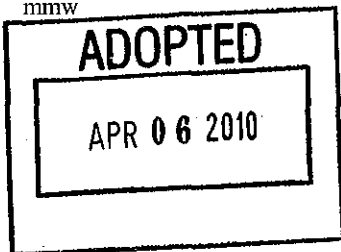
REVENUES:

In Admin. Unit 6500 OCPL Capital Projects	\$4,497
FAMIS Index 390070	
Project # 562129 Syr Branch Libraries Improvements	
In Acct. 1987 Insurance Recoveries	\$4,497

APPROPRIATIONS:

In Admin Unit 6500 OCPL Capital Projects	\$4,497
FAMIS Index 390070	
Project # 562134 Syr Branch Libraries Improvements	\$4,497

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KMB 2.8.10
mmw



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6th DAY OF April, 2010.

Deborah A. Matero

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR -3 PM 4:38

RECEIVED
ONONDAGA COUNTY
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April 6, 2010

Motion Made By Mrs. Rapp, Mr. Corbett

RESOLUTION NO. 069

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT STATE SPECIAL LEGISLATIVE FUNDS TO IMPLEMENT THE "LOOK IT UP AT YOUR LIBRARY" PROGRAM, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, Special Legislative funds in the amount of \$7,000 are available through the New York State Division of Library Development for the Look It Up At Your Library grant; and

WHEREAS, the grant provides funding to defray a portion of the cost of ReferenceUSA, a resource for residential and business information that is used by a wide spectrum of Onondaga County residents; and

WHEREAS, this database provides residential and business directory information, including marketing and job search data, and is one of the most frequently-used and helpful databases OCPL makes available to its patrons; and

WHEREAS, the grant also provides funding for two additional computers to accommodate additional access to ReferenceUSA, as well as other OCPL resources; and

WHEREAS, it is the desire of this Legislature to accept such funds; now, therefore be it

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

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

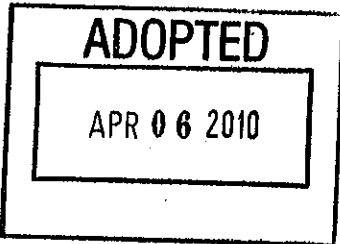
REVENUES:

CL510 Estimated Revenues	\$7,000
In Administrative Unit 655000	
OCPL Grants	
FAMIS Index 390062	
Project #767291	
Look It Up At Your Library Grant	
In Acct. In Acct. 027-0640	
State Aid Other Culture & Recreation	\$7,000

APPROPRIATIONS:

CL960 Appropriations	\$7,000
In Administrative Unit 655000	
OCPL Grants	
FAMIS Index 390062	
Project #767291	
Look It Up At Your Library Grant	\$7,000

OCPL Look It Up.DOC
LHT 2.16.10
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR -3 PM 4: 38

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ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mrs. Rapp, Mr. Corbett

RESOLUTION NO. 070

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT STATE SPECIAL LEGISLATIVE FUNDS TO SUPPORT REFERENCE USA FOR THE ONONDAGA COUNTY PUBLIC LIBRARY, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, Special Legislative funds in the amount of \$15,000 are available through the New York State Division of Library Development for the Sharing System Resources grant; and

WHEREAS, the grant provides funding to defray a portion of the cost of Reference USA, a resource for residential and business information that is used by a wide spectrum of Onondaga County residents; and

WHEREAS, this database provides residential and business directory information, including marketing and job search data, and is one of the most frequently-used and helpful databases OCPL makes available to its patrons; and

WHEREAS, this grant will enable OCPL to offer this service to all 32 libraries in the OCPL system; and

WHEREAS, it is the desire of this Legislature to accept such funds; now, therefore be it

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

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

REVENUES:

CL510 Estimated Revenues	\$15,000
In Administrative Unit 655000	
OCPL Grants	
FAMIS Index 390062	
Project #767292	
Sharing System Resources Grant	
In Acct. 027-0640	
State Aid Other Culture & Recreation	\$15,000

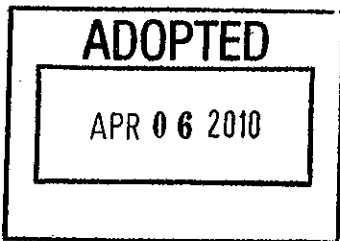
APPROPRIATIONS:

CL960 Appropriations
In Administrative Unit 655000
OCPL Grants
FAMIS Index 390062
Project #767292
Sharing System Resources Grant

\$15,000

\$15,000

OCPL Sharing System.doc
LHT 2.16.10
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR - 5 PM 2:39

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April 6, 2010

Motion Made By Mrs. Rapp, Mr. Kilmartin

RESOLUTION NO. 071

ADVANCING FUNDS TO FACILITATE THE CONSTRUCTION OF THE SRC ARENA PURSUANT TO AN AGREEMENT BETWEEN THE COUNTY, ONONDAGA COMMUNITY COLLEGE AND THE ONONDAGA COMMUNITY COLLEGE FOUNDATION, AND A GUARANTY BY THE ONONDAGA COMMUNITY COLLEGE ASSOCIATION, INC.

WHEREAS, by Resolution No. 172 - 2008, the Onondaga County Legislature authorized the issuance of \$15,932,960 in bonds, of which \$2,857,500 is for part of the construction costs of a new sports arena ("SRC Arena") at Onondaga Community College ("the College"); and

WHEREAS, funding for the SRC Arena is comprised of \$6,208,750 from the State, \$2,857,500 in bonded funds from the County, and \$3,351,250 to be contributed by the College, for a total cost of \$12,417,500; and

WHEREAS, the College contribution (\$3,351,250) will be raised by the Onondaga Community College Foundation (the "Foundation") through a fundraising campaign and through a \$500,000 cash donation from the Onondaga Community College Association; and

WHEREAS, to facilitate the commencement and construction of the SRC Arena, in advance of the final construction of the SRC Arena, the County proposes to advance the College up to \$3,351,250 (the "Principal") while the Foundation proceeds with its fundraising campaign; and

WHEREAS, by Foundation Resolution No. 2010 - 3, the Foundation has committed to repay so much of the Principal as is advanced by the County in an amount not to exceed \$3,351,250 plus an Agreed Upon Fee, and the Onondaga Community College Association, Inc. will execute a Guaranty of payment to the County in which it guarantees the Foundation's full and timely repayment to the County (the "Guaranty"); and

WHEREAS, the County, the College, and the Foundation will enter into an Agreement (the "Advance Agreement", copy on file with the Clerk of this Legislature) that requires, inter alia, the Foundation to repay the County, on or before December 31, 2011, the full amount of Principal advanced for the SRC Arena plus the Agreed Upon Fee; and

WHEREAS, the Advance Agreement will further provide for the Foundation to deposit the sum of \$250,000 in the name of and on behalf of the County, and will provide that the County shall be entitled to interest at the statutory rate on any amounts outstanding, that the Foundation and the College waive any rights to challenge the validity of the Advance Agreement and are estopped from challenging said Advance Agreement, and shall provide for the payment of reasonable attorney fees by the Foundation if the County is awarded any right or remedy for breach of said Agreement; and

WHEREAS, the SRC Arena will benefit the College by providing a necessary venue for athletic events at the College, will benefit the County as the local sponsor, and will benefit the Foundation whose corporate purpose includes furthering the objects and purposes of the College; and

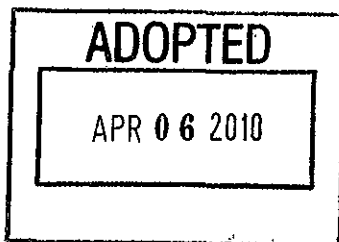
WHEREAS, the College advises that it has conducted and completed a review of the College Athletic Complex, including the SRC Arena, pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, it is the desire of this Legislature to provide for the advance of the Principal to facilitate the construction of the SRC Arena pursuant to the terms of the proposed Advance Agreement between the County, the College and the Foundation and in reliance on the Guaranty; now, therefore be it

RESOLVED, that said Advance Agreement shall provide that if the total costs for the design and construction of the SRC Arena are less than the estimated total cost of \$12,417,500, then the County and the Foundation shall share equally in those costs savings, said savings to be calculated based upon the ratio of the County's \$2,857,000 contribution to the College's \$3,351,250 contribution, respectively, as said ratio is applied to the amount that the actual costs of the project bears to \$12,417,500, and the County Chief Fiscal Officer shall take the necessary steps to reconcile amounts paid with amounts due and owing; and, be it further

RESOLVED, that this Legislature hereby authorizes the advance of up to \$3,351,250 to the College to facilitate the construction of the SRC Arena pursuant to the terms of the Advance Agreement and as provided for herein.

OCCStadiumRes.3.31.10 as amended.doc
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

April 6, 2010

Motion Made By Mr. Rhinehart, Mr. Masterpole,
Mr. Corbett

RESOLUTION NO. 072

AMENDING THE 2010 COUNTY BUDGET TO PROVIDE ADDITIONAL FUNDS FOR THE
PURCHASE OF GASOLINE AND DIESEL FUEL TO BE SOLD TO THE ONONDAGA COUNTY
SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Onondaga County Department of Transportation (OCDOT) operates fuel pumps located at its four Maintenance Facilities, including Jamesville; and

WHEREAS, the Onondaga County Soil and Water Conservation District, created in 1944 by the Onondaga County Board of Supervisors, is authorized to enter into cooperative agreements with Onondaga County; and

WHEREAS, the Onondaga County Soil and Water Conservation District desires to purchase gasoline and diesel fuel at OCDOT facilities; and

WHEREAS, the Soil and Water Conservation District has agreed to purchase fuel at a price equal to the current cost to the County plus overhead; and

WHEREAS, the Soil and Water Conservation District may purchase fuel from Onondaga County because it is exempt from sales tax on the purchase of fuel and is considered a municipality under the Soil and Water Conservation District Law; and

WHEREAS, this arrangement will benefit the Soil and Water Conservation District at no additional direct cost to OCDOT; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into contracts to implement this resolution; and, be it further

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

APPROPRIATIONS:

E960 Appropriations	\$10,313
In Administrative Unit 80-93-20	
Road Machinery Fund	
FAMIS Index 533216	
In Acct. 300-9300	
Supplies & Materials	\$10,313

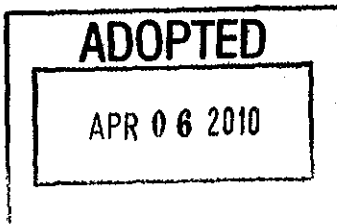
REVENUES:

E510 Estimated Revenues
In Administrative Unit 80-93-20
Road Machinery Fund
FAMIS Index 533216
In Acct. 060-3066
Sale of Motor Fuel

\$10,313

\$10,313

SOIL WATER CONSERVATION FUEL.doc
MJM/kak
LHT 3.24.10/mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Debra A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 24 PM 1:55

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Corbett

RESOLUTION NO. 073

CONFIRMING APPOINTMENT TO THE REGION 7 FISH AND WILDLIFE MANAGEMENT BOARD

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly appointed and designated pursuant to the New York State Fish and Wildlife Management Act, Section 11-0501 of the Fish and Wildlife Law, subject to confirmation by the Onondaga County Legislature, the following individual as a member of the Region 7 Fish and Wildlife Management Board:

APPOINTMENT:

Mr. Michael Cusano
9488 Horseshoe Island Rd.
Clay, NY 13041

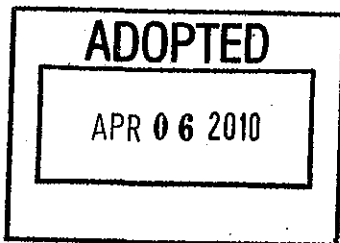
TERM EXPIRES:

December 31, 2012

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

RESOLVED, that the Onondaga County Legislature does hereby confirm the appointment of the above individual as a member of the Region 7 Fish and Wildlife Management Board for the term specified above or until subsequent action by the County Executive.

CUSANO.FISH.WILDLIFE.MGT.doc
LHT/kak
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 FEB 19 PM 1:01
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Corbett

RESOLUTION NO. 074

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF SYRACUSE FOR THE CONSTRUCTION OF A NEW WATER MAIN AND TRANSMISSION LINES IN THE HARBOR BROOK SEWER SHED

WHEREAS, the Amended Consent Judgment ("ACJ") entered into by Onondaga County, Atlantic States Legal Foundation, and the New York State Department of Environmental Conservation on January 20, 1998, and amended by Orders dated April 27, 1998, December 14, 2006, April 24, 2008 and November 16, 2009, requires, in part, that the County abate combined sewer overflow points through the construction of various remedial projects; and

WHEREAS, the Harbor Brook Interceptor Sewer Replacement is one such remedial project, and as part of that project the County and the City of Syracuse seek to make certain improvements to the City's water supply system in the Harbor Brook area to assist in abatement efforts; and

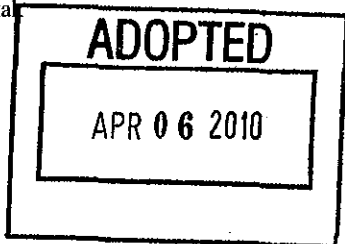
WHEREAS, the County will provide for the development of plans and specifications and for the construction of a new water main and transmission lines from near the junction of the existing 48-inch water main near the eastern property line of Onondaga County property, specifically the Burnet Park Zoo, to the existing 36-inch water main near the intersection of South Geddes Street and Marcellus Street via Burnet Park Zoo property owned by Onondaga County, Burnet Park property owned by the City of Syracuse, South Wilbur Avenue, Marcellus Street, and Fowler High School property owned by the City of Syracuse, including valves, couplings, and miscellaneous appurtenances; and

WHEREAS, the City of Syracuse will pay the County for the actual costs of engineering and construction, as well as other miscellaneous project costs, currently estimated to be \$1,100,000; and

WHEREAS, it is the desire of this Legislature for the County to enter into an Intermunicipal Agreement with the City of Syracuse to provide for such improvements as provided for herein; now, therefore be it

RESOLVED, the County Executive hereby is authorized to execute agreements with the City of Syracuse to provide for the engineering and construction of the water main and transmission lines as provided for herein and to implement the intent of this Resolution.

HBIS IMA.doc
LHT/ka
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 10 AM 8:52

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Corbett

RESOLUTION NO. 075

A RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH PROPOSED IMPROVEMENTS FOR THE BEAR TRAP LEY CREEK DRAINAGE DISTRICT

WHEREAS, by Resolution No. 260 of 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 Environment Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature, a report dated March 23, 2010 (the "Report"), duly approved by the County Executive, recommending the Detention Basin Bear Trap - Ley Creek Project, consisting of improvements to the West Second Street detention facility located in the Village of East Syracuse, including the removal of approximately 10,000 cubic yards of sediment and vegetated debris; construction of a perimeter maintenance access road; flood proofing of several sanitary sewer manholes; and revisions to the outlet works of the facility; all as more fully set forth in the Report, at a maximum estimated cost of \$975,000 to be paid from \$975,000 of bonds; and

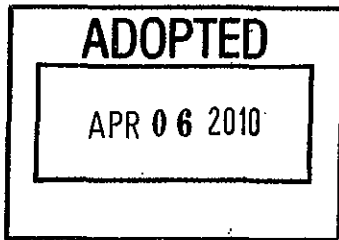
WHEREAS, it is now desired to call a Public Hearing thereon, in accordance with the provisions of the Onondaga County Administrative Code; now, therefore be it

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

Section 1. A meeting of the County Legislature of the County of Onondaga, New York shall be held in the Legislative Chambers in the County Court House, in Syracuse, New York, on the 4th day of May, 2010, at 2:25 o'clock P.M., Prevailing time, for the purpose of conducting a public hearing upon the aforesaid matter. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published and posted in the manner provided by law.

Section 2. This resolution shall take effect immediately.

PH Detention Basin.Doc
LHT 2.16.10
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso
CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

MAR 5, 2010
mmw

10 APR -6 PM 2:00

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Kilmartin, Mr. Jordan, Mr. Stanczyk
Mr. Kinne, Mr. Holmquist

RESOLUTION NO. 076

REQUESTING THE ONONDAGA COUNTY EXECUTIVE TO AMEND THE SHERIFF'S 2010
BUDGET BY ELIMINATING \$250,000 ANNUAL PRORATED UNNECESSARY OCSD
OPERATIONAL EXPENSES FOR THE OCC POLICE ACADEMY AND THEREBY REDUCE THE
SHERIFF'S OPERATIONAL AND OVERTIME COSTS

WHEREAS, OCC is authorized by the NYS DCJS to operate a police academy ("Academy") in the Central New York Zone Seven; and

WHEREAS, OCC is responsible for operation of said police academy including the management of facilities, equipment, services, operations, administration and staffing at the Academy; and

WHEREAS, over the course of time, the Onondaga County Sheriff's Department ("OCSD") has expanded its role at the Academy and undertaken educational and administrative services at the Academy beyond the scope of policing and public safety services; and

WHEREAS, the OCSD currently pays Onondaga County Community College \$80,000 per year for administration services and office space which are unnecessary OCSD expenditures; and

WHEREAS, the Sheriff also assigns one full time sergeant and one full time deputy to the Academy to perform training services for the Academy and at the Academy to other local and regional police agencies at a cost to Onondaga County for base pay and benefits of approximately \$170,000 per year; and

WHEREAS, the OCSD should be dedicated primarily to policing and public safety services and should not be engaged in the operation and administration of an educational institution; and

WHEREAS, OCC, under the direction of the Division of Criminal Justice Services, is the appropriate entity to manage and oversee the Academy, and, in these times of fiscal constraint, it is unnecessary to use OCSD budgeted funds to pay for operation of the Academy; and

WHEREAS, providing office/administrative compensation and free OCSD personnel to the Academy costs the Onondaga County taxpayers at least \$250,000 per year, and the OCSD does not receive any revenues from OCC or from other police agencies for the free services the OCSD provides at the Academy; and

WHEREAS, if the OCSD transferred the one sergeant and one deputy from the Academy to the police functions, the Sheriff would have additional staff available to perform police services and would be able to reduce police overtime expenses; and

WHEREAS, it is the desire of this Legislature for the County Executive to initiate a budget amendment and a transfer to eliminate the \$80,000 in funds from the OCSD budget for the office lease at the Academy, to initiate a transfer to eliminate \$170,000 (prorated for the current calendar year based on the date of any County Executive implementation with other necessary adjustments) in overtime funds from the Sheriff's Police/Civil road patrol budget, and for the OCSD to redeploy the one sergeant and one deputy presently assigned to the Academy to perform police functions instead of educational services, thereby reducing the OCSD's overtime costs; now, therefore be it

RESOLVED, that this Legislature hereby requests the County Executive to initiate a transfer of funds to remove funding from the OCSD's 2010 budget, including \$80,000 in funds for operational services/office lease at the Academy and \$170,000 (prorated for the current calendar year based on the date of any County Executive implementation together with other necessary adjustments) in overtime funds from the OCSD's road patrol budget; and, be it further

RESOLVED, that this Legislature hereby requests the Onondaga County Sheriff to redeploy the one sergeant and one deputy currently from their current assignment at the Academy to policing functions to perform police duties, where their services will be utilized for public safety and will result in a savings of OCSD's overtime costs.

OCSD Academy Resolution4.1.10.doc
mmw

ADOPTED
APR 06 2010

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.
MAR 24, 2010
JAR

10 APR -6 PM 2:07

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Warner, Mr. Corbett

RESOLUTION NO. 077

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT A VETERANS DIRECTED HOME AND COMMUNITY BASED SERVICES PROGRAM

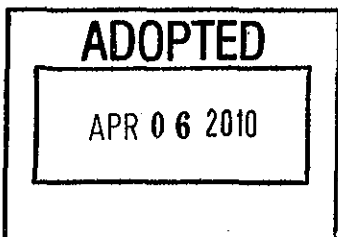
WHEREAS, the United States Department of Veterans Affairs has agreed to purchase directed home and community based services for selected veterans from the Onondaga County Department of Aging and Youth; and

WHEREAS, as part of the program, the County will offer eligible veterans a package of services that will allow the veteran to live independently in the community by assisting the veteran in obtaining home and community based services; and

WHEREAS, it is the desire of this Legislature for the County to enter into a Provider Agreement to provide such services and receive funds pursuant thereto; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into contracts to implement the intent of this resolution.

A&Y Veteran Services.doc
LHT 2.17.10
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.
MAR 3, 2010
JHR

10 APR -5 PM 3:12

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Jordan

RESOLUTION NO. 078

CONFIRMING APPOINTMENT OF PETER TROIANO AS COMMISSIONER OF THE ONONDAGA COUNTY DEPARTMENT OF PERSONNEL

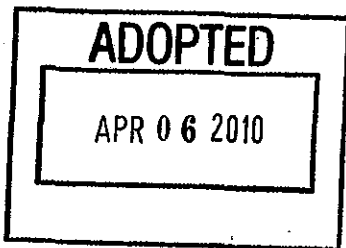
WHEREAS, Joanne M. Mahoney, Onondaga County Executive, pursuant to Article XIII, Section 1301 of the Onondaga County Charter, has duly designated and appointed, pending confirmation, Peter Troiano, 6114 Gaspé Lane, Cicero, NY 13039, as Commissioner of the Onondaga County Department of Personnel for a six year term to expire March 1, 2016; and

WHEREAS, it is the desire of the Onondaga County Legislature, in accordance with the provisions of the Onondaga County Charter, to confirm said appointment: now, therefore be it

RESOLVED, that the Onondaga County Legislature, pursuant to the provisions of the Onondaga County Charter, does hereby confirm the appointment of Peter Troiano as Commissioner of the Onondaga County Department of Personnel by the County Executive: and, be it further

RESOLVED, that the above named appointment is effective March 2, 2010 through March 1, 2016.

TROIANO.CMR.PERSONNEL.doc
LHT/kak.
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah L. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 16 PM 1:28

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Jordan , Mr. Corbett

RESOLUTION NO. 079

APPOINTING HELEN M. KIGGINS AS REPUBLICAN COMMISSIONER OF ELECTIONS

WHEREAS, John C. DeSpirito, III, Chairman of the Onondaga County Republican Committee, has filed a certification with the Clerk of the Onondaga County Legislature pursuant to Section 3 - 204 of the New York State Election Law that Helen M. Kiggins, residing at 60 First Street, Camillus, New York 13031, was duly recommended by the Republican Committee of Onondaga County as a suitable and qualified person for appointment to the Office of Republican Commissioner of Elections; and

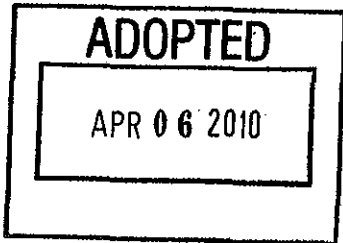
WHEREAS, it is the desire of this Legislature to make such appointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby appoint Helen M. Kiggins, residing at 60 First Street, Camillus, New York 13031, to the Office of Republican Commissioner of Elections for the County of Onondaga for a term of two (2) years effective as of the first day of January 2011; and, be it further

RESOLVED, that the above named Commissioner of Elections shall be paid at the annual salary established for Grade 35, pursuant to Resolution No. 235 - 2008, and payable in the same manner as are the salaries of other County officials; and, be it further

RESOLVED, that the Clerk of this Legislature be and she hereby is directed to forward certified copies of this resolution to the proper State and County officials.

KIGGINS.doc
LHT/kak
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 22 PM 3:02

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Jordan, Mr. Lesniak,
Mr. Corbett

RESOLUTION NO. 080

CONFIRMING APPOINTMENTS TO THE ONONDAGA COUNTY FIRE ADVISORY BOARD

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly appointed and designated pursuant to Section 1903 of the Onondaga County Charter and Article III, Section 3.13 of the Onondaga County Administrative Code, subject to confirmation by the Onondaga County Legislature, the following individuals as members of the Onondaga County Fire Advisory Board:

APPOINTMENT:

Thomas H. Sauer
211 Roberts Ave.
Syracuse, NY 13207

TERM EXPIRES:

December 31, 2013

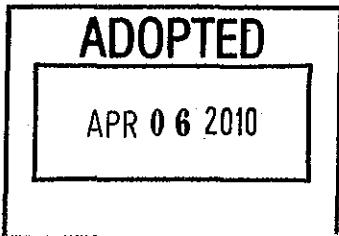
Stephen Erwin
412 Ontario Ave.
Syracuse, NY 13209

December 31, 2013

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

RESOLVED, that the Onondaga County Legislature does hereby confirm the appointment of the above individuals as members of the Onondaga County Fire Advisory Board for the term specified above or until subsequent action by the County Executive.

SAUER.ERWIN.FIRE.ADVISORY.BD.doc
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.

FEB 22, 2010
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10 MAR 31 AM 11:18

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Lesniak, Mr. Dougherty, Mrs. Rapp RESOLUTION NO. 081
Mr. Meyer, Mrs. Tassone, Mr. Rhinehart, Mr. Buckel,
Mr. Corbett, Mr. Stanczyk, Mr. Holmquist, Mr. Kilmartin,
Mr. DeMore, Mr. Warner, Mr. Jordan, Mr. Kinne, Mr. Laguzza
Mr. Masterpole, Ms. Williams, and Mrs. Ervin

IN MEMORIAM

WHEREAS, it has pleased Almighty God to remove from this Earth M. Betty Christen; and

WHEREAS, Betty Christen led an exemplary life which included 10 years of military service as a navy nurse traveling from base to base and many years of public service; and

WHEREAS, Betty Christen was a member of the Onondaga County Legislature from 1976–1981, serving as Majority Floor Leader from 1980–1981; and

WHEREAS, Betty Christen continued her service to Onondaga County as Coordinator of Emergency Medical Services from 1981–1985; and

WHEREAS, Betty Christen generously donated her time to volunteer organizations such as the University United Methodist Church and the Burnett Park Zoo; and

WHEREAS, Betty Christen later retired to her home on Oneida Lake where she enjoyed watching the wildlife, gardening, traveling, and keeping up with Syracuse Basketball; and

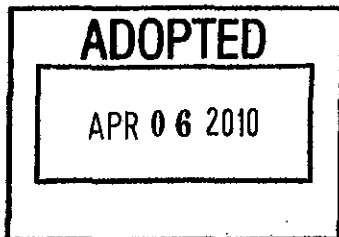
WHEREAS, Betty Christen leaves behind six children, eight grandchildren and one brother; and

WHEREAS, it is the desire of this Legislature to express sympathy to Betty Christen’s grieving family, and very large circle of friends, on the sad occasion of her passing; now, therefore be it

RESOLVED, that the members of the Onondaga County Legislature do hereby express sincere and heartfelt sympathy to Betty Christen’s family and large circle of friends; and, be it further

RESOLVED, that this resolution be spread among the minutes of the Legislature and a copy be prepared and given to the family of M. Betty Christen.

Christen_Memorial
DLL



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 23 PM 3:43

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

April 6, 2010

Motion Made By Mr. Lesniak

RESOLUTION NO. 082

PERSONNEL RESOLUTION

WHEREAS, various County Departments have requested changes in personnel, requests that have been approved by the Commissioner of Personnel, Chief Fiscal Officer, County Executive and the Ways & Means Committee of the County Legislature; now, therefore be it

RESOLVED, that the following changes be and hereby are authorized:

HEALTH Admin. Unit 40-43-00

Create R.P. 01 40430000 0008 1248 Nutritionist, Grade 10, @ \$44,770 – \$48,537 effective April 10, 2010.

Abolish R.P. 01 40430000 0010 2481 Program Coordinator (ED/HC), Grade 14, @ \$62,434 – \$69,163 effective April 10, 2010.

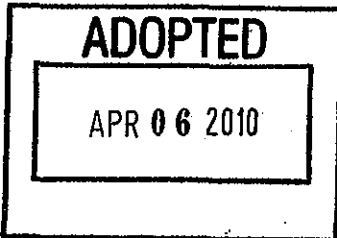
Create R.P. 01 40430000 0009 7251 Public Health Social Work Assistant (Sp Sp), Grade 9, @ \$41,662-\$46,083 effective April 10, 2010

Abolish R.P. 01 40430000 0009 2262 Public Health Social Work Assistant Grade 9, @ \$41,662 to \$46,083 effective April 10, 2010.

and, be it further

RESOLVED, to amend the Onondaga County Salary Plan to delete the title Program Coordinator (ED/HC).

RBS 04-10 - REV 2.doc
lbg
mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matus

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK
ONON. CO. LEG.
MAR 5, 2010
DM

10 APR -6 PM 1:43

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

LOCAL LAW NO. _____ - 2010

A LOCAL LAW AMENDING LOCAL LAW NO. 7 - 2009 RELATING TO AN EXEMPTION FROM REAL PROPERTY TAXES FOR COLD WAR VETERANS AS AUTHORIZED BY SECTION 458 - B OF THE NEW YORK STATE REAL PROPERTY TAX LAW

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

Section 1. This Onondaga County Legislature enacted Local Law No. 7 - 2009, providing for a real property tax exemption from Onondaga County real property taxes for Cold War veterans, pursuant to New York State Real Property Law Section 458 - b. Subsequently, Real Property Law Section 458 - b was amended by Chapter 235 of the Laws of 2009. Section 458 - b(2)(c)(iii), as amended, authorizes a county to enact a local law and increase the maximum exemption allowable in paragraphs (a) and (b) of said subdivision. It is the desire of this Onondaga County Legislature to amend its prior local law and increase the maximum allowable exemption in accordance with Real Property Law Section 458 - b, as amended.

Section 2. Local Law No. 7 - 2009 is hereby amended to strike Section 3 in its entirety and to substitute the following language:

Section 3. Amount of Exemption. Pursuant to Section 458 - b of the New York State Real Property Tax Law, the maximum Cold War Veteran's exemption from real property taxes is established as follows:

- a. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed thirty-six thousand dollars (\$36,000) or the product of thirty-six thousand dollars (\$36,000) multiplied by the latest state equalization rate of the assessing unit, whichever is less.
- b. In addition to the exemption provided by subparagraph (a) of this section, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed one hundred twenty thousand dollars (\$120,000), or the product of one hundred twenty thousand dollars (\$120,000) multiplied by the latest state equalization rate for the assessing unit, whichever is less.

Section 3. Local Law No. 7 - 2009 shall remain in full force and effect except to the extent it is modified by the instant local law.

Section 4. This local law shall take effect upon filing pursuant to the provisions of the New York State Municipal Home Rule Law.

Veteran Exempt.LL.doc
MJM/cmb
mmw

ADOPTED
APR 06 2010

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR -1 AM 11:22

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ONONDAGA COUNTY
LEGISLATURE

B.

LOCAL LAW NO. _____ - 2010

AMENDING LOCAL LAW NO. 2-2008 AUTHORIZING THE SALE OF PROPERTY TO DESTINY USA RESEARCH AND DEVELOPMENT PARK, LLC, TO SELL APPROXIMATELY 3.2 ACRES OF SAID PROPERTY TO THE TOWN OF SALINA TO IMPLEMENT A REMEDIATION PLAN FOR THE TOWN OF SALINA LANDFILL

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

Section 1. By Local Law No. 2-2008, this Onondaga County Legislature authorized the transfer of approximately 50.92 ± acres of property located in the Town of Salina (the “property”), as shown on a map entitled "Proposed Town of Salina Research and Development Park" and as also set forth in the legal description entitled “Conveyance of Onondaga County Property, Ley Creek – 7th North Street, Town of Salina” both on file with the Clerk of the Onondaga County Legislature, to Destiny USA Research and Development Park, LLC for use as a Research and Development Park.

Section 2. Following adoption of Local Law No. 2-2008, the Town of Salina conducted an investigation for the design and implementation of a remediation plan for the Town of Salina Landfill. That remediation plan, which has been approved by the New York State Department of Environmental Conservation, requires the Town to cap 3.2 ± acres along the western border of said property adjacent to the Landfill.

Section 3. The County, the Town of Salina and Destiny USA Research and Development Park, LLC have agreed to sever the 3.2 ± acres from said property, and to sell that 3.2 ± acres to the Town of Salina for the sum of one (\$1.00) U.S. dollar, payment waived, to implement that remediation plan.

Section 4. The County hereby transfers to the Town of Salina the property consisting of two (2) portions of the parcel identified as Tax Parcel No. 074.-03-03.1 located in the Town of Salina, consisting of one portion containing approximately 2.440± acres of land designated as Parcel II, and the second portion containing approximately 0.805± acres of land designated as Parcel III, as depicted on a map and legal description, copies of which are on file with the Clerk of this Legislature, for a consideration of one dollar (\$1.00), payment waived, subject to any easements of record, to implement the remediation plan for the Town of Salina Landfill. The transfer of said 3.2 ± acres of property is subject to the following conditions.

a. The Town of Salina having agreed and executed appropriate documents to hold harmless, defend and indemnify the County from any and all claims arising from any hazardous material located on said 3.2± acres of property; and

b. The purchaser having agreed and executed appropriate documents to provide that any future costs associated with the transfer and remediation of the property shall be at the sole cost and expense of the purchaser.

Section 5. Local Law No. 2-2008 hereby is amended in Section 4 to strike “50.92± acres” and substitute therefore “47.72± acres”.

Section 6. The County Executive is authorized to enter into agreements to implement this local law.

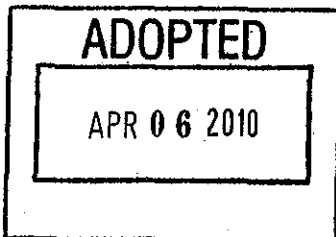
Section 7. The Town of Salina shall, as lead agency, take any action required pursuant to the New

York State Environmental Quality Review Act.

Section 8. This local law supercedes Section 215 of the County Law.

Section 9. 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.

AMENDED.LL.SALE.LEY.CREEK.DESTINY.doc
LHT
jhr



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

16th DAY OF April, 2010.

Deborah A. Matuso

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

10 MAR 26 PM 1:13

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ONONDAGA COUNTY
LEGISLATURE