



# Onondaga County Legislature

**DEBORAH L. MATURO**  
Clerk

**J. RYAN MCMAHON, II**  
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](http://www.ongov.net)

## RESOLUTION NOS. 113 – 125

OFFICE OF THE CLERK

August 2, 2013

### PUBLIC HEARING:

**12:55 P.M. – Re: Proposed Inclusion of Viable Agricultural Lands within Certified Agricultural Districts Pursuant to Section 303-B of the NYS Agriculture and Markets Law**

Listed below are the resolutions to be presented to the County Legislature at the August Session. The meeting will be held at **1:00 p.m. on Tuesday, August 6, 2013.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mr. Dudzinski**
- D. SALUTE TO FLAG – **Mrs. Tassone**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS

#### 1. Correspondence:

- a. 6-21-13 Letter from County Executive Mahoney – Re: Appointment to the Onondaga County Community Services Advisory Board (Biallah Green)
- b. 6-24-13 Letter from County Executive Mahoney – Re: Appointment to the Onondaga County Resource Recovery Agency (Robert E. Antonacci II)
- c. 6-26-13 Memo from Chairman McMahon – Re: Appointment to the Onondaga County Water Authority (Kenneth C. Gardiner)
- d. 7-31-13 Letter from County Executive Mahoney – Re: Appointment to the Syracuse/Onondaga County Planning Board (Travis R. Glazier)

#### 2. Public Comment:

- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 3)

### 4<sup>TH</sup> DISTRICT - MRS. TASSONE – COUNTY FACILITIES

- 1. **NO. 114** Amending Resolution No. 458-2011 to Increase the Authorization to Pay in the First Instance 100% of the Federal and State Aid Eligible Costs by an Additional \$665,000 for the Construction Phase of the Old Route 5 Paving Project Phase I and II, PIN 3754.17 and Authorizing the County Executive to Enter into Agreements to Implement the Intent of this Resolution (\$665,000) (17-0-0)
- 2. **NO. 115** Authorizing the County Executive to Amend Onondaga County's Contract with New York State to Plow State Roads for the Winter of 2012-2013 (\$106,334) (17-0-0)
- 3. **NO. 116** Amending the 2013 Onondaga County Budget to Accept Additional Revenue for Plowing State Roads During the Winter of 2012-2013 (\$148,415) (17-0-0)

4. **NO. 117** Amending the 2013 County Budget to Reimburse Municipalities that Plowed Onondaga County Roads During the Winter of 2012-2013 Based on New York State's Winter Severity Index (\$124,094) (17-0-0)

**5<sup>TH</sup> DISTRICT - MRS. RAPP**

5. **NO. 113** In Memoriam – Mr. David R. Elleman (Adopted by rising tribute)

**6<sup>TH</sup> DISTRICT – MR. PLOCHOCKI – ENVIRONMENTAL PROTECTION**

6. **NO. 118** A Resolution Calling a Public Hearing in Connection with Authorizing Various Green and Innovative Infrastructure Projects Located Outside the Amended Consent Judgment Area as Outlined in Local Law No.1-2011 for the Purpose of Mitigating Inflow and Infiltration of Stormwater into the Consolidated Sanitary District Sewer System (17-0-0)
7. **NO. 119** Confirming Appointment to the Onondaga County Resource Recovery Agency (Robert E. Antonacci II) (17-0-0)

**7<sup>TH</sup> DISTRICT – MR. LIEDKA – HEALTH**

8. **NO. 120** Confirming Appointment of the Community Services Advisory Board (Biallah Green) (17-0-0)

**12<sup>TH</sup> DISTRICT – MR. KNAPP – WAYS AND MEANS**

9. **NO. 121** Personnel Resolution (Sheriff) (17-0-0)
10. **NO. 122** Approving the Inclusion of Viable Agricultural Land within Certified Agricultural Districts Pursuant to Section 303-B of the NYS Agriculture and Markets Law (17-0-0)
11. **PULLED** - Confirming Appointment to the Syracuse/Onondaga County Planning Board (Travis R. Glazier)
- 11a. **NO. 123 – WAIVER** Memorializing the Governor and Legislature of the State of New York to Ensure Greater Broadband Access by Enacting NYS Assembly Bill A07588, Known as the Rural Broadband Deployment Act of 2013 (14-3 Ervin, Ryan, Williams -0)

**15<sup>TH</sup> DISTRICT – MR. MCMAHON**

12. **NO. 124** Confirming Appointment to the Onondaga County Water Authority (Kenneth C. Gardiner) (17-0-0)
13. **NO. 125** Resolution of the Legislature of the County of Onondaga Increasing Taxes on Sales and Uses of Tangible Personal Property and of Certain Services, on Occupancy of Hotel Rooms and on Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York (17-0-0)

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
ONONDAGA COUNTY LEGISLATURE

August 6, 2013

113

Motion Made By Mrs. Rapp

RESOLUTION NO. \_\_\_\_\_

IN MEMORIAM

WHEREAS, it has pleased Almighty God to remove from this Earth David R. Elleman; and

WHEREAS, David R. Elleman was Comptroller for Onondaga County from March 27, 1967 to December 31, 1995, having been re-elected to the position seven times; and

WHEREAS, David R. Elleman was the founder and first president of the New York State Government Finance Officers' Association; and

WHEREAS, David R. Elleman also served in the United States Air Force for twenty years, retiring in 1971 as a Lieutenant Colonel; and

WHEREAS, David R. Elleman served his community as a Director and Treasurer for the Central New York Regional Planning and Development Board from 1995-2012, as a member of the Camillus Republican Committee, as a board member for the Fairmount Community Library, as a member of the Board of Directors for Blue Shield of CNY, and as Chairman of the county-wide fund drive for the American Cancer Society; and

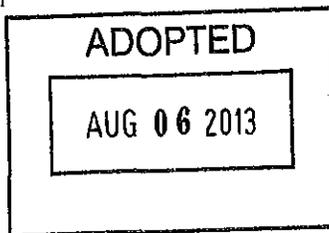
WHEREAS, David R. Elleman leaves behind his devoted wife, Ruth; two children, John (Victoria) Elleman, and Hollie (Jeffrey) Calderon, and four grandchildren, David, Dana, Max and Jared; and

WHEREAS, it is the desire of this Legislature to express sympathy to David R. Elleman's grieving family and large circle of friends on the sad occasion of his passing; now, therefore be it

RESOLVED, that the members of the Onondaga County Legislature do hereby express sincere and heartfelt sympathy to David R. Elleman'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 David R. Elleman.

Memoriam\_Elleman  
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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUN 25 PM 2:34

RECEIVED  
ONONDAGA COUNTY  
LEGISLATURE

August 6, 2013

Motion Made By Mrs. Tassone

RESOLUTION NO. 114

AMENDING RESOLUTION NO. 458-2011 TO INCREASE THE AUTHORIZATION TO PAY IN THE FIRST INSTANCE 100% OF THE FEDERAL AND STATE AID ELIGIBLE COSTS BY AN ADDITIONAL \$665,000 FOR THE CONSTRUCTION PHASE OF THE OLD ROUTE 5 PAVING PROJECT PHASE I AND II, PIN 3754.17 AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AGREEMENTS TO IMPLEMENT THE INTENT OF THIS RESOLUTION

WHEREAS, by Resolution No. 458-2011, this Legislature approved the Old Route 5 Paving Project Phase I and II, PIN 3754.17, at a total Project cost of \$6,100,000; agreed to participate and pay up to 100% of the County share (\$305,000); and authorized the Comptroller to pay in the first instance the total federal and state shares of the cost of the Construction phase (\$5,795,000); and

WHEREAS, the total additional cost of the Construction Phase is now estimated at \$700,000, with the additional federal share estimated at \$560,000 (80% of the total additional cost) and the additional non-federal share estimated at \$140,000 (20% of the total additional cost); and

WHEREAS, State funds are available to cover 75% of the additional non-Federal share of the project (\$105,000), which the County is required to pay in the first instance, and local dollars are available to cover the remaining 25% of the non-Federal share (\$35,000); and

WHEREAS, with these additional costs, the total estimated cost is now \$6,800,000, with the estimated County share now being \$340,000 (5%), and the total estimated federal and state shares now being \$6,460,000 (95%); and

WHEREAS, the State of New York requires Onondaga County to contribute up to 100% of the non-federal share of this project, subject to reimbursement by the State to the County of the State's agreed-upon share, and to pay in the first instance the total federal share of the cost; and

WHEREAS, the additional local dollars for the County share, now estimated to be \$35,000, are available in the 2012 Capital Plan; and

WHEREAS, the County of Onondaga desires to pay in the first instance the additional federal and state shares of the costs (\$665,000) for the above project; now, therefore be it

RESOLVED, that this Legislature hereby approves the project, agrees to participate and pay up to 100% of the non-federal share of the project, and agrees to pay in the first instance 100% of the total federal share; and, be it further

RESOLVED, that the County Executive is hereby authorized to execute agreements to implement the intent of this resolution, providing for County participation in the cost of the local share of the project; and, be it further

RESOLVED, that Resolution No. 458-2011 is hereby amended to be consistent with this resolution, and the County Comptroller is hereby authorized to pay in the first instance the additional \$665,000 beyond those funds provided in Resolution No. 458-2011; and, be it further

RESOLVED, that the Capital Project Fund 40021 be amended as follows:

REVENUES:

H510 Estimated Revenues	\$665,000
In Administrative Unit 9310000000	
Transportation	
Speed Type 532309	
Project # 535151002	
Old Route 5 Paving-Construction	
In Account 590014	
Federal Aid Highway Capital Projects	\$665,000

APPROPRIATIONS:

H960 Appropriations	\$665,000
In Administrative Unit 9310000000	
Transportation	
Speed Type 532309	
Capital Project 535151002	\$665,000
Old Route 5 Paving-Construction	

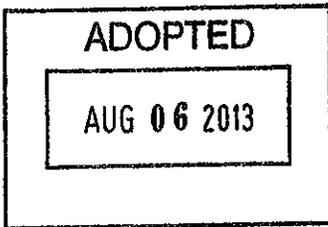
Old Route 5 Paving Project.docx

BJD/cer

KMB 06.21.13

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kam



FILED WITH CLERK  
ONON. CO. LEG.

*June 24, 2013*  
KMF

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

6<sup>th</sup> DAY OF August, 2013.

*Deborah A. Maturo*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUL 30 PM 11 46

RECEIVED  
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CLERK'S OFFICE  
ONONDAGA COUNTY  
NEW YORK

2.

August 6, 2013

Motion Made By Mrs. Tassone

RESOLUTION NO. 115

**AUTHORIZING THE COUNTY EXECUTIVE TO AMEND ONONDAGA COUNTY'S CONTRACT WITH NEW YORK STATE TO PLOW STATE ROADS FOR THE WINTER OF 2012-2013**

WHEREAS, Resolution No. 213-2012 authorized the County of Onondaga to enter into a contract with the State of New York to plow State roads during the winter of 2012-2013; and

WHEREAS, the contract provided for a lump sum reimbursement payment to the County in the amount of \$1,802,274, with additional revenue owed to the County depending upon the severity factor for that winter as determined by the State; and

WHEREAS, the State has since determined the severity factor for the winter of 2012-2013 in central New York to have been 1.059, resulting in the Onondaga County Department of Transportation receiving additional revenue of \$106,334; now, therefore be it

RESOLVED that the County Executive is hereby authorized to amend the contract with the New York State Department of Transportation to provide for revenue in the amount of \$1,908,607 and to make any other necessary amendments to such contract so as to implement the intent of this resolution; and, be it further

RESOLVED, that Resolution No. 213-2012 as amended herein, remains in full force and effect in all other aspects.

State Snow Contract Amend.docx  
KMB 06.21.13  
clm  
kam

**ADOPTED**  
**AUG 06 2013**

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 August, 2013.  
*Deborah A. Matero*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUN 24 PM 2:40

ONONDAGA COUNTY LEGISLATURE

August 6, 2013

Motion Made By Mrs. Tassone

RESOLUTION NO. 116

AMENDING THE 2013 ONONDAGA COUNTY BUDGET TO ACCEPT ADDITIONAL REVENUE FOR PLOWING STATE ROADS DURING THE WINTER OF 2012-2013

WHEREAS, Resolution No. 213-2012 authorized the County of Onondaga to enter into a contract with the State of New York to plow State roads during the winter of 2012-2013; and

WHEREAS, the contract provided for a lump sum reimbursement payment to the County in the amount of \$1,802,274, with additional revenue owed to the County depending upon the severity factor for that winter as determined by the State; and

WHEREAS, the State has since determined the severity factor for the winter of 2012-2013 in central New York to have been 1.059, resulting in the Onondaga County Department of Transportation receiving additional revenue of \$106,334; and

WHEREAS, the Adopted 2013 Onondaga County Department of Transportation budget included estimated revenue for the County plowing of New York State roads to be \$1,760,192; and

WHEREAS, the total of \$148,415 in additional revenue can be applied to cover the estimated higher than budgeted cost of overtime and deicing material; now, therefore be it

RESOLVED that the 2013 Onondaga County operating budget be amended as follows:

APPROPRIATIONS:

D960 Appropriation		\$148,415
In Admin. Unit 9310000000		
Transportation		
Speed type # 534040		
In Acct 641020 Overtime	\$49,670	
In Acct. 693000 Supplies & Materials	\$98,745	

REVENUES:

D510 Estimated Revenues		\$148,415
In Admin. Unit 9310000000		
Transportation		
Speed type #534040		
In Acct. 590024 St Aid-Transportation	\$148,415	

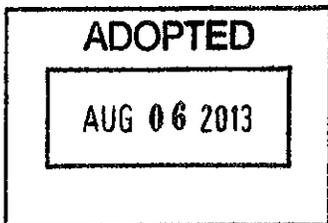
State Snow Severity Budget Amend.docx  
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kam

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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK



13 JUN 24 PM 2:39

ONONDAGA COUNTY LEGISLATURE RECEIVED

4.

August 6, 2013

117

Motion Made By Mrs. Tassone, Mr. Knapp, Mrs. Rapp,  
Mr. May, Mr. Sherpard, Mr. Dougherty

RESOLUTION NO. \_\_\_\_\_

AMENDING THE 2013 COUNTY BUDGET TO REIMBURSE MUNICIPALITIES THAT PLOWED  
ONONDAGA COUNTY ROADS DURING THE WINTER OF 2012-2013 BASED ON NEW YORK  
STATE'S WINTER SEVERITY INDEX

WHEREAS, Resolution No. 161-2012 authorized the County Executive to enter into agreements with Cayuga County and with several towns and villages located in Onondaga County to provide snow and ice removal services on County-owned roads for the 2012-2013 winter; and

WHEREAS, such agreements, subject to annual appropriation, contain a mechanism whereby the payment to the municipalities within Onondaga County shall increase in any year during the term of the agreement when the New York State DOT Winter Severity Index Adjustment exceeds 1.0 for Onondaga County; and

WHEREAS, New York State has since determined the severity factor for the winter of 2012-2013 in central New York to have been 1.059; and

WHEREAS, this severity rate results in a per mile rate increase of \$389, totaling \$124,094 for 318.68 miles of County roads plowed by other municipalities for Onondaga County during the winter of 2012-2013; and

WHEREAS, severity factor funding was budgeted for in a contingency account included in the Onondaga County Department of Transportation's 2013 adopted budget; and

WHEREAS, it is the desire of the Onondaga County Legislature that municipalities plowing County roads be reimbursed based on the State's severity adjustment for the winter of 2012-2013; now, therefore be it

RESOLVED, that the 2013 County Budget be amended and the following accounts adjusted:

APPROPRIATIONS:

D960 Appropriation		\$0
In Admin. Unit 9310000000		
Transportation		
Speed type # 534040		
In Acct 695700 Contractual Expense	\$124,094	
In Acct. 666500 Contingent Account	-\$124,094	

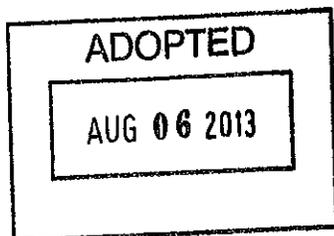
Town Plow Contingency Release.docx  
KMB 06.21.13  
clm  
kam

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

6<sup>th</sup> DAY OF August, 2013.

*Deborah L. Maturo*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK



13 JUN 24 PM 2:39  
ONONDAGA COUNTY LEGISLATURE  
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August 6, 2013

Motion Made By Mr. Plochocki

RESOLUTION NO. 118

A RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH AUTHORIZING VARIOUS GREEN AND INNOVATIVE INFRASTRUCTURE PROJECTS LOCATED OUTSIDE THE AMENDED CONSENT JUDGMENT AREA AS OUTLINED IN LOCAL LAW NO. 1-2011 FOR THE PURPOSE OF MITIGATING INFLOW AND INFILTRATION OF STORMWATER INTO THE CONSOLIDATED SANITARY DISTRICT SEWER SYSTEM

WHEREAS, in January 2011, the Onondaga County Legislature adopted and the County Executive signed Local Law No. 1-2011, establishing a program to promote capacity management and operation of public sewers throughout the County's consolidated sewer district; and

WHEREAS, the intent of Local Law No. 1-2011 is to provide the tools and administrative authority necessary to help reduce sanitary sewer overflows into our county waterways, as well as reduce the long term capital costs associated with managing wet weather sewer capacity; and

WHEREAS, Section 12 and Section 20 of this Local Law permit the County to establish and fund programs of public works to abate sources of inflow and infiltration into community-owned sanitary sewers; and

WHEREAS, communities throughout the consolidated sanitary district own and operate aging wastewater conveyances that are often impacted by the inflow and infiltration of stormwater into dedicated sanitary sewers during rain events; and

WHEREAS, Onondaga County's Save the Rain program has been advertised to promote the use of green infrastructure technologies, such as green roofs, bio-retention swales, porous pavement parking facilities, and tree plantings to mitigate the impacts of wet weather events in areas served by combined sewer systems; and

WHEREAS, these proven technologies should be utilized and deployed to mitigate the impact of stormwater intrusion in areas served by dedicated sanitary sewer systems that are receiving excessive inflow and infiltration from storm events; and

WHEREAS, in 2012, the County solicited proposals for green infrastructure projects within the consolidated sanitary district, located outside of the City of Syracuse, intended to mitigate inflow and infiltration of stormwater into the sanitary system through the use of such green technologies; and

WHEREAS, by Resolution No. 114-12, the County Legislature duly approved and authorized various green improvements to the consolidated sanitary district to be made at a maximum estimated cost of \$3,000,000 and approved the issuance of \$3,000,000 bonds of said County to pay the cost thereof; and

WHEREAS, in 2013, additional applications were received by the towns and villages located outside the City of Syracuse, proposing the use of green technologies to help mitigate the effects of stormwater infiltration; 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 July 22, 2013, duly approved by the County Executive, recommending acceptance and approval by the County Legislature of green infrastructure projects located outside the City of Syracuse, in order to promote capacity management, maintenance and operation of public sewers in the consolidated sanitary district at a maximum estimated cost of \$2,000,000; and

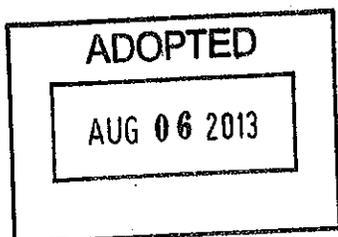
WHEREAS, it is now desired to call a public hearing thereon in accordance with the provisions of the Onondaga County Administrative Code; now, therefore be it

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 3rd day of September, 2013, at 1:00 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.

2013 suburban urban GIF PH.docx  
clm  
kam



FILED WITH CLERK  
ONON. CO. LEG.

*July 1, 2013*  
*ICMF*

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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUL 29 AM 9:16

LEGISLATURE  
ONONDAGA COUNTY  
RECEIVED

August 6, 2013

119

Motion Made By Mr. Plochocki

RESOLUTION NO. \_\_\_\_\_

CONFIRMING APPOINTMENT TO THE ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly appointed and designated pursuant to Title 13B, as amended, of the New York State Public Authorities Law, subject to confirmation by the Onondaga County Legislature, the following individual as a member of the Onondaga County Resource Recovery Agency:

APPOINTMENT:

Robert E. Antonacci II  
5015 Brittany Lane  
Syracuse, New York 13215

TERM EXPIRES:

December 31, 2015

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 Onondaga County Resource Recovery Agency for the term specified above or until subsequent action by the County Executive.

OCRR-REA.docx  
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kam



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 August, 2013.

*Deborah L. Maturo*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUL -2 AM 9:24

RECEIVED  
ONONDAGA COUNTY  
LEGISLATURE

August 6, 2013

Motion Made By Mr. Liedka

RESOLUTION NO. 120

CONFIRMING APPOINTMENT TO THE COMMUNITY SERVICES ADVISORY BOARD

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, has duly appointed and designated pursuant to Article XV, Section 15.03 of the Onondaga County Administrative Code, and in accordance with Section 41.11 of the New York State Mental Hygiene Law, subject to confirmation by the County Legislature, the following individual as a member of the Community Services Advisory Board:

APPOINTMENT:

Biallah Green  
211 Lafayette Road, Bldg. 3-317  
Syracuse, New York 13205

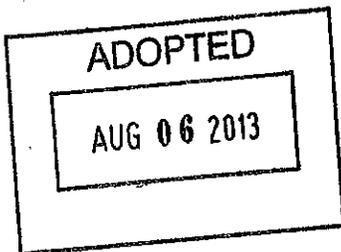
TERM EXPIRES:

December 31, 2016

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 Community Services Advisory Board for the term specified above or until subsequent action by the County Executive.

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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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

13 JUN 24 PM 2011

ONONDAGA COUNTY LEGISLATURE

August 6, 2013

121

Motion Made By Mr. Knapp

RESOLUTION NO. \_\_\_\_\_

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 personnel changes be and hereby are authorized:

Sheriff Admin Unit 40-79-20

Create R.P. 01 407920 2026, Clerk II, Grade 05 @ \$32,313-\$35,681, effective August 6, 2013.

Abolish R.P. 01 407920 1007, Stenographer II, Grade 06 @ \$35,070-\$38,745, effective August 6, 2013

Res 08-13.docx  
PT/lbg  
kam



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

6<sup>th</sup> DAY OF August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

FILED WITH CLERK  
ONON. CO. LEG.

*June 27, 2013*  
*KMF*

62:01 NV 08 700 81

LEGISLATURE  
ONONDAGA COUNTY  
CLERK

August 6, 2013

Motion Made By Mr. Knapp, Mr. Kilmartin

RESOLUTION NO. 122

APPROVING THE INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN CERTIFIED AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-B OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW

WHEREAS, Section 303-b of Agriculture and Markets Law provides land owners with an annual thirty day period to submit requests for the inclusion of predominantly viable agricultural lands within certified agricultural districts; and

WHEREAS, pursuant to Resolution No. 71-2004, that thirty-day period began January 1, 2013, and ended January 30, 2013; and

WHEREAS, land owners have filed requests for inclusion of predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, the County referred the requests to the Onondaga County Agriculture and Farmland Protection Board, and that Board has reviewed the requests and determined that such property consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, a public hearing was held on Tuesday, August 6, 2013 at 12:55 p.m. relating to such requested inclusions; now, therefore be it

RESOLVED, that the proposed action is an unlisted action and this Legislature shall act as the Lead Agency for the purposes of the New York State Environmental Quality Review Act (SEQRA); and, be it further

RESOLVED, that the Short Environmental Assessment Form for this project has been completed and reviewed and is on file with the Clerk of the Legislature; and, be it further

RESOLVED, that this Legislature hereby finds and declares a negative declaration under SEQRA in that there is no anticipated construction and no anticipated change in use, that the identified possible impacts, if any, on air quality and surface water quality will not be significant and there is little likelihood of significant adverse environmental impacts; and, be it further

RESOLVED, that based on the recommendation of the Agriculture and Farmland Protection Board and information provided through the public hearing, this Onondaga County Legislature hereby adopts and approves the inclusion of the requested viable agricultural land within certified Agricultural District No. 1; and, be it further

RESOLVED, that in accordance with Section 303-b of Agriculture and Markets Law the modifications to Agricultural District No. 1 are hereby described as follows, and include the following parcels listed by agricultural district, town, owner, tax map number, and acreage:

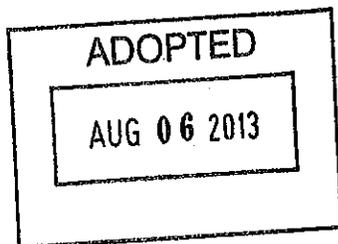
2013 ADDITIONS				
DISTRICT	TOWN	OWNER	PARCEL	ACRES*
1	LAFAYETTE	ROUTE 20 CROSSROADS CORP	020.-06-01.2	29.5
1	ONONDAGA	JOHN & ANITA AMIDON	052.-01-03.4	4.91
1	ONONDAGA	JOHN & ANITA AMIDON	052.-01-03.5	1.26
1	ONONDAGA	SAUL KLEINBERG & LAURA JACKSON	055.-03-12.1	17.67
District 1 Total				53.34
Grand Total				53.34
* Calculated using a Geographic Information System, not Real Property Services (RPS) data.				

and, be it further

RESOLVED, that should these parcels be subdivided prior to the expiration of said Districts, each subdivision would automatically be considered a part of said Districts, and would remain in the District while it is in effect; and, be it further

RESOLVED, that the Clerk of this Legislature is to submit a copy of this resolution, together with the report of the Onondaga County Agriculture and Farmland Protection Board including tax map numbers and maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets.

2013 Annual Ag Additions.docx  
 KMB 06.21.13  
 elm  
 kam



FILED WITH CLERK  
 ONON. CO. LEG.  
*June 24, 2013*  
*KMF*

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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
 ONONDAGA COUNTY, NEW YORK

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11a.

*Wagner*

August 6, 2013

Motion Made By Mr. Knapp

RESOLUTION NO. 123

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO ENSURE GREATER BROADBAND ACCESS BY ENACTING NEW YORK STATE ASSEMBLY BILL A07588, KNOWN AS THE RURAL BROADBAND DEPLOYMENT ACT OF 2013

WHEREAS, high-speed broadband connectivity is crucial to a community's functionality and modernity, promotes information and idea-sharing, and furthers economic and business development; and

WHEREAS, due to rural isolation or other topographic conditions, there may be unserved areas within Onondaga County where residents do not have access to high-speed broadband connection; and

WHEREAS, the New York State Legislature has found that it is not economically feasible for most broadband providers to reach such isolated areas without incurring a financial loss; and

WHEREAS, New York State Assembly Bill A07588, known as the Rural Broadband Deployment Act of 2013, would promote rural broadband deployment by providing residents and small businesses in unserved regions with tax credits for broadband deployment; and

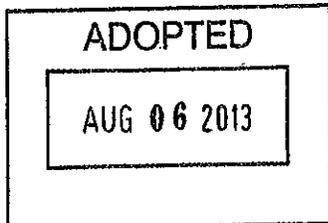
WHEREAS, the process would function by creating a fully refundable broadband deployment tax credit for residents' reasonable out of pocket expenses for broadband network construction in their unserved areas, in partnership with a broadband provider, and which credit is paid to the customer over a five-year period; and

WHEREAS, the New York State Senate passed an identical bill S05481 on June 12, 2013; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes its support of New York State Assembly Bill No. A07588, the Rural Broadband Deployment Act, and strongly urges its adoption; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to transmit a certified copy of this resolution to the Governor and Legislature of the State of New York.

Memorializing - Broadband Deployment Act.docx  
PEJ  
kam



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 August, 2013.

*Deborah A. Maturo*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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LEGISLATURE

August 6, 2013

Motion Made By Mr. McMahon, Mr. Knapp

RESOLUTION NO. 124

**CONFIRMING APPOINTMENT 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 one vacancy exists due to the resignation of Jeffrey D. Brown; and

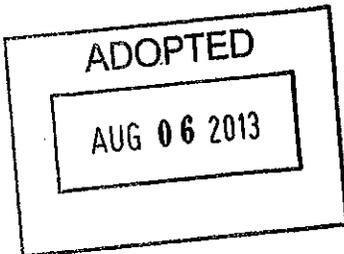
WHEREAS, the Chairman of the Onondaga County Legislature has designated and appointed Kenneth Gardiner as a member of the Onondaga County Water Authority, subject to confirmation of this Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature hereby confirms the appointment of the following individual to the Onondaga County Water Authority for the term specified:

APPOINTMENT:  
Kenneth C. Gardiner  
6158 Weatherburn Circle  
Lafayette, New York 13084

TERM EXPIRES:  
July 1, 2015

OCWA 8\_13  
SS



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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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*Waiver*

August 6, 2013

125

Motion Made By Mr. McMahon

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ONONDAGA INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

SECTION 1. Section 4-A of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2004, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of one percent imposed for the period beginning September 1, 2004, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to September 1, 2004.

SECTION 3. The opening paragraph of subdivision (2) of section 14 of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended, is amended and two new subparagraphs (F) and (G) are added to read as follows:

(2) Notwithstanding any contrary provision of law, net collections from the additional one percent rate of sales and compensating use taxes imposed by the county during the period commencing September 1, 2004, and ending November 30, 2015, pursuant to the authority of section 1210 of the New York Tax Law, shall not be subject to any revenue distribution agreement entered into under subdivision (c) of section 1262 of the Tax Law, but shall be distributed as follows:

(F) Net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2013 through November 30, 2014 shall be allocated and distributed or paid, at least quarterly, as follows: (i) 3.05% to the County of Onondaga for any county purpose; (ii) 95.7% to the City of Syracuse; (iii) 1.25% to the school districts in accordance with subdivision (a) of section 1262 of the New York Tax Law.

(G) Net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2014 through November 30, 2015 shall be allocated and distributed or paid, at least quarterly, as follows: (i) 1.6% to the County of Onondaga for any county purpose; (ii) 97.15% to the City of Syracuse; and (iii) 1.25% to the school districts in accordance with subdivision (a) of section 1262 of the New York Tax Law.

SECTION 4. This enactment shall take effect December 1, 2013.

Sales Tax Implementing Res.doc  
kam

ADOPTED  
AUG 06 2013

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 August, 2013.

*Deborah A. Matuso*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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