

Office of the Onondaga County Legislature

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FISCAL WAYS & MEANS COMMITTEE MINUTES - APRIL 16, 2007

CHAIRMAN WILLIAM H. MEYER

MEMBERS PRESENT: Mr. Kraft, Mrs. Rapp, Mr. Farrell, Mr. Warner

MEMBERS ABSENT: Mr. Ryan, Mr. Stanczyk, Mr. Rhinehart, Mr. Corbett

ALSO PRESENT: *see attached list*

Chairman Meyer called the meeting to order at 9:40 a.m.

1. COMPTROLLER: Mr. Donald Colon, Comptroller

a. Comprehensive Annual Financial Report

Mr. Colon provided the following and gave a PowerPoint presentation (*attachment 1*).

The CAFR was prepared under the direction of Tony Calogero and Jim Maturo and their staffs who prepared the financial sections, Tom Squires and his staff who did the single audit, and Camille Disanza, Sue Cowin, and Kathy Kenny who did proofreading, typing, graphs, financial analysis and preparation for the pdf files to be presented on our web site. Major assistance was provided by Joe Mareane and Peter Seitz from budget who proofread and helped on the web presentations. The complete CAFR is located at www.ongov.net/Comptroller.

We issued the CAFR on April 3rd almost 2 weeks earlier than normal and only one week after the City of Syracuse CAFR although their fiscal year ended six months before ours did. We once again received an unqualified opinion from our outside auditors, Testone, Marshall and Discenza.

The CAFR consists of:

1. *Letter of transmittal - pages iii-viii*
2. *Opinion letter from Testone, Marshall, and Discenza - pages ix-x*
3. *Management discussion and analysis - pages xi-xxiii*
4. *Basic Financial Statements consisting of:*
 - a. *Government Wide Financial Statements - pages 1-4*
 - b. *Fund Financial Statements - pages 5-15*
 - c. *Notes to the Financial Statements - pages 16-37*
5. *Required Supplementary Information*
 - a. *Budgetary Information on Major Funds - pages 38-41*
 - b. *Budgetary Information on Non-major Funds - pages 42-55*

Most of the CAFR is self-explanatory and detailed analysis is found in the notes to the financial statements. I would now like to touch on a few highlights of the numbers contained in this document:

1. *In the General Fund, we ended the year with an 18.8 million dollar increase in fund balance. This was the result of a variety of savings in many departments. The large ones were in Medicaid and other social services expense. Our sales tax revenue for the year was also up \$1.2 million over budget. The Unreserved General Fund Balance at year-end was \$78.3 million compared to \$60.3 million in 2005.*
2. *The cash on hand at year-end was \$200 million for all governmental funds and \$69.4 million for the General Fund. This was partly due to our disbursing sales tax cash on a quarterly basis. This compares favorably with 2005 when all governmental funds had \$200 million and the General Fund had \$60.1 million cash on hand.*
3. *Although the Legislature is aware of the problems relating to continued operations of VanDuyn, it should be noted that their unrestricted assets have decreased to negative \$4 million. The Legislature is certainly aware of the fiscal stress of the operations of VanDuyn and hopefully will address this issue further this year.*
4. *In closing, I will say that we did in fact do better for this year than was originally anticipated, but no one can predict the impact of the economy on our budget until much later in the year.*
5. *It is also interesting to look at the first part of the statistical section on pages 58-72 which gives you an unaudited comparison of what our revenues and expenditures have been for the past ten years. New schedules have been added giving fund balance in the governmental funds for the past five years along with net assets and changes in net assets.*
6. *We awarded a contract for GASB 45 actuarial valuations for both VanDuyn and the rest of County government. This will put an actuarial certified valuation on our future years liability for post employment retirement benefits, giving the Legislature firm cost figures for these employee benefits, which have to be paid for in future budgets and also making our employees aware of our costs for these benefits. The results of this study will be reported at a special fiscal Ways & Means committee in May.*

Mr. Colon referred to tax levies, which are not part of the CAFR (*see slide nos. 10 & 11 attached*).

Mr. Farrell asked about personnel trends in Onondaga County government. Mr. Mareane said that it is decreasing; it is down--7% in 2003; 2007 is down from 2006. He can provide further statistical information.

Mr. Warner asked about the \$18 million in general fund balance; and asked about \$60.1 million that Mr. Colon referred to. Mr. Colon said that it was the cash in the general fund. Cash is actual money in the bank; the fund balance is accrued revenue minus accrued expenses. There is money due to the county at year-end, and there is money that is owed for work done. Fund balance is a measurement of true financial standing.

Mrs. Rapp asked about the percent of budget in 2000 vs. what it is today. Mr. Colon said he made comparisons on revenues and expenditures based on 2005 numbers. Mr. Colon said that expenditures increased 24%; fund balance increased \$9.9 million, less than 10%. Mr. Mareane said that the county's fund balance there is a 10% goal. In 2001 we were at 12.9%; 2002-12.8%; 2003-10% and 2004-8.3%. At the end of 2005, unreserved fund balance was 10.35% of revenues; in 2006 it is about 12%; back to where it was 5 or 6 years ago. He referred to page 5 of CAFR which describes undesignated fund balance: \$62,765,00, designed \$15.575 million - the money from fund balance that was appropriated in 2007 budget and the rest is designated for debt avoidance and tax relief, consistent with 10% policy.

Mr. Kraft asked about designated, unreserved--there is an appropriation that the legislature authorized from the savings account, and certainly is designated officially. Putting reserves in there has never been approved by the legislature. Mr. Mareane stated that it is done every year--management often will designate where they intend to apply the reserves. They can intend, but can't do anything without the explicit authorization from the legislature. The intent is to maintain fund balance at policy goal; any amount above that goal is available. With the excess they will avoid debt and provide tax relief. Mr. Kraft said that within the \$15 million there is no tax relief, it is only spending. Mr. Mareane said that the reserve includes tax relief and debt avoidance. Mr. Kraft said that it should have been run through the legislature, before it became official documents of the county. Mr. Mareane replied that it lets the community know that there is a fund balance goal, per policy and resolution, anything in excess of the goal has to be used for debt avoidance or tax relief. Mr. Kraft said the \$62 million is the number needed to meet the goal; Mr. Mareane said that it is at 10.35% of revenues. It is kept at that level to show the rating agencies and the community that we are sustaining the level of money in the reserve. Mr. Kraft asked Mr. Colon if the numbers are his. Mr. Colon said that he has to receive a written designation every year from the County Executive to put the number in, and he did receive it.

Chairman Meyer asked Mr. Colon for his overall sense of where we are and to provide suggestions. Mr. Colon said that an outstanding job has been done. The legislature deserves as much credit for the numbers as the Budget Office, Comptroller's Office or Executive Office. Everyone has to do their fair share to maintain the financial position of county. When compared to other counties, our operation, financial condition is head and shoulders above any other counties. He suggested that there be attention given to post employment retirement benefits and to watch for fund balance to make sure it remains at a level that benefits our operation.

Mr. Farrell commended Mr. Colon; the Comptroller's team combined with the legislature have done an outstanding job in a difficult financial environment. Onondaga County is the most financially stable and soundest in upstate New York. However, Onondaga County is the highest taxed county in the country, and one of the lowest in growth in individual income in the country. Mr. Colon said that he was trying to point out that the vast majority of governmental expenditures in property taxes go to the school districts. The county gives schools millions in sales tax to keep their tax levy down.

Mr. Kraft referred to the 10.35%, but the resolution that was passed indicates 10%; he questioned if it is now the intent to use 10.35% forever. Mr. Mareane stated the goal is to show the rating agencies that we have sustained the level of reserve. The agencies would take note if the level were reduced below the level from last year; fund balance level is a critical element of our rating. Mr. Mareane said that this legislature can control that level. Mr. Kraft asked if the resolution clarifies that it is to be 10% of revenues; Mr. Mareane said "yes". Mr. Kraft questioned why it isn't 10% of expenses. Mr. Mareane said it had been tracked by revenues in the past; debated at the legislature, and was agreed to tag it to revenues; the rating agencies respect it. Mr. Maturo replied that revenues drive appropriations. The amount of money that you have allows you to spend, which is why the rating agencies like to have it tied to revenues. The appropriations are still there even if the revenues haven't been received.

A motion was made by Mr. Farrell, seconded by Mr. Warner to waive the reading and approve the minutes of proceedings of the previous committee meeting. MOTION CARRIED.

2. BOARD OF ELECTIONS - Management Plan: Ms. Kiggins and Mr. Szczesniak, Commissioners

The commissioners distributed a handout (attachment 2).

Mr. Szczesniak introduced representatives from Hawthorne Consultants, who BOE is working with. The testing of the registration process will be complete in the next couple of weeks. Instead of 6 people handling it, they will only need two. With working with Hawthorne and Frank Forte there has been an initiative involved with OCC--annual inspector training for a cost of \$7,115. Profession instructors would be doing the training. About 1850 inspectors are used, but will train about 2,200; will still have to pay each inspector \$2,500 to attend the training. There will be about 35 sessions of about 75 people. The professional training will free up the Election staff that used to provide the training to do other things. They hope to grow the program with OCC for assistance with instruction for the new equipment once it is in place.

Ms. Kiggins said that their voter registration system, NTS, was purchased last year. They have been able to get through half of the conversion. They cannot get through it with the current staff. Hope to hire 4 temps to finish it, \$36,400. Mr. Kraft asked if once scanned into the computer, is the hard copy saved. Ms. Kiggins said that they have to save it for 2 years. Some files will be destroyed in March of 2008, which will free up space.

Regarding the mail check processing, mail check cards are mailed in early August each year. They received 26,000 last year and did not finish them until March 2007, which results in inaccurate lists. They would like to use the same 4 temps needed for the conversion process for 3 weeks (pull them off of document conversion) to do mail check cards. It is supposed to be done by law. The conversion will be only need to be done once; mail check will need to be done annually.

Overtime pay vs. comp time: The staff earns about 100 hours each of comp time, which doubles or triples in a gubernatorial year. Would like to have overtime instead of comp time starting this year. Mr. Warner asked how much is paid per hour - Ms. Kiggins said that annual salaries range from \$23,000-\$43,000; approximately \$22/hr. for overtime. Mr. Szczesniak said it would only be used when needed.

Chairman Meyer said that there will be a resolution brought to regular Ways and Means on April 24th.

Mr. Farrell said that \$150,000 was put into contingency for BOE; has anything been taken out. Mr. Kiggins said "no." Mr. Farrell asked if anymore is will be needed beyond what was identified today. Mr. Szczesniak said that they may be looking at something later in the year for personnel. Chairman Meyer indicated that they are trying to get the backlog out of the way before proceeding.

Mr. Farrell asked how Hawthorn Consultants are funded; Mr. Mareane replied that they are funded through Personnel Department. A total of \$70,000 is in the budget for Lean Manufacturing.

Mr. Kraft inquired about state and federal grants that are available. Mr. Szczesniak said that they have to be used for specific purposes. He will provide detailed information for the committee (*attachment 3*).

Ms. Kiggins stated that right now lever machines are outlawed in NYS. After discussion, it was determined that Chairman Meyer will bring a memorializing resolution to Ways & Means Committee requesting the allowance of lever machines.

The meeting was adjourned at 10:50 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

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PLANNING & ECONOMIC DEVELOPMENT - APRIL 16, 2007

KATHLEEN A. RAPP, DESIGNATED CHAIR FOR THE DAY

MEMBERS PRESENT: Mr. Meyer, Mr. DiBlasi, Mr. Jordan

MEMBERS ABSENT: Mr. Rhinehart, Mr. Stanczyk, Mrs. Chaplin

ALSO PRESENT: Mr. Kraft, Mr. Farrell and see attached list (*Attachment 1*)

Mrs. Rapp, Designated Chair for the day, called the meeting to order at 11:11 a.m.

A motion was made by Mr. Jordan, seconded by Mr. Meyer to waive the reading and approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.

1. ECONOMIC DEVELOPMENT: Mr. Joe Mareane, Mr. Don Western

a. Amending the 2007 County Budget to accept a grant from the City of Syracuse Industrial Development Agency for economic development projects and purposes (\$792,000)

Mr. Mareane reviewed that there was a \$60,000,000 commitment on the part of Pyramid for fees to be paid to the Syracuse Industrial Development Agency as part of an agreement. County share of those fees is about \$6.6 million (11%) over the course of the next twelve years. In the first two years of the payoff plan, the County will get substantially more money than the balance of the years. The plan presented to the IDA by the County called for that money to go to the following:

- \$338,000 to support the County Department of Economic Development, second, an
- \$80,000 commitment to cover the cost of the Regional Planning and Development Board
- \$792,000 for each of the first two years - earmarked to pay for infrastructure associated with the Westin Hotel project.

Mr. Mareane said this item is asking for the formal allocation of the \$792,000 for first year (infrastructure was initially to be supported with debt). Money earmarked for the Economic Development and the Regional Planning Board will remain constant for the full twelve years.

Mr. Kraft asked if the expenditure of \$338,000 and the \$80,000 is in our budget and covered by this revenue; Mr. Mareane said yes. Mr. Kraft asked if we could receive the \$792,000 and not designate it yet. Mr. Mareane said if it isn't applied in the way described to the IDA, he believes we would have to go back and amend that arrangement with them. Mr. Mareane said the \$792,000 for each of the first two years is a very short term extraordinary payment, is being applied to a capital account, better to apply to a one time capital cost rather than recurring expenses.

Mr. Meyer asked if this money could go towards the hotel project, but placed in a contingency account that is very clearly marked for this project, so that we are accepting it and not having to go back to the IDA. Mr. Mareane said it is to go into the public infrastructure part of the project that has always been the three elements of land, pedway and steam/chill; would have to look into it.

Mr. Jordan asked what would happen if the cost of these improvements are less than what is being set aside. Mr. Mareane said they wouldn't spend it, would ultimately be put into the County's general fund and then reprogrammed back to Economic Development purposes.

Local Laws (listed below): Mr. Don Western

Mr. Western said that each of the projects is a manufacturer that projects the addition of fifty jobs. State has approved that they have met that legislative requirement, it is one of the ways a company not located in one of our Distinct and Separate Contiguous areas can seek access to the Empire Zone Program by being deemed Regionally Significant. In the legislation, there are four categories of regionally significant; manufacturing is one (with the fewest conditions). Mr. Western distributed packets regarding each business (*on file with Clerk*).

b. A Local Law designating a regionally significant project within the Onondaga County Empire Zone (NY Bakery)

Company makes specialty bakery products with existing workforce of 51, projects to add 51 jobs. Facility presently located in the Town of Geddes (32,000 sq ft.), has option to purchase a building on Crown Road in the Town of Clay (76,000 sq. ft.) with another five acres for expansion if business merits that. Mr. Meyer asked what the time period is for the 50 additional jobs. Mr. Western said the state requires that they be created on a roughly proportional basis of about ten jobs per year, have to earn benefits, have to create the jobs, make the investment. Mr. Meyer asked about the equipment; Mr. Western said they would move their equipment and purchase more (have one full line now and need to get to three). Mr. Meyer asked if they would be coming back to the Industrial Development Agency regarding money, directly or indirectly, for expanding operations. Mr. Western said their pilot program doesn't deliver much benefit to an existing property. Mr. Meyer asked about changes to NY Bakery's marketing plan; Mr. Western said the demand for them to do a certain scale of work exceeds their capacity.

Mr. Jordan asked if there is a limitation regarding how much property can be included in an Empire Zone. Mr. Western replied that acreage only applies to the Distinct and Separate Contiguous areas; there is no acreage limitation for Regionally Significant.

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

c. A Local Law designating a regionally significant project within the Onondaga County Empire Zone (GE Inspection Technologies LP)

GE Inspection Technologies acquired Everest VIT, a subsidiary of Welsh Allen, needs a new facility, has been through the IDA to approve a construction project for a 65,000 sq ft. facility in Skaneateles Falls. Company presently has 163 employees, will add at least 50 new jobs. New building will cost \$10 million (not being built by the company); company will have an equipment investment of about \$3.5 million. Mr. Western said they can't claim the building investment as part of the Empire Zone basis for benefits, but being the tenant is the only thing that triggers the building construction. Mr. Western said the company expects to do about \$14 million in investment in the next year and a half, well-paid jobs.

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

d. A Local Law designating a regionally significant project within the Onondaga County Empire Zone (Tessy Medical Products, LLC)

Distinct but related entity to Tessy Plastics, Inc. Has evolved over time to making plastic based products for the medical industry, will manufacture a product for a global company. Will have a 96,000 sq. ft. building on the Tessy Campus, much of that campus is in an Empire Zone, rules preclude any other business from receiving benefits, Tessy Medical Products needs to be treated as Regionally Significant. Company will be moving 20 employees over from existing Tessy Plastics and expects to add 80 jobs within three years. Will be an IDA project (rest of buildings are an IDA project); building itself will be about \$10 million, company will probably invest another \$7 million in molding equipment. Mr. Western said Tessy Plastics has facilities in Virginia and China; there is discussion about what needs to be done to help level the playing field every time the company considers locating manufacturing facilities; the IDA and the Empire Zone have turned out to be powerful tools.

Mr. Jordan asked if the company anticipates a problem attracting or keeping engineers locally. Mr. Western said they don't seem to find that so daunting, noted that New York State produces the second highest number of engineering degrees in the United States.

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

e. A Local Law designating a regionally significant project within the Onondaga County Empire Zone (Syroco, Inc.)

Mr. Western mentioned the changes going on at Syroco, is not sure what the future holds for them; application was submitted prior to the death of the owner and the resignation, two weeks ago, of the president of the company. Mr. Western said he doesn't want to diminish our capacity to support this company by not progressing this application at this time; doesn't entitle

company to any benefits at this time, Syroco would still have to face the certification process; company has been in this community since late 1800's,

Mr. Jordan asked if the benefits would be transferable if the company received them and then was sold. Mr. Western said if Syroco under its current Tax ID number ceases to operate, there is no certified business; next company would have to go through the application and certification process.

Mr. Meyer mentioned the planned production equipment investment of \$6 million, asked if they generally do this every year. Mr. Western said he does not know how this compares to other years; late last fall, it was their desire to move into two more product lines requiring molds they don't have.

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

2. PLANNING: Ms. Karen Kitney

a. Approving the classification of an unlisted action and the issuance of a negative declaration and authorizing the County Executive to accept funds from the New York State Department of Agriculture & Markets for a Farmland Protection Implementation Grant for the Memory Lane Farm in the Town of Marcellus, and authorizing the County Executive to enter into contracts to implement this resolution (\$476,588)

Ms. Kitney said this farm is a 243.5-acre dairy and crop farm. Grant awarded for the value of the development rights of the property, 100% pass through.

Mr. Meyer asked if Ms. Kitney is satisfied that the owners have demonstrated that there has been development encroaching or imminent; Ms. Kitney replied that it was part of their review and noted that this parcel is part of the Watershed for Otisco Lake.

In answer to Mr. Jordan, Ms. Kitney said the farmer sells the development rights to New York State; New York State Agricultural Land Trust accepts the responsibility to forever monitor the land to make sure no development activity takes place and that it is always maintained accessible for agriculture use only; owner retains title to the property, can continue to farm it, can subdivide it and sell it for farming, but cannot develop it.

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

3. COMMUNITY DEVELOPMENT: Nina Andon-McLane

a. Authorizing the transfer of tax delinquent property to the Onondaga County Housing Development Fund Company

Property located at 607 Breman Avenue, Mattydale. Ms. Andon-McLane distributed packets with photos of the property, tax history and a list of other Community Development projects completed on Breman Avenue (*on file with Clerk*). Property will be rehabbed up to Community Development standards and resold under their home ownership program to a first time low-income homebuyer who would also receive a \$20,000 subsidy (state and federal grant funds) through their office. Total amount of taxes that need to be waived is \$13,314.54; taxes have not been paid since 2002; owner is not living in the house.

Mrs. Rapp asked why they are looking at this house as opposed to putting it up for auction to recover the tax load. Ms. Andon-McLane said if the property were put up for auction, anyone could buy it at a very cheap price; it is questionable how much money they would put into it. Ms. Andon-McLane estimated they will spend \$60,000 to \$70,000 on this house, will be up to a very high standard and, hopefully, will sell for around \$80,000.

Mr. Jordan asked if there is a requirement for the people to own the property for a certain period of time. Ms. Andon-McLane said there is a lien on the property connected with the subsidy source; if they sell within ten years, they have to pay it back or sell to another low-income person who qualifies under their program guidelines. Mr. Jordan asked what would happen if the owners don't take proper care of the house. Ms. Andon-McLane said they interview and screen the people, buyers are required to take a housing counseling course, also have inspectors keeping an eye on the houses. Mr. Jordan asked how long the program has been in effect and how many times a house that was rehabbed has ended up back on the list. Ms. Andon-McLane said the program has been in effect since 1993, maybe six or seven out two hundred properties have ended up back on the list after rehab, would have to check the exact number.

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

The meeting was adjourned at 12:12 p.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

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ENVIRONMENTAL PROTECTION COMMITTEE MINUTES - April 17, 2007

Chairman James A. Corbett

MEMBERS PRESENT: Mr. Jordan, Mr. Kraft, Mr. Rhinehart, Mr. Farrell, Mrs. Winslow

MEMBERS ABSENT: Mrs. Chaplin

ALSO PRESENT: *see attached list*

Chairman Corbett called the meeting to order at 9:30 a.m.

A motion was made by Mr. Jordan, seconded by Mr. Rhinehart to waive the reading and approve the minutes of the previous committee meeting. MOTION CARRIED.

1. LAKE IMPROVEMENT:

- a. ACJ Update: Mrs. Sue Miller
 - Midland Phase II -
 - o 1,050' of 144" pipe installed, 150' more to go in Phase II, Phase III will have more
 - o Pre-cast concrete roof put on upper rooms of RTF and grouted in place; ready for final roofing system
 - o 86% of total concrete is in place; 77.9% of total contract of 4 prime contractors
 - Biosolids Handling
 - o Construction continuing at Metro
 - Bids
 - o Went out for Clinton Phase 1 - advertised March 7, to be opened today
 - o Went out for sewer separation for CSO #050, Parkway, Rockland, and portion of South Ave. advertised 3/15/07, bids opened 4/11/07, received 3 bids - low bid was J.J. Lane; it is for about 4,200' sewer line
 - Work Shop for Minority/Women-owned businesses - March 22, 2007
 - o Attended by approx. 25 people; goal of 10 minority, 15 women is being met
 - o Put on by CDM/C&S, program manager
 - o Herman Howard, Human Rights Commission participated

Chairman Corbett took the agenda out of order.

3. Confirm appointment of Randy Ott as Commissioner of Dept. of Water Environment Protection

A motion was made by Chairman Corbett, seconded by Mr. Kraft, to approve this item. Passed unanimously; MOTION CARRIED.

2. WATER ENVIRONMENT PROTECTION: Mr. Randy Ott

- a. **Resolution approving improvements for the Onon. Co. San. Dist., Co. of Onondaga (\$6,294,750)**
- b. **A resolution authorizing the issuance of \$6,294,750 bonds of the County of Onondaga, NY, to pay the cost of certain improvements for the Onondaga County Sanitary District in and for said County**

Mr. Ott distributed a handout (attachment 1), and referred to the last page. He displayed the locations on maps and further described improvements needed.

Mr. Farrell asked how old the lines are; Mr. Ott said that some go back to the late 1800's and early 1900's. Mr. Farrell said questioned the areas that are being lined, and if all the existing structure is able to be retained by the process. Mr. Ott said that they have all been evaluated, and a determination was made on the best method of repair. Chairman Corbett said that they are scoped. Mr. Ott said that the plan is to bid next month if approved by the legislature.

Mr. Farrell asked about the expected lifespan of force mains; Mr. Ott said 30 - 40 years. Mr. Farrell asked how much force main is being replaced and repaired every year. Mr. Ott said he can provide that information after doing some research; noted that there are 130 pump stations - many are newer, but some have been around a while. Mr. Farrell said he is interested in the status of the rest of the sewer system.

A motion was made by Mr. Farrell, seconded by Mr. Corbett to approve items 2a and 2b. Passed unanimously; MOTION CARRIED.

Mr. Kraft asked how much contingency fee is included; Mr. Ott said 10%. The bond length is 30 years.

c. A resolution approving the increased cost of certain improvements for the Clinton Street conveyances and regional treatment facility for the Onondaga County Sanitary District

Mr. Kraft asked if it is necessary to vote on this item today. Mr. Ott said that he thinks it is. Mr. Kraft said that there are only a few days away from the final estimate. Mr. Ott replied that the engineers have a 95% estimate for the RTF project. He referred to the schedule and noted that there is not much float in it--only 3 or 4 months assuming that everything goes perfectly. Clinton Phase I bids are opening today; Midland Phase III advertising on Monday; Clinton RTF will be advertised on 4/18, and Clinton Phase III conveyance will be advertised this August. Need to keep on schedule to bid; need to move forward as soon as possible--previous commissioner wanted these on the agenda in February, and are already 2 months behind.

Mr. Rhinehart said that the resolution asks for endorsement prior to holding a public hearing. Mr. Ott said that is typical--they ask for approval of a project; a public hearing is scheduled prior to legislative session; at session there is a resolution asking for the authorization.

Mr. Farrell said that the project cannot be awarded until the legislature designates and approves monies for it, but it can be bid without having the money. He asked if job progress is delayed if dollars are delayed, or if more time can be given so it is known exactly how much is needed. Mrs. Tarolli said that bids work on a contractual offer/acceptance basis--when an offer is put in and accepted, it is legally accepted. If there is no money behind it, then we can't bind them and they can't bind us. Mr. Farrell disagreed. Mr. Mareane said that they are going to draw the money down as the money is needed. Mr. Farrell said that he does not want to delay or not show good faith to the construction community, but the cost now is an educated guess.

Mr. Albanese said that Mr. Farrell's idea would be to change the way the county does business. The reason for a staggered schedule is because there is a set number of contractors with capability and ability to do this work. They need to know where they stand. He said that Mr. Farrell's suggestion could send a very bad message to all the people the do contract work in Onondaga County. It could drive the dollar amount of the project by what is being approved instead of the natural process of competition, which truly will drive what those responses are. The market place will determine what will be paid for these projects. Some contractors will not touch a piece of work and they will either not respond or send a bid that is 40-50% above the rest of the field--they aren't interested in the work, but want to be part of the mix. Contractors and responders to bids have to spend thousands in the process of responding, and it would be on the roll of the dice that the legislature may not fund the project.

Mr. Farrell said that it takes 60 days to 4 mos. to execute a contract; doesn't believe it is black and white. Contractors recognize that if more money is needed then it will go through. Projects go over estimate all the time. He supports the project and agrees it needs to get done; doesn't believe his suggestion would delay the process. Mr. Albanese disagreed. He referred to delays and the impact on the schedule.

Mr. Sweetland said that the legislature approves projects up to a bonding maximum; up to \$111 million for this project. Mr. Ott said that they are obligated to take the low bid, the estimate that was put together has a contingency, they expect that there will be a change order and other things to affect the cost of the project.

Mr. Mareane said that the estimate is at 95%; it is very close. Sometimes the way contractors price their bids is influenced by bits and starts, interruptions, pullbacks; they build a risk factor into their bids. Our county has been different from a lot of others; things are done up front; an authorization is made up front; there is certainty that if the contractor complies to what was bid, then they will get paid. There is good business reason for the way the county does business and it contributes to that low cost.

Mr. Jordan said that contractors would be fairly confident that the money would be there when dealing with government. He is uneasy about approving "x" number of dollars when it hasn't been put out to bid yet. Mr. Ott said that if the amount is not approved for what they are asking for and the bids come in more, then it is inherent on how much risk the contractor is willing to take. Once bids are received, they are required to reward within 45 days. If there is not enough money to award it, the contractor would have to be asked to extend his bid. If the contractor knows he will have to extend it, then he may put more money into his bid, as it could take 3 or 4 months to go through the legislative process. There is as good a number as they could possibly have at this time. To move forward in a piece meal manner will send a bad message.

Mr. Jordan said that if the job has to be done, then the money has to be there. Mr. Ott said that they can't sign a contract if they don't have the money there. Mr. Jordan disagreed and said it is done all the time; he compared it to real estate contract. Mrs. Tarolli said that contingencies can be put in. Mr. Albanese said that the money does not get borrowed for this project until well after bids are in hand. The legislature authorizes up to a dollar amount; no money is spent. Mr. Jordan said that we are still saying that "x" amount is available, and it influences the bids.

Mr. Kraft said that this project has a big increase; the executive offices have had months to absorb the concept that it will cost a lot more than originally estimated; the legislature has not had even a month yet. It is the legislature's job to ask questions, to try to understand and to dig deeper. There have been discussions that the ACJ was a contract, signed by all parties, and we have to do what the ACJ says. The rules were changed by the state along they way. Part of the increased cost is because the state says that we have to do more. The dollars have changed on the total project by \$145 million. When we started there was federal aid and one-third county; now the increase is more than what the county's third was. He referred to other projects, where less money was approved than was estimated, and the projects were still done (i.e. asbestos removal at War Memorial and Forensic Center). He also has a problem with \$11 million in contingency.

Mr. Kraft asked if there is any hope for federal and state aid on the increased amount. Mr. Mareane said they have asked for it; have received more than the \$100 million in federal commitment already. With Congressman Walsh in the minority, it will be more difficult. The state has been lobbied.

Mr. Mareane clarified for the record, that there is an implication that there is an overrun on this project of \$145 million based on a price quoted in 1997. He said that in 1997 they quoted a price of \$380 million and said explicitly that those were 1997 dollars. A range of costs that could occur depending on the choice and inflation were provided to that legislature and public. The cost of the project is tracked a little lower than the price of inflation. There are no overruns of \$140 - \$150 million; it is inflation that has affected the cost of the project and it was known up front that it would influence it. Mr. Kraft said that also the state has put more demands on the county to meet higher standards.

Mr. Farrell urged for anything that could possibly be done to save some of the cost.

Chairman Corbett said that he is in favor of this; have a number that is 95%+ complete; this committee started getting informed about 4 months ago regarding the estimated cost and the reasons why.

Mr. Rhinehart said that he can't support \$111 million for a part-time facility that will remediate a one-year storm. He would like to see the legislature put a limit on it and say that is what will be supported. He said that the problem started in the city, was let go in the city, and they have the most to benefit by it. They have held it up and have been against it from the get go; have spent a lot of time in court with it, which has also increased the cost.

Mr. Kraft said that he is interested in getting the highest possible level of activity for state and federal aid; going back to the state and telling them that there is a problem with the legislature over this change. Also would like to see the contingency taken out.

Mr. Ott said that other people are benefiting besides the city--the entire community benefits, are cleaning up raw sewage discharges from Onondaga Creek and Onondaga Lake. Regarding state and federal aid, the county executive was very instrumental, before even signing the agreement, in getting state and federal partners to participate. He doesn't know of anyone else in NYS, with a project of this magnitude, that was able to get state and federal aid.

A motion was made by Mr. Corbett, seconded by Mrs. Winslow to approve this item. AYES: 4 (Winslow, Farrell, Jordan, Corbett) NOES: 2 (Rhinehart, Kraft). MOTION CARRIED.

Mr. Rhinehart referred to the new storm water regulations, asked how the whole project fits in. Mr. Ott said that he will get back to him with information on it.

d. **A resolution authorizing the issuance of an additional \$79,942,042 bonds of the County of Onondaga, New York, to pay the increased cost of certain improvements for the Clinton Street conveyances and regional treatment facility in and for said county**

\$31.5 million has been appropriated, \$23 million has been appropriated.

A motion was made by Mr. Corbett, seconded by Mrs. Winslow to approve this item. AYES: 4 (Winslow, Farrell, Jordan, Corbett) NOES: 2 (Rhinehart, Kraft). MOTION CARRIED.

f. **Authorizing the acquisition of real property to enable the County of Onondaga to comply with requirements set forth in the Onondaga Lake Amended Consent Judgment (ACJ) for the construction, operation, and maintenance of Midland Avenue Sewer Improvement Project (\$5,500)**

An easement for Midland Phase III - was brought to the legislature a few months ago with a recommendation to buy it at that time. The legislature recommended not buying it, and they are now asking for an easement. It is owned by Syracuse Urban Development Corporation. Will be used for construction trailers.

Mr. Farrell said that when this came to the legislature, it was a purchase and the fundamental issue for not purchasing it was to try to work together with an entity.

Mr. Clare said that in the current pending intermunicipal agreement there is a listing of properties; this property is not listed. There is also a clause in the agreement that says that if approved, any additional properties that the county determines that are needed for the project, the city will cooperate with the county in order to obtain access to those properties.

A motion was made by Mrs. Winslow, seconded by Mr. Corbett to approve this item. AYES: 5 (Farrell, Corbett, Winslow, Kraft, Rhinehart); NOES: 1 (Jordan). MOTION CARRIED.

e. **DISCUSSION: Authorizing the County Executive to execute an intermunicipal agreement relative to the Amended Consent Judgment and related matters and to execute such other documents to implement said agreement and to carry out the intent of this resolution and amending Resolution No. 221-1998 relating to implementation of the project labor agreement**

Mr. Ott distributed a summary sheet and cost, *attachment no. 1*. Chairman Corbett said that there will be no voting action until such time that the City does. There is a public hearing Thursday at 6:30 at City Hall; the next City Council meetings are April 23 and May 7th.

Mr. Rhinehart asked if there was any discussion regarding the points of this agreement. Mr. Albanese said that the way it was presented to the city, as far as the county goes was an agreement reached between the two administrations for review and approval, not subject to any modifications. The city asked what happens if they want to modify it or vote it down. Mr. Albanese said that the response to them was clear that the county will remove everything from the table, will activate a lawsuit in violation of the Clean Water Act, will start huge dollar amounts in fines, etc.

Chairman Corbett said that there is some acrimony with the way city has presented themselves in the past, but to the point reached now - they will discontinue any existing litigation; will help defend any challenges, and the County will withdraw any intent to sue. There is a tremendous amount of community betterment. Should it all come to pass, it is a type of municipal cooperation between city and county finally.

Mr. Rhinehart asked if there has been any feedback from the executive side. Recently have had resolutions introduced at the legislature with the intent not to grant moneys to private businesses anymore; he questions if this intermunicipal agreement includes million of dollars to private parking vendors. Has there been a request to support it by county legislators, or to remove it. Mr. Albanese said there has been discussion about removal. Mr. Rhinehart asked if there was any discussion regarding the purchase of the Trolley lot; any discussion for the city to contribute it. Mr. Albanese said that this was considered a quid pro quo that didn't occur. The city would not accept the county's appraisal; they wanted their own. As it ended up the city will accept the county's appraisal. Mr. Rhinehart asked what the city will do with the Trolley lot money; Mr. Mareane said that it will come to the City as revenue and they will put it in as unrestricted revenue. Mr. Albanese said that the he understands the city is planning to add the Trolley lot revenue toward the neighborhood initiatives that will take place. Mr. Mareane said that money goes right to the neighborhoods, they will be the architects of the improvements. As the projects unfold, the cost will be covered on an as-needed basis. We will have the right to review specific projects.

Mrs. Winslow said that some of this comes from taxpayers who are requesting some concessions, where their neighborhoods are being dug up.

Ms. Winslow left the meeting to attend the Education and Libraries Committee meeting.

Mr. Farrell asked where the \$1.9 million for the purchase of the Trolley lot will come from Mr. Mareane said that it is borrowed as part of the overall cost project. Mr. Albanese said that the Trolley lot dollar was never part of the project; it was a net increase. It was envisioned as a quid pro quo and it never occurred. The \$6 million does not come out of the \$111 million; \$3 million in Midland and \$3 million if in Harbor Brook.

Mr. Jordan asked how much land is being purchased from the city; Mr. Clare said he can report back on that. Mr. Jordan said that it doesn't sit well with him that we are solving a problem that the city has, and the taxpayers are being made to pay to purchase this property. Chairman Corbett said it is our problem because of consolidated sanitary districts. Mr. Jordan said that the city should be contributing.

4. DISCUSSION: Authorizing the County Executive to enter into an agreement with the United States Environmental Protection Agency (EPA) to allow county departments involved with vehicle maintenance to participate in the EPA's voluntary environmental self-audit policy - Mr. Coburn, Director, Office of Environment

Mr. Coburn said that this resolution is going to Co. Facilities Committee for action. It is to authorize the county to enter into agreement with EPA to participate in their voluntary audit and disclosure program. The DOT Commissioner was recently at a meeting in Albany with other commissioners - they were told that EPA is beginning a new compliance enforcement initiative specifically aimed at public works departments, particularly vehicle maintenance operations. There is some concern that some DOT garage floor drains may have some deficiencies. The authorization is a program created by EPA to address this situation - allows hiring a contractor through RFP process to audit the facilities and operations, determine deficiencies, advise EPA, and facilitate correcting them. The costs range from \$4,000 - \$10,000 per facility; WEP and Metro are included also; a high-end estimate is \$60,000 for all facilities. Departments would take care of audit costs out of their existing budgets. There are 2 types of penalties: gravity based, which are generally waived, and economic benefits, where EPA can assess additional fines and penalties. The advantages of doing this are that it shows that environment compliance is a priority, serves employees that they are in a compliant environment; and essentially eliminates chance subject of unannounced audit.

Mr. Rhinehart asked if it is limited to just vehicle maintenance. Mr. Coburn said they will be doing all areas. Suspects that problems, if any, will be administrative in nature (i.e. record keeping, training, reporting).

Chairman Corbett said that the county is being proactive; shows that we are trying to regulate ourselves.

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

DEBORAH L. MATURO, CLERK

Onondaga County Legislature

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HEALTH COMMITTEE MINUTES

KATHLEEN A. RAPP, CHAIR

APRIL 18, 2007

MEMBERS PRESENT: Mr. Warner, Mr. Lesniak, Mr. Meyer, Mr. Kilmartin, Mr. Laguzza, *Mrs. Winslow

ALSO PRESENT: Mr. Sweetland and see attached list (Attachment 1)

Chair Rapp called the meeting to order at 9:00 a.m.

A motion was made by Mr. Kilmartin, seconded by Mr. Laguzza to waive the reading and approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.

1. HEALTH: Dr. Cynthia Morrow, Commissioner; Ms. Jean Smiley, Deputy Commissioner

a. Amending the 2007 County Budget to accept additional Women, Infant and Children (WIC) grant funds and authorizing the County Executive to execute agreements to implement this resolution (\$120,572).

Ms. Smiley said the Women, Infant and Children Program is a supplemental food program for pregnant women and infants. Health Department has petitioned the State for funds for a new phone system (current system is fifteen years old), furniture and to redo panels. Hoping to achieve a better atmosphere and patient flow for the clients, volume of clients is 168 per day.

Mr. Warner asked what the total cost of the program is; Ms. Wilson replied about \$1.7 million. Ms. Smiley said it is based on caseload numbers. Mrs. Rapp asked for the total number of WIC clients; Ms. Smiley said 10,163 participants (rotate every third month), caseload is continually changing, federal and state money.

A motion was made by Mr. Warner, seconded by Mr. Laguzza to approve this item.

Mr. Kilmartin asked if the County petitioned for that amount of money, Ms. Smiley replied that they asked for a variety of things; this is what they approved.

Mr. Lesniak asked who would be doing the work and if this includes labor costs for installation. Ms. Smiley said the contracts would include labor costs; County employees will assist them in terms of layout.

A vote was taken and passed unanimously; MOTION CARRIED.

b. Confirming reappointments to the Onondaga County Council on Environmental Health (Mr. Toennies, Mr. Benson, Mr. Bryant, Mr. Morris)

A motion was made by Mr. Lesniak, seconded by Mr. Kilmartin to approve this item.

*Mrs. Winslow arrived at the meeting

A vote was taken on this item. Ayes: Mr. Warner, Mr. Kilmartin, Mr. Laguzza, Mr. Lesniak, Mr. Meyer; Noes: 0; Abstained: Mrs. Winslow

c. Informational - Obesity Epidemic

Dr. Morrow presented a Power Point concerning an overview of the obesity epidemic and the associated epidemic of diabetes (Attachment 2).

Mr. Meyer asked if the percentage of the obesity problem with the Medicaid population mirrors that of the community in general. Dr. Morrow said for Medicaid it was about 15% according to a 2001 study; in the general population, the estimate is about 5-9% of total health care costs associated with obesity; obesity is much more common in our lower socioeconomic status. Mr. Meyer asked Dr. Morrow if she has a plan that addresses this very wide variance. Dr. Morrow said the personal recommendation of decreased calories/increased physical activity is a generic recommendation that holds for every resident in Onondaga County. Dr. Morrow said that studies show that people are more likely to eat higher calorie food if they don't know where their next dollar is coming from. Dr. Morrow added that if you look at the distribution of healthful foods and access to physical activity in our inner city, where the bulk of lower socioeconomic status individuals reside, there is very little access to fresh fruits and vegetables and a concern for safety regarding outside physical activity. They are trying to address the issue of healthful foods with the WIC clinics, by working with farmer's markets and with coupons.

Mr. Warner asked the cause of the dramatic increase in obesity for children between six and nineteen. Dr. Morrow explained that a lot of it has been due to a dramatic culture shift; portions of food have increased since 1965 (people are consuming 1,000 more calories per day), fast foods and convenience foods started proliferating, and we have more two-income families with less time to prepare healthy meals. There was discussion regarding the graph concerning Medicaid dollars; Dr. Morrow will confirm the numbers with Budget.

Mr. Lesniak asked if there are any studies concerning communities that have required frying without trans fats. Dr. Morrow said it is too new, New York City will be in compliance in July of this year. Dr. Morrow said the trans fats issue is that it is an independent risk factor for cardiovascular disease; the greatest impact will be fifteen to twenty years from now on decreased risks of heart attacks.

Mr. Laguzza asked Dr. Morrow to expand on the issue of access in the city to fresh fruits and vegetables. Dr. Morrow said there are some geographic studies where they mapped where fresh fruits and vegetables are available; consistently across the country the local corner stores in the inner cities tend not to have them; if they do, they are low quality and very expensive. Dr. Morrow is pretty sure that Syracuse University did a local study, will ask to be provided with the results. Ms. Smiley said other issues related to the inner city are that to have fresh fruits and vegetables, have to make several trips a week to a grocery store; a person might have to take two or three busses and there are refrigeration issues, etc. Dr. Morrow noted that frozen fruits and vegetables and canned (not in syrup or salted) are actually as nutritious as fresh, if not more; we need to promote them.

Mr. Laguzza mentioned the soda contracts with the schools, would be curious to know the ramifications of these contracts. Dr. Morrow said there are wide differences; there are some schools that have adopted water-based beverages and low fat milk beverages only; understands that with those schools there is not a huge economic impact, it's the cultural issue. Dr. Morrow agrees that we need to address what is happening in our schools; there is movement, but very slow. Dr. Morrow said there is a bill at the state level to look at capping how many calories the snacks in vending machines at schools can have; doesn't know if it is going anywhere; Gov Spitzer has put \$3.7 million in his budget to look at childhood obesity. Mr. Laguzza asked the Law

Department to research whether the County Legislature can we have influence on school budgets and school boards in saying there is an epidemic, a health concern nationally and locally. Mr. Laguzza mentioned that he doesn't hear much about physical activity in the schools. Dr. Morrow said it is variable from school to school; there are state regulations about how much physical education a child should have at school, not all schools are complying.

Mr. Sweetland said action should be taken regarding the schools and vending machines; suggested a memorializing resolution to the State regarding the issue; our state representatives should be lobbied because they have dollars that control the schools. Mr. Sweetland referred to a study that the Governor is doing for over a million dollars, said the Governor could tell the schools that unless they provide a healthier diet for our kids, they will not get aid. Mr. Sweetland said the agricultural industry in this state has fought with the State for years concerning the benefit of putting fruit instead of chips, etc. in the vending machines in the schools.

Concerning the accessibility of fresh fruits and vegetables, Mrs. Winslow said that there are a couple of supermarkets with a full range of foods within walking distance for many people. Ms. Winslow mentioned the Farmers Market where there is a program for young people to grow the food and then come downtown to sell it

(should look at expanding that program). Mrs. Winslow added that there are vendors who drive around the neighborhoods; people don't necessarily have to leave home to get fruits and vegetables.

Mrs. Rapp asked if there is nutritional guidance given when people come in for Medicaid; Dr. Morrow said they do for WIC, does not think there is nutritional counseling with Medicaid. Mrs. Rapp suggested that maybe there could be a nutritional component with getting Medicaid benefits.

Mrs. Rapp explained that Mr. Warner wanted to address the committee regarding a new initiative. Mr. Warner informed the committee that in 2002 New York City raised the surcharge on a pack of cigarettes to \$1.50, now wants to bump it up to \$2.00. New York City has raised \$123,000,000 from cigarette taxes in 2006. Mr. Warner said that eight counties are now petitioning the State to allow them to opt in to raising the surcharge on cigarettes to \$2.00 per pack. It is his understanding that this issue is now in the Ways & Means Committee in Albany. Mr. Warner noted that Onondaga County it would generate \$12,349,750 if the tax per pack were raised \$1.00. Mr. Warner referred to a study by health experts stating that the number of smoking related deaths and number of women who smoke has decreased in NYC since the tax was imposed. Mr. Warner suggested the committee have further discussion regarding this issue. Mrs. Rapp said that according to their health advisory group, raising the cost has actually made a difference; it has decreased the availability and people's need to smoke. Mr. Lesniak asked what counties are presently petitioning the state; Mr. Warner replied Nassau, Suffolk, Westchester, Orange, Putnam, Rockland, Dutchess and Rensselaer. Mr. Kilpatrick asked if the increase is to \$2.00 or \$2.00 above what it is now; Mr. Warner replied above. Mr. Laguzza mentioned that the State increased the tax on cigarettes a couple of years ago, would like to know what the projected revenue was because of that increase and what the actual revenue increase was, also the number of youth smoking at the time of the last increase versus number smoking today. Mrs. Rapp said she would be far more supportive of this if it were across the board and included reservations as well. Mr. Warner suggested putting in a companion resolution requesting the State to take care of that issue. Mr. Warner suggested discussing this issue next month after the committee has more information. Ms. Tarolli clarified to the committee that State legislation is needed to impose that tax, have no authority as a county to impose it. New York City and eight counties are looking for legislation allowing them to raise the tax. Right now, it is an Assembly bill.

The meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

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SOCIAL SERVICES COMMITTEE MINUTES - APRIL 18, 2007

CHAIRMAN ROBERT D. WARNER

MEMBERS PRESENT: Mr. Holmquist, Mr. Laguzza, Mr. Lesniak, Mr. DiBlasi

MEMBERS ABSENT: Mr. Stanczyk, Mrs. Chaplin

ALSO PRESENT: Mr. Meyer, *see attached list*

Chairman Warner called the meeting to order at 10:30 a.m.

A motion was made by Mr. Holmquist, seconded by Mr. DiBlasi to approve the minutes of the previous committee meeting. MOTION CARRIED.

1. SOCIAL SERVICES: Mr. David Sutkowy, Commissioner; Mr. Steve Morgan, Deputy Commissioner

a. Amend 2007 Budget to provide additional funds for the purpose of implementing a Medicaid cost containment initiative and authorize Co Exec to enter into contracts to implement this res. (\$448,164)

b. Create Welfare Fraud Investigator, Gr. 10 @ \$40,364 - \$44,661 effective May 1, 2007; Create Senior Welfare Fraud Investigator, Gr. 11 @ \$43,149 - \$47,756 effective May 1, 2007; Create Assistant District Attorney II, Gr. 34 @ \$57,917 - \$81,688 effective May 1, 2007

See attachment no. 1. The hope is to increase the capacity to collect and use information to increase the integrity of the Medicaid program and provide services more effectively. Three specific directions:

1. **Client Fraud:** DSS is responsible to investigate fraud committed by applicants or recipients of services and are responsive. When Salient was purchased last year, DSS wanted to not just respond to client fraud but also use data that was not previously available. Specifically narcotic prescription drugs - identified 100 highest users; in 30 cases there was suspicious activities; many getting prescriptions from multiple doctors. The legal remedy was to refer to State Narcotics Bureau; the administrative remedy was to refer to the NYS Recipient Restrictive Program, which restricts access to multiple doctors. It was concluded that they need to be more proactive; also found that working with DA's office is very beneficial. It took a lot of resources and time to do what they did with prescription resources; found they were falling behind in other areas. Asking for 2 staff in DSS and one in DA's office to sustain effort to investigate client fraud and prosecute cases.

2. **Vendor Fraud:** Salient is working to improve intelligence on the vendor side; trying to create the formulary to provide better identification of the vendors who are billing outside the norm. In the Medicaid system vendors can bill following a certain range; the software being developed will identify those billing outside of the range. Onondaga Co. will be the pilot for the software, if successful DSS would like to purchase it. If allowed to participate in state demonstration on Medicaid fraud, the state would delegate Onondaga Co. to further investigate cases. Forensic accounting services are being requested--will knock on providers' doors who are billing outside the norm, review records, and take appropriate action. If not allowed to participate, then a referral will be made to the state inspector general, who reserves the right to investigate and prosecute.

3. **Managed Care:** Have looked at the emergency room usage; 10 recipients used emergency rooms 792 times in one year; an average of 1.5 times/week; all were SSI recipients. SSI population is allowed to participate in managed care, but not required. Many don't have primary and specialty care and use emergency rooms as a substitute. There are 4 managed care plans in the county: Total Care, Fidelis, United Health Care and Excellus. With managed care the county pays the premium per month and the plan is responsible for all the care in that month. The rate depends on the age of the individual, approximately \$500 - \$600/month. Mr. Morgan stated that the theory is that individuals' care will be more managed, coordinated, and more cost efficient. Mr. Sutkowy said that right now there are 3,100 participants in managed care. This would mandate managed care enrollment for the SSI population (right now it is voluntary) 37% of eligible SSI recipients are already enrolled. The State wants the counties to move in this direction, NYC is doing it now.

Mr. Warner asked what the cost is for managed care now. Mr. Sutkowy said it ranges from approximately \$180 for a child to \$450 for an adult. He can provide all of the rates.

Asking for two staff positions to assist with enrollment; feel manage care direction is inevitable and more cost effective; SSI population tends to sometimes be difficult to work with.

Mr. Lesniak asked about the time frame. Mr. Sutkowy said that the state is allowing them to go at their own pace. Mr. Morgan said that a lot of coordination will have to occur.

Mr. Laguzza asked how the providers will deal with the influx. Mr. Sutkowy said that DSS had a meeting with providers and the State. Two plans are ready to go; Total Care and Excellus are already doing it. Mr. Morgan said that the State has a check & balance system with the managed care plans. Individuals make a choice as to which plan to enroll in. If they don't make a choice, they are auto enrolled, done on a rotation basis. There are about 4800 potential enrollees; expect to get 85% enrolled. Mr. Laguzza asked if the state could come back and change the rate. Mr. Sutkowy said that the state sets all the rates. Rates are reviewed annually; the state budget did not include any increases. Mr. Laguzza said that the population will be much larger; the county will have to absorb the increase. Mr. Morgan said the rates are set on population. Mr. Laguzza discussed getting state assurance that there won't be a huge variance.

Mr. Warner asked if the providers' packages are identical; Mr. Sutkowy said that the benefit package is set by the state, not the provider. Discussion continued about the state passing the cost down to local government or the insurance provider charging

higher rates for the increased population.

Mr. Lesniak asked why a senior investigator is needed. Mr. Morgan said that they have a Welfare Fraud Investigator now that is specific to Medicaid; are trying to build a unit which the senior investigator would oversee. Mr. Weiss said that the assistant district attorney will be exclusive to Medicaid fraud. Mr. Lesniak asked if there are savings projections that would offset the costs. Mr. Morgan said not specifically, but are looking to build on it with the resources they have; will be tracking and keeping numbers.

Mr. Holmquist asked if clients or vendors have been seen that are outside the norm and then modified their behavior. Mr. Morgan said that they have not yet, but; the software has the ability to look at a provider or client and look a year later to see if the behavior has changed based on intervention taken. He noted that there could be fraud going on that is way below the radar; there will be fraud that they will never be able to pick up.

Chairman Warner asked about identity theft. Mr. Meyer referred to an article from Business Week, Jan., regarding identity theft at a clinic in Florida, \$2.8 million. This is not just a credit card issue. Regarding behavior changes, they have been examined in other communities. Regarding money for the upgrades, they are billable to NYS, not a local taxpayer expense. Numerous other counties in NYS have gone through this.

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

c. Amend 2007 Co. Budget to accept and provide for additional funds in the DSS to support Family Services and authorize Co. Exec. to enter into contracts to implement this res. (\$150,000) - Ms. Sarah Merrick, Program Coordinator

Westside Community School strategy (*attachment 2*). The idea is to take 6 schools (Bellevue, Delaware, Shea/Bellevue Academy, Seymour, Blodgett, Fowler) and bring community services into them for the ultimate long-term goal of increasing the graduation rate. A number of things have been done to get the project up and running; no students have been served yet; working to get infrastructure together. The county applied for a \$1.4 million COPS grant; it was approved a few weeks ago. Can now hire 6 school coordinators and 13 family workers. The goal to be up and running with a coordinator and 2 family workers per school by this school year. To secure the state money, the county needed to secure \$500,000 in local money. In Sept, the legislature approved \$350,000 from City School district. Asking today to accept \$75,000 from Community foundation for general expenses and \$75,000 from 20/20 for technology needs.

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

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

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COUNTY FACILITIES COMMITTEE MINUTES

JAMES W. FARRELL, CHAIRMAN

APRIL 19, 2007

MEMBERS PRESENT: Mr. Holmquist, Mr. Kraft, Mr. Jordan, Mr. Kinne, Mr. Laguzza, Mr. Lesniak

ALSO PRESENT: and see attached list (*Attachment 1*)

Chairman Farrell called the meeting to order at 11:02 a.m.

A motion was made by Mr. Holmquist, seconded by Mr. Lesniak to waive the reading and approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.

1. PARKS: Mr. Robert Geraci, Commissioner; Mr. Jon Cooley; Mrs. Kate Skahen

a. Amending the 2007 County Budget to enable the establishment of project accounts for tourism promotions and the 2007 Bass Pro Tour (\$75,000)

Request to transfer \$75,000 of ROT dollars from the contingency account to their budget. \$15,000 designated for website maintenance for the Parks Department and the Zoo, \$60,000 designated for the 2007 Bass Pro Tour.

A motion was made by Mr. Kinne, seconded by Mr. Lesniak to approve this item.

Mr. Cooley distributed the budget for the 2007 Bass Tour - \$100,000 (\$60,000 ROT money, \$15,000 from last year's program and \$25,000 from Syracuse Conventions and Visitors Bureau) (*on file with Clerk*).

Mr. Farrell asked how much was collected from sponsors last year; Mr. Cooley replied that it was in the \$70,000 range. Mr. Farrell said there is a reasonable expectation of dollars coming in; those monies should be allocated in the budget, same logic that is used with grants. Mr. Farrell recommended reducing the amount coming out of contingency by \$8,000 with the expectation that the sponsorships will be greater this year with this bigger event; if more is needed they would have the ability to come back to the Legislature. Mr. Cooley noted that expenses for this program are high; package with the Oncenter has not been negotiated yet, hospitality element of the program has not been finalized (bound by contract to a major celebration on Friday night at the Oncenter). Mr. Geraci added that there is a time lapse to come back to the Legislature, bills have to be paid, and the money will not be spent if they come under budget again this year.

Mr. Kraft asked if the county would receive any of the participant entry fee money; Mr. Cooley said a portion of that revenue will come in, was not anticipated in the budget. Mr. Kraft said if they have a true expected income, it ought to be in the budget. Mr. Kraft asked about the expense for the Oncenter/War Memorial. Mr. Cooley said the weigh-ins each day will be at the Oncenter (were held at Oneida Shores last year); there will also be a fishing show and exposition on Saturday and Sunday, no charge to the public.

Mr. Lesniak asked if there is a charge for vendors at the expo; Mr. Cooley replied yes. In answer to Mr. Farrell, Mr. Cooley said the contract for the Oncenter will be through the CVB and they will also coordinate revenues from any vendors procured locally, would be credited as revenue for the overall budget. Mr. Cooley guessed the county would sell about ten sponsor units, a good share of the space is based upon contracts that the tour has on a national basis.

Mr. Lesniak suggested leaving the amount at \$60,000 simply because it is unknown, does not want to diminish the program and have Bass start looking for a new site. Mr. Kinne said he would like to leave the full amount in this year with the understanding that they come in with a more finite statement of the actual expenses and revenue at the end of the event. Mr. Laguzza suggested letting them do what they need to make certain it is a success; if there is a surplus, it could be returned to ROT, if deficit, we will deal with it.

Mr. Farrell stated that there is a clear understanding that at the completion of this event and totaling of expenses and income, they will come back to the Legislature; any surplus will go back to ROT. Mr. Farrell commented that this is a wonderful event and that the entire committee agrees that they are doing a fantastic job.

A vote was taken on this item and passed unanimously; MOTION CARRIED.

b. Amending the 2007 County Budget to accept a grant from the New York State Office of Parks, Recreation and Historic Preservation and authorizing the County Executive to enter into contracts to implement this resolution (\$57,425)

Mrs. Skahen said this is a pass though to the Onondaga County Snowmobile Association.

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

c. Create Recreation Supervisor, Grade 10 @ \$40,364 - \$43,139 effective May 12, 2007

Mrs. Skahen said according to a Civil Service rule, the person they want to put in the position of Recreation Supervisor has to be put into that position as a permanent appointment, not as a contingent/permanent because it is considered a reinstatement (the person held the same position in the Town of Manlius). They plan to leave the created position unfunded until the person promoted out of the position passes probation; at that point, they would abolish it. Mr. Farrell asked if both employees would retreat if the person does not pass probation; Mrs. Skahen said yes.

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

d. Discussion: Status of Friends Agreements - no discussion

e. **Discussion: Plans for each park** - no discussion

f. **Discussion: Interagency Marketing** - Mr. Geraci passed around examples of posters that were put up at the Zoo promoting various parks other than the zoo.

2. TRANSPORTATION: Mr. David Coburn, Director - Office of Environment; Mr. Lynch, Commissioner - Department of Transportation

a. Authorizing the County Executive to enter into an agreement with the United States Environmental Protection Agency (EPA) to allow county departments involved vehicle maintenance to participate in the EPA's voluntary environmental self-audit policy

Mr. Coburn explained that the EPA is conducting a new environmental enforcement aimed specifically at municipal public works departments with a special focus on vehicle maintenance operations, things that are typically not in compliance with the environmental regulations. Based on that and a follow-up investigation, Mr. Coburn said there is concern that some of the floor drains at some of their DOT facilities may not be entirely in compliance. This authorization would allow them to participate in an EPA program specifically designed for this type of situation; would do an RFP to get a consultant to audit their facilities, to determine whether they have any deficiencies; they would report them to the EPA to get on a schedule to fix them.

A motion was made by Mr. Kinne, seconded by Mr. Holmquist to approve this item.

In answer to Mr. Lesniak regarding the schedule to correct any potential problems, Mr. Coburn said he has been told that if they get into the program they will be considered a good actor; schedule has to be reasonable, assuming there isn't a serious problem occurring. The audit would range between \$4,000 and \$10,000 per facility, depending on the size and complexity of it. WEP has been added into this because of their vehicle maintenance operation; will be doing four DOT garages and Metro. Mr. Coburn said they think the high end of the cost is \$60,000, will probably be less, money is already in the operating budgets of the departments. Mr. Farrell asked if it would expand to other areas such as Parks fuel storage. Mr. Coburn said that by doing this, they are addressing the particular issue that EPA is concerned about; whatever they learn from this, they can apply to other departments.

A vote was taken on this item and passed unanimously; MOTION CARRIED.

b. Amending Resolution No. 92-2004 to increase the authorization to advance 100% of the federal aid eligible costs by an additional \$100,000 for the design (Scoping I-VI) and the right-of-way incidentals of Hosman Road, PIN 375330 and amending the 2007 County Budget (\$100,000)

A federal project, County cost for design - 5%; project will run from Town Line Road to Kinne St. Initial design was basically a repaving project; complexity and cost of the project increased due to a number of factors - a new traffic signal at Kinne St. and Molloy Rd. and additional work at the airbase entrance with a turning lane and signal there. Original cost for design was \$188,000.

Mr. Kinne asked why the numbers were so off from initial total construction cost of \$1.2 million to \$2.5 million. Mr. Lynch explained that the original estimate was done in 1998; estimates must be done according to federal formulas, most projects end up being more than initial input.

A motion was made by Mr. Lesniak, seconded by Mr. Holmquist to approve this item.

Mr. Kraft asked why the design cost is \$236,000. Mr. Lynch said that 12% to 15% is what you can expect to pay for design; this is within that range. Mr. Farrell asked when the design work was done for the additional \$120,000 and if the bill has been paid; Mr. Lynch said it was during the past year; bill has not been paid.

A vote was taken on this item and passed unanimously; MOTION CARRIED.

c. Amending the 2007 County Budget to provide additional funds for the purchase of gasoline and diesel fuel to be sold to the OCRRA and the Pompey Fire Department and authorizing the County Executive to enter into contracts to implement this resolution (\$8,100)

A motion was made by Mr. Lesniak, seconded by Mr. Kinne to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

d. Authorizing the reconstruction and construction of improvements to various bridges in and for the County of Onondaga, New York, at a maximum estimated cost of \$1,300,000 and authorizing the issuance of \$1,300,000 serial bonds of said county to pay the cost thereof

e. Authorizing the reconstruction and construction of improvements to various highways in and for the County of Onondaga, New York, at a maximum estimated cost of \$8,414,000 and authorizing the issuance of \$8,414,000 serial bonds of said county to pay the cost thereof

Mr. Lynch said the 2007 Highway Plan was mailed to each committee member regarding annual bridge and highway projects (*on file with the Clerk*).

Mr. Kraft said there is about \$1 million more in bond issue and about \$1 million more in paving than a year ago; Budget, the County Executive and the Transportation Department have recognized the inflationary pressures and put enough in the budget to respond to our continuing question about whether we are doing our paving. Mr. Lynch said fuel costs escalated this past year and affected their work plan quite severely; the items are based on their best guess for this year. Mr. Lynch said if costs go above estimate, they will do less than the 38 miles; they make monthly changes on what they pay for asphalt, will adjust their miles to agree with the dollars they have. **Mr. Farrell asked Mr. Lynch to come back to the committee in six months concerning the number of miles actually paved.**

Mr. Kinne mentioned the two lane equivalent miles with short distances such .10 and .61 listed under the 2007 Hot Mix Paving; asked how that is cost effective to do those roads. Mr. Lynch said they are small County roads that they are responsible for. Mr. Coley said the state can give us highways, but we can't give the towns and villages roads unless they agree to accept them. Mr. Lynch said trading has come into the picture in the past, but it has to be agreeable to both parties. Mr. Lynch said they would approach the towns concerning taking over the short streets listed for hot mix paving in 2007.

Mr. Lesniak asked about crack sealing. Mr. Lynch said they do about \$100,000 worth of work each year on roads that were paved four to five years ago. **Mr. Farrell asked Mr. Lynch to come back next month with a mini report on this aspect of the road maintenance.**

A motion was made by Mr. Kraft, seconded by Mr. Jordan to approve items 2 d. and 2 e. A vote was taken and passed unanimously; MOTION CARRIED.

f. Amending the 2007 County Budget and advancing 100% of the non federal aid eligible costs for the right of way acquisition phase of the Taft Road federally aided reconstruction project, PIN 3752.98, at a maximum cost of \$90,000 and accepting title to the acquired right of way.

Nineteen strip takings along this project, no houses or businesses. Will include \$30,000 of County funds if all money is spent. Mr. Farrell asked for the total estimated cost of this project including acquisition, design and construction.

Mr. Lynch replied \$5.5 million for construction, \$408,000 for design and an estimate of \$600,000 for right-of-way acquisition (County share is 5% for construction and right-of-way, 20% for design). Mr. Lynch said the project is on Taft Road, starts at South Bay east to Northern Boulevard, includes a fifth lane from South Bay to just beyond Church St., redoing the intersection at Church.

A motion was made by Mr. Kinne, seconded by Mr. Lesniak to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

3. Discussion: Status of Energy Performance Contract and resulting savings - Mr. Tom Ferrara

Mr. Ferrara distributed a handout regarding Utility Use and Costs for 2005 and 2006 (*on file with Clerk*). Mr. Ferrara said that County energy costs were reduced by 900,000 therms (about 18% of our natural gas usage) electricity usage was reduced by 9.7 M kWh between 2005 and 2006. Most of the savings were related to the Energy Performance Contract, some related to weather. Mr. Ferrara reviewed the handout entitled Onondaga County Energy Performance Contract with Carrier Corporation Status Update (*on file with Clerk*). Mr. Ferrara said the savings from 2005 to 2006 is very encouraging because all the projects were not completed yet; they expect even greater savings. Mr. Ferrara added that they would have paid \$669,000 more in utilities if they had not done the lighting project.

Mr. Laguzza asked about the recycling for the lamps that were retrofitted. Mr. Ferrara said Carrier did recycle them, five different electricians were used, could have been a variety of firms, will find out.

Mr. Farrell complemented the Facilities Department for moving the Energy Performance measures forward in the timeframe that was defined. Mr. Farrell added that Carrier has been an excellent partner to work with and we have met and exceeded expectations. Mr. Kraft noted that they went through some added efforts to prove that the bids they got were reasonable in the marketplace.

Mr. Lesniak asked if they are looking at alternative energy. Mr. Mareane said they have been carefully proceeding with review of technology for a biomass plant. Mr. Mareane said that Chairman Sweetland and County Executive Pirro suggested doing this

together with the City, it is a viable technology and would save everybody money, there are discussions about cooperating on an RFP. Mr. Ferrara added that they have partnered with the City for electricity and natural gas contracts for the past four years.

The meeting was adjourned at 12:20 p.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

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PUBLIC SAFETY COMMITTEE MINUTES - APRIL 19, 2007

District Attorney's Office, Criminal Court House, 505 South State Street

CHAIRMAN KEVIN HOLMQUIST

MEMBERS PRESENT: Mr. Lesniak, Mr. Ryan, Mr. Kinne, Mr. Kilmartin, Mr. DiBlasi*

MEMBERS ABSENT: Mr. Warner

ALSO PRESENT: Mr. Meyer, see attached list,

Chairman Holmquist called the meeting to order at 9:00 a.m. and welcomed everyone to the District Attorney's office.

A motion was made by Mr. Lesniak, seconded by Mr. Kinne to waive the reading and approve the minutes of the proceedings of the previous committee meeting. Passed unanimously; MOTION CARRIED.

1. SHERIFF: Chief William Peverly

a. **Authorizing establishment of petty cash funds for the Onondaga County Sheriff's Office for the purpose of making and providing change (\$25.00)**

A motion by Mr. Ryan, seconded by Mr. Kinne to approve this item. Passed unanimously; CARRIED.

b. **Amending the 2007 County Budget to accept additional funds from the State of New York Bureau of Justice Court Fund for the Handicapped Parking Education Program (\$29,527)**

A motion by Mr. Ryan, seconded by Mr. Kinne to approve this item. Passed unanimously; CARRIED.

c. **A Local Law providing for the establishment of fees collected by the Onon. Co. Sheriff's Office**

Chief Peverly said that Project Lifesaver was designed to enroll people who have dementia, Alzheimer's, autism, tend to be wanderers. A grant was received to start the project. The bracelets cost about \$300; monthly battery replacement is \$10. This law allows for the collection of fees to continue the program. A process is being developed for policy determination for hardship factors--working with Sheriff, Aging & Youth, Law Depart. to develop eligibility to waive fees. The project will be handled by the community relations person, Sheriff's Dept, who will go out once a month to check/replace batteries. When persons come up missing, they have ground units, receivers to identify radio waves, and helicopters to locate the person. Currently have 8 people in the program: 3 autistic children, ages of 5-9; the rest are adults over age 50. To help sustain the program, donations will be allowed; some fire departments and the Camillus Police Department have expressed interest.

**Mr. DiBlasi arrived at the meeting.*

A motion by Mr. Ryan, seconded by Mr. Kinne to approve this item. Passed unanimously; CARRIED.

d. **A Local Law regulating the transfer of secondhand articles and repealing Local Law No. 3-1981 regarding the transfer of precious metals and jewelry**

Chief Peverly said he sent a draft of the law to legislators in February. Investigation areas are having difficulty with the sale of stolen goods and ability to track it. There is nothing that exists within the county law now to this extent. There is a law that deals with sale of precious metals, but there are no requirements restricting the sale or recording information. The law goes beyond precious metals and requires registering. When goods are received and sold, that information is kept track of and must be retained for several years.

Mr. DiBlasi asked for the District Attorney's opinion of the law. Mr. Fitzpatrick said that he hadn't seen it, but there is a serious problem with theft of copper piping, tubing; difficult to prosecute. Mr. Lesniak asked if the law covers copper pipe. Chief Peveryly said that it does. Mr. Lesniak asked if it affects e-Bay. Chief Peveryly said it does not regulate or control e-Bay. Mr. Kilmartin asked if there are any other laws similar to this in NYS. Ms. Testut said that the City has a law in affect. Chief Peveryly was not sure about other counties.

Chairman Holmquist said that Legislator Warner received a letter for Chief Warner, Baldwinsville Police, who is in favor of the law.

A motion by Mr. Lesniak, seconded by Mr. Kilmartin to approve this item. Passed unanimously; CARRIED.

2. Memorizing the Governor and the Legislature of the State of New York to provide relief to local county facilities from housing certain parole violators (Mr. Meyer)

Mr. Meyer said that he has met with jail expeditors, district attorney, town justices, county court judges, and others to look at crowding issues. There are a number of state inmates at our facilities. Mr. Mareane distributed a chart regarding the average length of stay (*attachment #1*). There is slightly reduced population right now, but it still is a delicate situation. If population cannot be further controlled, the county will have to look at building. The governor's budget message suggested an effort to get parole violators out of county jails more quickly. About 14% of the people in the justice center last year were there only because they violated their parole and the process was underway to get them to state prison. Part of this resolution is to encourage the NYS Legislature to adopt the Governor's proposal--a speedier movement out of county jails and into empty beds in state prisons. The second part of the resolution is stating that can't be done, then to at least pay the county what it costs to house the state people in our county jail. The county charges the federal government approximately \$102/day; based on careful audits--asking the state to pay at least that amount instead of the \$40 that they now pay us. It totals about \$1.7 million in revenue per year.

Mr. Ryan asked if video arraignment is included. Mr. Mareane said "no"; the governor's proposal conducts some process items--hearings for parole violators. Mr. Ryan asked for the number of empty beds in the state; the number was not known. Mr. Ryan would like to add video appearances to this resolution--would save a lot of money and it is a safety issue. Mr. Meyer said that this resolution is a first step; maybe it could be built on.

Mr. Lesniak suggested that the resolution be sent to the group of people that are involved in the state hearings held concerning closing facilities.

Mr. Holmquist, Mr. Lesniak, Mr. Kilmartin, and Mr. DiBlasi asked to be co-sponsors.

A motion by Mr. Lesniak, seconded by Mr. Kilmartin to approve this item. Passed unanimously; CARRIED.

3. EMERGENCY COMMUNICATIONS Informational: Interoperability Radio System Project: Mr. John Balloni, Commissioner; Mr. Charles Gabriel, consultant; Mr. Joe Mareane, CFO; Mr. James Albanese, Admin., Physical Svcs.

The county has embarked in the process of interoperable radio system, a UHF digital trunk system. They have met with fire, EMS, and police representatives; all are in favor of moving the project forward. Have worked with the representatives and consultants to complete functional specifications, which have been drawn up; are close to being ready to get formal prices. Many components are on state bid; preliminary estimates are approximately \$33 million. About \$18 million is for the backbone--the infrastructure to supply the communications to police, fire, EMS, and all other county entities. It would become the foundation for a system that could add on to virtually every public entity in the county. Regarding financing the project; the legislature has twice memorialized the state legislature to increase landline surcharge from \$.35 to \$1.00; it has been proposed to help fund the project. Grants have also been pursued.

The current system is well in excess of 30 years; a mishmash of frequencies. There are dead spots, areas that are difficult to communicate. They are constantly in a state of finding and repairing problems and getting communication back to an acceptable level. There is a FCC Narrow Banding Mandate, wherein the county will have to go to a new system by 2013, as all current equipment will be obsolete. Virtually every piece of equipment in the county will have to be replaced, a multiple-year process. It will solve an interoperable issue. When it is critical at command and control levels, the communication capability is necessary for lifesavings.

Mr. Ryan asked about narrow banding. Mr. Gabriel said that now the radio operates at a set frequency; allows a 25 kHz spread; there is some tolerance. The FCC has cut it in half; telling everyone that they will be narrow banded by law in 2013; by 2011 no manufacturer can produce equipment that is not narrow banded.

Mr. Mareane said that part of this should be paid for through the landline surcharge. It is broad-based revenue; affects people that are exempt from property taxes. The surcharge will produce about \$1.8 million/year in revenue; will support a little less than \$14 million. Mr. Ryan asked about attacking cell phones, as landlines are decreasing. Mr. Mareane said that the surcharge is already \$1.20/mo. on cell phones; landlines remain relatively stable. Mr. Ryan said that businesses need landlines, individuals do not; feels this will be an additional surcharge on businesses. Mr. Mareane said that the people with cell phones are already

bearing the brunt of \$1.20, which primarily goes into the State's communication system. At this point the focus is on the landlines; other sources are state and federal grants. The county executive talked about the possibility of applying some surplus to this in his state of the county. Another source could be property taxes.

Mr. Ryan said that he would like to get some of the \$1.20/mo. on the cell phones; it would be more equitable. He asked if about public entities will be included. Mr. Gabriel said it will incorporate first responders; there are enough frequencies in the mix that will complete the first phase as well as the DA's office; it puts everyone on a common interoperable channel. It eliminates bringing 2-3 radios to a scene. Phase II will embrace any departments that are civil, i.e. county DOT. Mr. Ryan asked about private entities leasing space, that wouldn't compromise the system. Mr. Gabriel said "no." He said the potential exists, but would not suggest doing it.

Chairman Holmquist asked about strategy. Mr. Mareane said it has to move quickly. With the support of all agencies, it will help to lobby effectively in Albany; received good feedback from Sen. DeFrancisco's office.

Mr. Lesniak asked about cable systems that do fire alarm monitoring; asked if there is a way to surcharge them. Mr. Mareane said he was unsure. Mr. Balloni said that the State 911 Coordinators Association has asked the state and to allow a uniform surcharge on any device that reaches 911. Mr. Lesniak asked about mobile unit replacement for fire departments. Mr. Gabriel said that there is a plan in place, Mr. Balloni said it is basically one mobile unit for each mobile unit presently in operation now. It is a standard where it is safe and acceptable per the NFPA. Mr. Lesniak said fire districts are starting to prepare their budgets, have they been given an idea of what the county will provide them. Mr. Balloni said that they have been told not to provision anything now; as it is not known which way the legislature will go in terms of volume, level of funding. Until a vendor is selected, it would be difficult. Mr. Gabriel said that they have told departments that if they have to buy a radio, to make a P-25 compliant, reprogrammable to meet requirements of the system.

Mr. Albanese said that it has been made clear that the county would commit fiscally to the backbone infrastructure; have made no commitment as to the rest of this equipment. It would be a policy decision that would have to come out of the legislature. The approximately \$33 million does not include spare radios, which would approximately another \$1 million. Mr. Albanese said that some county departments are almost first responders in some emergencies; want to work them into the system. Regarding funding, they have been extremely aggressive on the federal level with both U.S. Senators and Congress, requesting \$2 million for a repetitive 3-year period. Have requested \$2 million from the state legislature also. This is inclusive of every single fire, police and EMS agency as part of this program. There are several agencies that gave up ownership of frequencies and were added to build this new system. In exchange for providing the frequency, there were made part of the system. There are national interoperable channels, which already has funding in place from the state--allows for any agency in the country to communicate with Onon. Co. as long as they have national channel. Mr. Gabriel said that they are now working with Oswego County on a possible regional tie in.

Mr. Lesniak asked if OCC is included. Mr. Gabriel said that right now the propriety is first responders; the 2nd step is to work with agencies that come into the backbone. Mr. Lesniak expressed concern as SUNY campuses have constant relations with City Police. Mr. Gabriel said that it would continue to be interoperable.

Mr. Kinne asked if Homeland Security money can be used. Mr. Mareane said that they are going after federal and state monies up to \$12 million; and explaining how it falls into Homeland Security. That source of money is narrowly targeted; the better source of money is congressional earmarks, member items. Currently about \$900,000 is received from surcharges--spent on equipment for 911 Center and the Emergency Operation Center--all is earmarked. Mr. Balloni said that the county's share is \$.30 out of the \$1.20 surcharge. The 911 Coordinators Assoc. lobbied the state to change the name of it; it is called a "911 surcharge," and it doesn't go to 911. The state allows for a small pot to be applied for yearly; the county received about \$216,000.

Mr. DiBlasi asked about estimated costs of buying radios for local governments. Mr. Gabriel said when the MRD was funded, the plan was to equip everyone because some agencies could say that they didn't have enough money to purchase. A 911 Center can't be run if everyone is under a different frequency. The policy was to buy everything and the county would control it. To carry that practice forward, is the right thing to do. The dollar amounts is around \$14 million without spares.

Mr. Kilmartin asked what the price is based on. Mr. Mareane said that it is on state bid; prices are locked in for 3 years. Mr. Kilmartin asked if there is more detailed information regarding surcharges, surplus and taxes to be used as potential funding. Mr. Mareane replied that he would not have surplus until closer to borrowing for the project. Regarding the timeline; Mr. Mareane said the plan is to come back this summer with a bond resolution. Mr. Kilmartin asked what affect will there be on principal and interest with the possible reduction in landlines concerning surcharges. Mr. Mareane said there would be no significant reduction; seem to be stable.

Mr. Albanese referred to SWIN - a state wide wireless network. A multiple billion-dollar product on behalf on NYS. Their attempt statewide to do what we are doing countywide, but with a different mission. SWIN is making offers to the municipalities; saying

that if they join, it will be cheaper. Mr. Albanese said that an extensive review was done and several reasons were found why Onondaga Co. should not join with SWIN.

3. **DISTRICT ATTORNEY: Overview - Mr. William Fitzpatrick, District Attorney**

Mr. Fitzpatrick said he is also a proponent of video arraignments-will take it to the State District Attorney's Association and make it a priority. It is not only a cost issue, but a public safety issue also. He thanked the legislature for the criminal court house; the entire district attorney's office is in one area it has increased efficiency. His office will continue to prioritize violent crime. He compared our community to Utica and Rochester; and said he is proud of the job his office is doing. They try to move cases rapidly. Considering the point of arrest to sending someone to state prison. Onondaga County is about one-third of the state average; statewide average is 200+ days; it is 80 days here.

The U.S. Attorney General has prioritized child safety cyber crime; he has appointed an assistant district attorney to this. Have a facility in the Forensic Science Center where it might be able to be housed. Will be prioritizing identity theft; working closely with U.S. Attorney's office on gang prosecutions. One of the problems is the inadequacy of the state system to deal with the gang problem. The statues are much more user friendly for prosecution in federal court. If he feels it can't be handled adequately in his office, he reaches out to Glen Sudaby and seeks his assistance. The results have been dramatic.

Regarding the Forensic Center, one exciting thing is with improving DNA evidence. Technology in NYC is working on a system wherein the amount of DNA necessary to get a specific match could be reduced to a couple of cells. There is also new technology with partial DNA matches - ability to come up with someone who may be related to the criminal, a tremendous lead for law enforcement.

Chairman Holmquist asked about the Bounceback Program. Mr. Fitzpatrick said it started about 1.5 years ago. They spend an inordinate amount of time tacking down back checks. Bounceback is an outside agency that is contracted with; they work with the offender to make the check good so that the merchant is made whole. There is fee assessed; part of the fee goes to the county as a revenue, and it saves investigation time.

Mr. Kilmartin asked about the DA's participation in the Medicaid fraud initiative. Mr. Fitzpatrick said that the Attorney General's staff is interested in cross designation, where a county ADA could be cross-designated as an ADA in the attorney generals office and vice versa. Software is in place now to produce suspects. He has 5 ADAs devoted to Medicaid fraud.

Mr. Lesniak said that last year a volunteer fire department property tax exemption was passed. He asked to be provided with figures of enrollment. He feels it has gone down now because of the state's income tax credit, can't be part of both. Mr. Hanlon stated the he would provide information to Mr. Lesniak.

The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

* * *

EDUCATION & LIBRARIES COMMITTEE MINUTES

JAMES DIBLASI, CHAIRMAN

APRIL 17, 2007

MEMBERS PRESENT: *Mr. Corbett, Mr. Holmquist, Mr. Kilmartin, Mr. Kinne, Mrs. Winslow

MEMBERS ABSENT: Mrs. Chaplin

ALSO PRESENT: see attached list (*Attachment 1*)

Chairman DiBlasi called the meeting to order at 11:10 a.m.

A motion was made by Mr. Holmquist, seconded by Mr. Kilmartin to waive the reading and approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.

Chairman DiBlasi took the agenda out of order.

1. OCC:

b. Jazz Fest Status/Dorm Room Rental: Mr. Frank Malfitano, Artistic Director - Syracuse Jazz Festival; Mr. William Emm, Chief Fiscal Officer - OCC

Mr. Malfitano thanked the committee for their support of the Syracuse Jazz Fest, noted that the growth of the festival is attributable to that support, Jazz Fest moved from Song Mountain to Long Branch Park in 1983 and has since grown to a world-class jazz festival. Mr. Malfitano said they have never received federal or city support and very limited state support. Mr. Malfitano noted that there are paid admission international festivals in Toronto, Montreal, Ottawa, Saratoga Springs and Rochester; people can enjoy the greatest artists in the history of American music for free at our festival. Mr. Malfitano added that festivals are taking on an increasing roll in terms of education. Lineup this year will have 37 jazz acts including Bela Fleck & the Fleckstones, Dave Brubeck, and Aretha Franklin. Mr. Malfitano said the lineup is as good as anywhere in the world and has put us on the map; will be drawing people from all over the country and Canada; they are already getting 10,000 hits a week on the web site; he is proud of what they have accomplished in the past twenty-five years.

Mr. Kinne asked about the plan to rent dorm rooms during the festival. Mr. Emm stated that the OCC Housing Development Corporation would be overseeing the rentals; the intent is to dedicate one building for the festival. There are thirty-three suites in a building, each suite has five bedrooms; cost will be \$300 a night per suite or \$60 a night per room. Mr. Emm said a portion of the security presence on campus would be for residence halls, dorms have a no alcohol policy, and a residence hall director will be on site in case there are any issues. Mr. Emm said there is not an all out organized effort to rent the building, expects it would be mostly for people from out of town, but not limited to that. Mr. Emm said they haven't rented any rooms at this point, have had about a dozen inquiries.

Mr. Kilmartin asked about projected revenues for dorm room rentals or costs associated with additional security personnel. Mr. Emm said they have not done an analysis, will be in a better position to do that after they have the history from this year.

Mr. Holmquist asked if the college will be booking the rooms, will they accept credit cards and will liability issues be backed up by credit cards. Mr. Emm said the business manager for the OCC Housing Development Corporation will be responsible for overseeing room rentals and has a liability policy that will be in effect.

Mr. Kinne asked about the time involved to plan the event. Mr. Malfitano said it is a year round operation, takes several years to plant seeds to get some artists, has talked with Ms. Franklin for past seven years.

Mr. Kilmartin asked about basic costs and revenue generated, such as parking. Mr. Malfitano said this year's festival will probably cost around \$650,000, bulk of this money comes from sponsorships and grants. Mr. Malfitano explained that Mr. Spitzer brought a class action suit against the major record companies that generated \$40,000,000 to be designated for a music fund to benefit not-for-profits. They have received close to \$200,000 from that stream, rest from corporations and media in the community. In terms of revenue generated on site, they farm out management of the food and beverage operation, parking revenue is \$5 per car, per day. They have a volunteer administrative staff, the account is a pass through, money goes to the artists and production costs.

Mr. Kilmartin asked Mr. Malfitano for his thoughts as to how he would like to improve the festival regarding facilities, operations, how he is going to continue to raise the bar. Mr. Malfitano said they are expecting a bigger attendance this year; there is a need for more traffic control, additional sheriffs; funneling people in by just a couple of access roads is going to take some logistical support. Mr. Malfitano said they would need the same level of funding every year to match caliber of lineup this year; he hasn't seen anything significant in the way of support from locally based community foundations, despite the festival's contribution to the community at large. Mr. Kilmartin asked if there are other specific issues that he would like to incorporate into future festivals. Mr. Malfitano said they have three stages; have 17 scholastic groups for the educational stage, 7 local resident groups, 13 national groups, 37 groups overall. There is also educational program on top of that - master classes, clinics, workshops that are open to the public. Mr. Malfitano said the more money he has to work with, the more they will grow; thinks they have a good model, one that works well, have grown every year.

*Mr. Corbett arrived at the meeting late due to prior Environmental Protection meeting running over time.

Mr. Kinne asked to be kept informed about traffic issues. Mr. Malfitano said they are talking with the offices of the County Executive and Sheriff; would like to have busses circulating around campus and run shuttle busses.

Mr. DiBlasi asked what part of the budget would show any profits from dorm rentals. Mr. Emm said it would go to the general fund of the OCC Housing Development Corporation, taking a low-key approach until they see how successful they are, and learn from that.

a. Confirming reappointments to the Onondaga Community College Board of Trustees (Mr. Murphy, Mr. Mitchell)

A motion was made by Mr. Kinne, seconded by Mrs. Winslow to approve the minutes. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

* * *

WAYS & MEANS COMMITTEE MINUTES - APRIL 24, 2007

CHAIRMAN WILLIAM H. MEYER

MEMBERS PRESENT: Mr. Corbett, Mr. Kraft, Mrs. Rapp, Mr. Farrell, *Mr. Ryan, **Mr. Stanczyk, Mr. Rhinehart

MEMBERS ABSENT: Mr. Warner

ALSO PRESENT: *see attached list.*

Chairman Meyer called the meeting to order at 9:35 a.m.

A motion was made by Mr. Corbett, seconded by Mr. Kraft, to waive the reading and approve the minutes of the previous committee meeting.

1. HEALTH: Ms. Jean Smiley, Deputy Commissioner

a. **Amend 2007 County Budget to accept additional Women, Infant and Children (WIC) grant funds and authorize the County Executive to execute agreements to implement this resolution (\$120,572).**

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

2. OFFICE OF ENVIRONMENT: David Coburn, Director

a. **Authorizing the County Executive to enter into agreements with the United States Environmental Protection Agency (EPA) to allow County departments involved in vehicle maintenance to participate in the EPA's voluntary environmental self-audit policy**

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

13. FINANCE: Mr. Joe Mareane, Chief Fiscal Officer; Mr. Frank Malfitano, Jazz Fest

a. **2007 Transfer of funds from County Tourism Acct. 650 Contingency to Acct. 898 Syracuse Jazzfest in the amount of \$20,000 to support the costs of production and entertainment for the 25th Anniversary of the Syracuse Jazzfest (\$20,000).**

Mr. Mareane said this provides a \$20,000 supplement to the \$16,000 authorized agency grant made to Jazz Fest every year; money used to support the cost of the entertainment. The source will come from room tax reserve, which the current amount is approximately \$750,000. He has spoken to the Chamber and CVB about what is don't to promote the Jazz Fest. There are a number of national and regional publications that receive the press releases. Marketing occurs for the artist themselves: restaurants, services, hotels.

Mr. Ryan asked if zip codes are tracked on tickets that are sent out; Mr. Malfinato said sampling has been done in the past and will be done heavily this year.

Mr. Malfitano said that respect is measured by the caliber of artists that the event is able to attract; by the amount of people attending; by the amount of money the funding community provides to the event. He feels the increase is justified as people attending the event come from the surrounding 6 states, Canada, NYC, Australia, Japan, California, and New Orleans; they hear from people all over the country about accommodations via the website. Within the same timeframe there are 3 major jazz festivals in Canada (Toronto, Montreal, and Ottawa), 2 in New York State (Saratoga Springs, Rochester); all 5 are paid

admissions. The same caliber entertainment as these paid admission events is offered here free of charge. It is huge asset and unprecedented in the industry. The festival generates a lot of visitors and tourists for the region.

Mr. Rhinehart asked what would happen with earned revenues. Mr. Malfitano said that there are none; one firm handles all food and beverage sales; the parking income goes back into the educational program. No surplus is generated. Mr. Rhinehart asked if ticket sales were considered. Mr. Malfitano said it has been considered for the future, but it easier to go from a paid admission event to a free event than vice versa.

Mrs. Rapp asked if an analysis was done on the economic impact to the community is. Mr. Malfitano said that is has been done and is available. Mrs. Rapp asked to be provided with a copy.

A motion was made by Mr. Stanczyk, seconded by Mr. Corbett to approve this item. Out of room: Mr. Farrell; passed unanimously; MOTION CARRIED.

3. TRANSPORTATION: Mr. Anthony DeStefano, Civil Engineer 2

a. **Amending Resolution No. 92-2004 to increase the authorization to advance 100% of the federal aid eligible costs by an additional \$100,000 for the design (Scoping I-VI) and the right-of-way incidentals of Hosman Road, PIN 375330 and amending the 2007 County Budget (\$100,000)**

Hosman Road is East Molloy Road. This is a 2-course overlay; going to make some capacity improvements - turning lanes at airbase, an additional lane at Kinne St. The anticipated contract award date is July; questionable if job will be completely done this year.

A motion was made by Mr. Ryan, seconded by Mrs. Rapp; passed unanimously. MOTION CARRIED.

b. **Amend 2007 Co. Budget to provide additional funds for the purchase of gasoline and diesel fuel to be sold to OCRRA and the Pompey Fire Dept. and authorize Co. Exec. to enter into contracts (\$8,100)**

A motion was made by Mr. Kraft, seconded by Mr. Farrell, to approve this item. Passed unanimously. MOTION CARRIED.

c. **Authorizing the reconstruction and construction of improvements to various bridges in and for the County of Onondaga, NY, at a maximum estimated cost of \$1,300,000 and authorizing the issuance of \$1,300,000 serial bonds of said county to pay the cost thereof**

d. **Authorizing the reconstruction and construction of improvements to various highways in and for the County of Onondaga, NY, at a maximum estimated cost of \$8,414,000 and authorizing the issuance of \$8,414,000 serial bonds of said county to pay the cost thereof**

A motion was made by Mr. Kraft, seconded by Mr. Farrell, to approve items 3c and 3d. Passed unanimously; MOTION CARRIED.

e. **Amending the 2007 County Budget and advancing 100% of the non federal aid eligible costs for the right-of-way acquisition phase of the Taft Road federally aided reconstruction project, PIN 3752.98, at a maximum cost of \$90,000 and accepting title to the acquired right-of-way.**

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

4. PARKS: Ms. Kate Skahen, Program Analyst

a. **Amending the 2007 County Budget to enable the establishment of project accounts for tourism promotions and the 2007 Bass Pro Tour (\$75,000)**

These are ROT dollars that are in contingency; \$15,000 will be used for Parks, zoo websites and newsletters, \$60,000 will be used to support 2007 Bass Pro Tour, July 26 - 29 at Oneida Shores and Onondaga Lake Park, which as a projected economic impact of \$ 1.5 million.

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

b. **Amending the 2007 County Budget to accept a grant from the NYS Office of Parks, Recreation and Historic Preservation and authorizing the County Executive to enter into contracts (\$57,425)**

A pass through grant to Onondaga County Snowmobile Association

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

c. Create Recreation Supervisor, Grade 10 @ \$40,364 - \$43,139 effective May 12, 2007

This is a position that is not intended to be filled; intend to remain unfunded. They have to comply with Civil Service requirement that the individual recently appointed to recreation supervisor position, needs to have a position to come back to if they do not pass probation. Usually if an individual doesn't pass probation, they would return to recreation supervisor position and bump that person back. In this instance the individual placed in recreation supervisor position was reinstated; in that case the individual has a permanent appointment to the position.

Mr. Ryan had concerns about Civil Service Rules and if they were being followed. Mrs. Walter provided an explanation; noting that this is not trying to get around anything, it is trying to protect the rights of an individual. Mr. Ryan said that there are 2 people qualified for a job; Mrs. Walter said that was true, but one person has rights because they have more seniority.

A motion was made by Mr. Farrell, seconded by Mrs. Rapp to approve this item. Ayes: 6 (Meyer, Farrell, Kraft, Rhinehart, Corbett, Rapp) NOES: 1 (Ryan) ABSTAIN: 1 (Stanczyk). MOTION CARRIED.

5. WATER ENVIRONMENT PROTECTION: Mr. Randy Ott, Commissioner

a. A resolution approving improvements for the Onondaga County Sanitary District of the County of Onondaga, NY (\$6,294,750)

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

b. A resolution authorizing the issuances of \$6,294,750 bonds of the County of Onondaga, NY, to pay the cost of certain improvements for the Onondaga County Sanitary District in and for said County

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

c. A resolution approving the increased cost of certain improvements for the Clinton Street conveyances and regional treatment facility for the Onondaga County Sanitary District

Mr. Ott provided a handout on project costs (*attachment #1*).

Mr. Ryan asked about the city's inaction yesterday; Chairman Meyer said that will be discussed as part of item 5e on the agenda. Mr. Ryan said that it has been discussed for 1.5 years; no conclusion, approximately a \$600,000 increase every month; the City's portion is about \$250,000 every month; taxpayers will pay million more because there is no agreement.

Mr. Ott said there is a tight schedule on this project; if we don't own the land, the Law Dept would have to take a position other than the current agreement. Mr. Kraft asked how many days/year the Clinton Street be in operation; Mr. Ott said 40 - 50. Mr. Kraft said that he has concerns about a \$111 million to build a program larger than originally estimated because of a suggestion from the state--this is local taxpayers' money. If the city holds us hostage, can the time be used to fight with the state about the size of the plant; can alternative plans be looked at. Mr. Ott said that they are operating under a consent order, which was negotiated with the state. Mr. Kraft said that the consent order is a contract and it was agreed that the county to carry out 30 +- projects; and EP and DEC were parties to that and agreed to provisions contained in the contract. Now the state wants the plant 50% larger than originally agreed to. Mr. Ott said that the original ACJ required that the RTF, vortex portion, be designed for the 90% storm; it is required that all the wet wells and pumping capacities be designed for a one-year storm; conveyances for one year storm, disinfectant facilities for one year storm; it didn't make a lot of sense to build everything that would be bringing larger flows to a facility and then having a smaller treatment unit there. The decision was made that the county would design for the 1-year storm for the vortex. It was a wise decision at the time, and it was the costs are based on.

Mr. Farrell asked why the vortex portion was increased. Mr. Ott said he wasn't involved at the time, but it was a decision reached with the state; feels it was prudent because the consent order says that if a facility doesn't meet compliance, it has to be designed to expand it. Mr. Farrell asked if in 1997 the 90% of storm level was going to accomplish the goal; what changed. Mr. Clare said that the 1997 municipal compliance plan for \$19.5 million was just a construction number; it did not include other costs involved. Construction comparisons go from a 90% facility for \$31.5 million, and the 2005 construction number was \$54 million. There is inflation and the cost of a facility going to a 1-year storm.

Mr. Farrell said that we have better information Mr. Ott said he would feel uncomfortable having flow at this function at peak rate of 1 -year storm, going through a vortex separator that was undersized and then obtaining the levels of disinfection at the following end designed for a 1 -years storm. The effectiveness of the disinfection down stream is partially based on how well there is solid separation and removal. From an engineering standpoint, and functionality and effectiveness of facility, designed

the whole complex for a 1-year storm makes good sense from operation and compliance standpoint with the water quality goals in mind.

Mr. Ryan said a major mistake was made in not including the City in discussions on the ACJ with EPA. He is frustrated that this can't get going, there no drop dead date; judge hasn't come down on anything. The fines hit in 2012; questions where we are on that timeline. Mr. Ott distributed a schedule (*attachment #2*). Mr. Ryan asked if the city decides to hold this up, the county cannot do this without Common Council approval. Mr. Ott said that if the city won't approve, the option is to go back to court.

Mr. Ott said that this item is requesting the full amount, 3 projects are being bid, and need the money to advertise and enter into contracts; it is difficult to piecemeal; this is what it takes to implement the project to comply with state and federal regulations. Mr. Ryan asked if the \$600,000/month delay is included in this cost; Mr. Ott said that it is not included. The current estimates are based on mid-point of construction. If the schedule is delayed, they will have to add to the cost.

Mr. Stanczyk said that this is the least costly solution to the problem; it complies with what the state and federal governments will accept. It makes sense to be compliant and to be on schedule and move forward.

Mr. Corbett referred to the 90% vs. 100% in 1997 and noted that it was a minimum requirement; it was part of the ACJ. He concurs with going forward. If the City doesn't want to comply, there are other ways that can be brought forth. A point has been reached where the county and city can come together for the betterment of the entire community.

A motion was made by Mr. Corbett, seconded by Mr. Ryan to approve this item. AYES: 5 (Meyer, Ryan, Stanczyk, Corbett, Rapp), NOES: 2 (Kraft, Rhinehart), ABSTAIN: 1 (Farrell). MOTION CARRIED.

d. A resolution authorizing the issuance of an additional \$79,942,042 bonds of the County of Onondaga, NY, to pay the increased cost of certain improvements for the Clinton Street conveyances and regional treatment facility in and for said County

A motion was made by Mr. Ryan, seconded by Mr. Stanczyk to approve this item. AYES: 5 (Meyer, Ryan, Stanczyk, Corbett, Rapp) NOES: 2 (Kraft, Rhinehart), ABSTAINING: 1 (Farrell). MOTION CARRIED.

e. Authorizing the County Executive to execute an intermunicipal agreement relative to the Amended Consent Judgment and related matters and to execute such other documents to implement said agreement and to carry out the intent of this resolution

Chairman Meyer said that he is disappointed that the city has not approved this. Law Department was asked to contact all members of the legislature to review what has been done. It will be brought back to this committee or to the floor once all members have all of their legal questions answered. No vote will be taken today on this item. He encouraged everyone to read the Environmental Protection minutes, contact the Law Dept and Mr. Corbett to get any questions answered.

f. Authorizing the acquisition of real property to enable the County of Onondaga to comply with requirements set forth in the Onondaga Lake Amended Consent Judgment for the construction, operation, and maintenance of Midland Avenue Sewer Improvement Project (\$5,500)

A motion was made by Mr. Farrell, seconded by Mr. Corbett to approve this item. AYES: 5 (Meyer, Ryan, Stanczyk, Corbett, Rapp) NOES: 2 (Farrell, Ryan) ABSTAINING: 1 (Rhinehart). MOTION CARRIED.

6. BOARD OF ELECTIONS: Mr. Szczesniak, Ms. Kiggins, Commissioners

a. 2007 Transfer of funds from Acct. 650 Contingent Account to Acct. 102 Overtime wages in the amount of \$30,000 to pay for overtime in lieu of compensatory time (\$30,000)

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

b. 2007 Transfer of funds from Acct. 650 Contingent Account to Acct. 103 Other Employee Wages in the amount of \$43,000 to cover the costs of additional temporary clerks to complete the conversion of registration records and process mail check cards (\$43,000)

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

c. Memorializing the Governor and the Legislature of the State of New York to amend the election reform and modernization act to allow the use of lever machines through 2009

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

7. COMMUNITY DEVELOPMENT: Mr. Linda DeFichy, Administrator

a. Authorize transfer of tax delinquent property to the Onon. Co. Housing Development Fund Co.

Mr. Rhinehart asked why is this different from normal delinquent property acquisition. Mr. Mareane said they usually come after the auction, have heard concerns from the legislature about doing that. Mr. Stanczyk said that in the past these houses were taken out of the auction; the auction was conducted, and Community Development came to the legislature asking for the taxes to be waived for \$1. The legislature has questioned why the properties were taken out of the auction. Now they are pull this out before the auction is held. Mr. Stanczyk said that it should go to the auction first.

Mr. Kraft stated that this should be square and equitable; it should be taken to the auction first. If it doesn't move then there can be discussion about doing something else. Ms. DeFichy said that ultimately the property will probably double in assessment; will begin almost immediately paying a lot more taxes; County will get it's money back. The condition that it is brought up to is usually a higher level then what someone from the auction would do. Mr. Kraft replied that the property is taken; taxpayers have contributed \$13,000; property is enhanced and sold at a better price than what the market would bear. The taxpayers' money has been taken out of their pocket and it goes into someone else's.

Mrs. Rapp said that the property is in her district; a street with a lot of compromised properties; a lot of absentee landlords that have created blight. On this bloc, Community Development has taken properties that no one else seems to want, the neighborhood is turning around and young families are moving in. She feels that the taxpayers will be repaid on several levels.

Mr. Ryan asked how much will be put into this house; Ms. DeFichy said \$60,000 - \$70,000; hoping to sell around \$90,000. Mr. Ryan asked what happens to the \$90,000. Ms. DeFichy said that they pay back the county; may have a profit--it is rare. With over 300 houses done, they are in the black. Mr. Ryan asked if the \$13,000 can be given back to the county. Ms. DeFichy said it can be done, but they have many losses just in construction alone.

Mr. Corbett said that he has been involved in this for years; the cost put in is generally more then \$60,000-\$70,000. It has finally leveled out, but had not for a long time. People have bought some of these for income property; very seldom do they bring it up to the condition that Community Development does.

Mr. Stanczyk said that this is a taxpayer-funded effort; it is a public function. This house will sell at the auction; our taxpayers are out \$13,000. If no one buys it at auction, then it can come back here.

Mr. Farrell said that he has not been persuaded that the taking of this house and spending the money will have a potential positive impact on the surrounding area. Ms. DeFichy said that there is no idea how much a property will get at an auction; often an investor owner who will do minimal work.

Mr. Corbett asked if a minimum could be put on a property, i.e. \$20,000. Ms. Carney said she would have to have the Law Department look at the contract with Brzostek. Mr. Ryan said that this county needs a process to go through; should be a policy in place. Ms. DeFichy said a resolution was passed in 1993 where the legislature agreed to deed these properties.

A motion was made by Mr. Corbett, seconded by Mrs. Rapp to approve this item. AYES: 4 (Meyer, Rhinehart, Corbett, Rapp) NOES: 3 (Farrell, Kraft, Stanczyk) ABSTAINED: 1 (Ryan). MOTION CARRIED.

8. SHERIFF:

a. Authorizing the establishment of petty cash funds for the Onondaga County Sheriff's Office for the purpose of making and providing change (\$25.00)

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

b. Amending the 2007 County Budget to accept additional funds from the State of New York Bureau of Justice Court Fund for the Handicapped Parking Education Program (\$29,527)

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

c. A Local Law providing for the establishment of fees collected by the Onon. Co. Sheriff's Office

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

d. **A Local Law regulating the transfer of secondhand articles and repealing Local Law No. 3-1981 regarding the transfer of precious metals and jewelry.**

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

Chief Peveryly said that the current law has limited registration requirements for jewelry and precious metals, this law goes beyond that - intent is to control sale of stolen properties. This will allow registration of people in the business of selling second hand property; a database will be developed.

Chairman Meyer asked if a clear antique dealer was to get identification at a garage sale. Chief Peveryly said that anyone in the business of buying and selling second hand merchandise would have to. Dealers would also have to ID the buyer at a public antique show and sale.

Mr. Farrell asked if there is a grey area as to who is a dealer. Chief Peveryly said that it is someone who is in the regular business of buying and selling. Mr. Farrell questioned what defines it specifically.

Chief Peveryly said that they are not going to get 100%, but it starts to regulate it; will have ability to indentify it as much as possible and return items to the rightful owners and develop a case for successful prosecution.

AYES: 6 (Ryan, Stanczyk, Farrell, Rapp, Rhinehart, Corbett); NOES: 1 (Kraft); ABSTAINED: 1 (Meyer); MOTION CARRIED.

9. ECONOMIC DEVELOPMENT: Mr. Joe Mareane, Chief Fiscal Officer

a. **Amending the 2007 County Budget to accept a grant from the City of Syracuse Industrial Development Agency for economic development projects and purposes (\$792,000).**

When the DestiNY plan was discussed years ago, and a lawsuit was settled with the City, the County was the beneficiary of a commitment to make up front payment of IDA fees by Pyramid to the City's IDA, \$60 million. It would come to government over the course of 12 years. Because of a provision of the 1% sales tax arrangement that the legislature approved, the county receives a 11% of the IDA fee income paid by the DestiNY project. Over the next 12 years the county will receive \$6.6 million. He referred to an allocation chart (attachment #3). At the time this was put forward, a grant agreement was needed with city's IDA to say how this money would be spent. IDA had to make sure it was copasetic with the bonding that the money be targeted for economic development purposes. County's goal was to provide relief for property taxpayers. The money is tied to 3 areas: CNYRPDB, \$80,000; Economic Development Office, \$338,000; Hotel Infrastructure, \$792,000. The hotel infrastructure is not in the budget; will allow IDA dollars to pay for public improvements attached to the hotel that would otherwise be supported by property tax dollars. It would be for the acquisition of land and building of pedestrian walkways between hotel and OnCenter.

A motion was made by Mr. Meyer, seconded by Mr. Rhinehart to approve this item. AYES: 7 (Corbett, Kraft, Meyer, Farrell, Rapp, Rhinehart, Ryan) NOES: 1 (Stanczyk). MOTION CARRIED.

b. **A Local Law designating a regionally significant project within the Onondaga County Empire Zone (NY Bakery)**

c. **A Local Law designating a regionally significant project within the Onondaga County Empire Zone (GE Inspection Technologies LP)**

d. **A Local Law designating a regionally significant project within the Onondaga County Empire Zone (Tessy Medical Products, LLC)**

e. **A Local Law designating a regionally significant project within the Onondaga County Empire Zone (Syroco, Inc.)**

Mr. Kraft made a motion to approve items 9b -9e; seconded by Mr. Rhinehart.

Mr. Ryan asked what happens if these people don't produce jobs; Mr. Western said that they are decertified. Mr. Stanczyk asked how many get decertified. Mr. Western said that he can provide a list. Mr. Ryan said there should be a solid, accurate number as to how many employees they are starting out with. Mr. Western said that payroll is cross certified by the State Dept. of Labor. There is a rigid documentation process.

Passed unanimously; MOTION CARRIED.

10. SOCPA: Mrs. Karen Kitney, Director

a. **Approving the classification of an unlisted action and the issuance of a negative declaration and authorizing the County Executive to accept funds from the NYS Department of Agriculture & Markets for a**

Farmland Protection Implementation Grant for the Memory Lane Farm in the Town of Marcellus, and authorizing the Co. Exec. to enter into contracts to implement this resolution (\$476,588)

Mrs. Kitney said that the Master's Family, Memory Lane Farm, Town of Marcellus has been awarded a Farmland Protection Implementation Grant for 243 acres from NYS.

A motion was made by Mr. Rhinehart, seconded by Mrs. Rapp to approve this item.

The resolution allows the environment impact SEQR requirements to accept the money, 100% pass through for the purchase of development rights; gives the County Executive authority to enter into an agreement.

Mr. Ryan said that he is very confused when it comes to farms; this is buying the develop rights. Farmers are paid not to grow things. Mrs. Kitney disagreed. Mr. Ryan said now the state is giving to the farmers funding to buy seed for this years crops because of a bad year last year. He said that it seems like it is helter skelter.

Mr. Rhinehart said that this particular project is in the Otisco Lake Water shed; PDRs are a good program. He said that Tessy Plastic expanded because there is water. When water lines are run, so comes development. The result is urban sprawl where the population is not growing, it is just spreading out into the country. These folks work very hard, want the land to remain as a farm and keep it in the family; they have gone through the process.

Mr. Stanczyk said he has been consistently against these. There is no rush for people to build condos in Marcellus; Onondaga County does not have the same pressures as Suffolk and Nassau Counties. Rather than announce one farm lottery winner every year, we ought to spend \$500,000 to support all the farmers in Onondaga County. He feels this is nonsense.

Mr. Corbett said that within the last 10 years Wetzel Road, which was all farms, is now a huge housing development. Traveling out Route 5 there are all patio homes and development. Feels it is good to protect this farmland.

Mr. Kraft said that the reason there is less farmland is because farmers are more efficient and they don't need the acreage that they used to.

Mrs. Kitney shared a trend analysis done within the last year. Since 1960, urbanized land in this county has increased by 100%; population has increased by 6%; the number of households by 25%. This farm is within 3/10th of a mile of public water; more than 3 miles from sewers. It is in the Otisco Lake water shed, which provides a public water supply.

Mr. Farrell said that he struggles with the program itself and the way it is implemented. However, there are substantial issues; he has seen the negative affects of sprawl. It changes the community. One of the things that Syracuse brings is the ability to get from the urban area to rural area rapidly. As it changes, it reduces the ambiance of the area. He supports this. There is a lousy job of planning done in our community and we will see the negative affects of it in the next generation.

AYES: 5 (Meyer, Farrell, Rhinehart, Corbett, Rapp) NOES: 3 (Kraft, Stanczyk, Ryan). MOTION CARRIED

*Mr. Ryan left the meeting.

11. SOCIAL SERVICES: Mr. David Sutkow, Commissioner; Mr. Steve Morgan, Deputy Commissioner

a. **Amending the 2007 County Budget to provide additional funds for the purpose of implementing a Medicaid cost containment initiative and authorizing the County Executive to enter into contracts to implement this resolution (\$448,164)**

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

b. **Create Welfare Fraud Investigator, Grade 10 @ \$40,364 - \$44,661 effective May 1, 2007**

Create Senior Welfare Fraud Investigator, Grade 11 @ \$43,149 - \$47,756 effective May 1, 2007

Create Assistant District Attorney II, Grade 34 @ \$57,917 - \$81,688 effective May 1, 2007

Mr. Farrell asked if this can be contracted out. Mr. Morgan said that part of the initiative is to do that; it is part of the 3-pronged approach. Mr. Sutkow said that the new positions have to be in-house. Mr. Farrell asked if this is new work being done. Mr. Sutkow said that they have always done welfare fraud; this is an expansion. Mr. Farrell asked if this is required by Civil Service Law. Mrs. Walter said that it comes down to exclusivity of the work; DSS has done welfare fraud investigation for 40 years.

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

c. **Amend 2007 Co. Budget to accept and provide for additional funds in the DSS to support family services and authorize the Co. Executive to enter into contracts to implement this resolution (\$150,000).**

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

Mr. Stanczyk asked for a budget and time frame on this project.

**Mr. Stanczyk left the meeting.

12. COUNTY CLERK: County Clerk

a. Mortgage Tax Apportionment

A motion was made by Mr. Meyer, seconded by Mr. Kraft to approve this item. Out of Room: Mr. Ryan. Passed unanimously; MOTION CARRIED.

b. Update on Civil War Project - Mrs. Ann Ciarpelli

They have not been doing a lot of renovations with the flags; have all been returned to the case on the 2nd floor. The 122 Civil War Re-enactors sponsored a flag that was in Albany. It was a 149th that came from Onondaga County. It was made by the Jewish Women's Group in Fayetteville. I will be on display here for one year; tentatively to be delivered on June 1st. The 122nd has taken care of all of the expenses; the contract has been signed by the County Executive to allow it to be here on display. The county had to provide insurance coverage, which is under the county umbrella

Some replica flags are being worked on; one has been received back--149th triangle flag; 3 others are being worked on. She would like to see them displayed around the courthouse.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,

DEBORAH L. MATURO, CLERK

Onondaga County Legislature

Related Documents

- [4-16-07 FW&MS](#)
- [4-16-07 PLANNING ATTACH](#)
- [4-18-07 HEALTH ATTACH](#)
- [4-17-07 ENV PROT ATTACH](#)
- [4-19-07 CO FAC ATTACH](#)
- [4-24-07 W&MS ATTACH](#)