

Office of the Onondaga County Legislature

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COUNTY FACILITIES COMMITTEE MINUTES

BERNARD KRAFT, CHAIRMAN, December 9, 2008

MEMBERS PRESENT: Mr. Kilmartin, Mr. Lesniak, Mr. Jordan, Mr. Kinne Mr. Laguzza, Mr. Masterpole
ALSO PRESENT: Mr. Meyer and see Attachment 1

Chairman Kraft called the meeting to order at 11:00 a.m. **A motion was made by Mr. Laguzza, seconded by Mr. Lesniak to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.**

1. TRANSPORTATION: Mr. Brian Donnelly, Commissioner

a. Amending Resolution No. 285-2006 to Increase the Authorization to Advance 100% of the Federal and State Aid eligible costs by an Additional \$200,000 for the construction and construction inspection phases of Jamesville Road Bridge over Butternut Creek, C-26, BIN 3312910, PIN 3753.33, and Amending the Maximum cost to \$3,885,500 (\$200,000)

Original resolution was for \$3.84 million, had cost overruns in certain areas, asking for it to be increased by \$250,000. 80% is federal aid eligible, put it in as a 20% match because they cant guarantee the 15% Marcheselli funds until the State Budget is released. County share would increase \$12,500, if for any reason it were not Marcheselli aid eligible, local share would increase to \$50,000.

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

Mr. Laguzza asked if the \$50,000 is in their budget. Mr. Donnelly replied "yes", they received Marcheselli funds that were not expected for the design portion, have \$63,000 they can use to cover this.

The motion to approve this item was seconded by Mr. Laguzza; a vote was taken and passed unanimously; MOTION CARRIED.

2. FACILITIES MANAGEMENT: Mr. Brian Lynch, Commissioner

Mr. Lynch said all four of the positions listed below to create positions are vital to his department, would be a savings of around \$4,000. For the past year, he has been assessing what is needed, making efficiencies where he can, now requesting to take the resources that he doesn't need and reallocate them. Mr. Lynch provided additional information regarding each position (Attachment 2).

a. Create Plumber, Grade PL at \$28,3448 effective December 20, 2008

This is a joint effort between the Sheriff's Department and Facilities Sheriff's Department will be civilizing a Purchasing Clerk position, a savings of \$18,000. In answer to Mr. Lesniak, Chief Peverly said the individual who had the position has retired. Mr. Lynch advised that the Justice Center has a tremendous amount of plumbing issues such as plugged toilets, sinks, valves, toilet replacements, 95% of the work orders are emergencies. Inefficiencies due to these issues are that a plumber has to stop what he is doing to address the problem which is a health and safety issue and has to take time to check in every tool on the cart in

order to go into the Justice Center and again on the way out, estimate that they do this 6¹/₂ times per day, 3 to 3¹/₂ hrs. is spent checking the tools in and out. In answer to Mr. Kraft, Chief Carbery said if toilets are plugged they are probably on purpose.

Mr. Lynch said there are multiple issues, a kitchen that prepares 1,600 meals per day; drains are not set up for that amount. They need to do more preventative maintenance, building is only 13 years old; estimate, based on plumbing fixtures alone, it is over 40 years (use a multiplier of 3.4 because it is open 24 hours per day). Mr. Kraft asked about the other 16 hours if the plumber works an 8-hour day. Mr. Lynch said he can only address the issues in an 8-hour day, would love to have a plumber 24 hours a day, need someone dedicated to that building. In answer to Mr. Laguzza, Mr. Lynch said the numbers are based on five-day workweek.

Mr. Kraft asked about leaving a toolbox at the Justice Center 24 hours a day that never has to be checked in or out. Chief Carbery said that is done in part, can't leave all their tools. The main issue is that when something happens of a plumbing nature, there is nobody there to fix it, have to get in line with other departments; most of the time they are emergencies. Mr. Kraft said the Justice Center would only be covered about 25% of the time with someone working five days a week, taking out vacations, etc. Chief Carbery noted that right now they have that situation 24/7, an important component of this would be to have a full time person who could be doing preventative maintenance; building is starting to get old. Mr. Kraft said it is a waste of time to have the tools checked in every time.

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

In answer to Mr. Kinne, Mr. Lynch said the kitchen is serving a tremendous amount of meals with a lot of water flow in the valves and drains, plan is to put new Sloan valves in the Justice Center, right now don't have time between emergency work orders and preventative maintenance to change all those valves. Mr. Kinne asked about overtime. Mr. Lynch said they have an on-call rotation for existing employees – one person per week.

Mr. Kinne questioned why a toolbox couldn't be locked in the Justice Center. Chief Carbery said they have a toolbox there, but it doesn't have every single tool a plumber might need, will get the tools. Chief Peverly said every time a plumber comes into the facility he has to check the box to make sure the tools are there, are inventoried and haven't been misplaced, when he is through he has to inventory it again and sign off for it. In answer to Mr. Kinne, Mr. Lynch said they have to get the focus back to preventative maintenance.

Mr. Kilmartin asked if they are using other Facilities plumbers for emergency call-ins in the off hours, Mr. Lynch said yes. Mr. Kilmartin noted the aging facility, asked Mr. Lynch if he sees in the future folding out a plan for and analyzing a necessary capital project to upgrade the facility, more than preventative maintenance. Mr. Lynch said he does, noted that Mr. Barbas has been working on a master plan for all the buildings and the need to address the critical infrastructure and maintenance structure, how to best accommodate it through Facilities.

Mr. Jordan suggested that it could be structured in a different way, leave one of the custodial crew leaders on to do less skilled tasks, have an existing Facilities plumber come over to do specific tasks that require the expertise of a plumber or contract it out. Mr. Lynch said it is a union issue; it is not broken out that way, not in the job specs of a custodial crew leader or custodial worker 1.

Mr. Laguzza asked if there is money in the budget for preventative maintenance. Mr. Lynch said they estimate \$100,000 of their budget could be spent on preventative maintenance. Mr. Laguzza suggested that they get a gang box, not a toolbox to keep at the Justice Center. Mr. Lesniak noted that every tool has to be accounted for, would be inventoried throughout the day.

Mr. Kraft requested a memo before Session regarding their proposal for the tools.

In answer to Mr. Jordan, Ms. Walter said the building trades people are basically downtown, the outlying areas have titles called Maintenance Workers, Maintenance Plumbers, not the same licensed plumber as through the building trades, they are a different bargaining unit.

A vote was taken on this item; Ayes: 5 (Kilmartin, Lesniak, Kinne, Laguzza, Masterpole); Noes: 1 (Jordan); Abstained: 1 (Kraft); MOTION CARRIED.

b. Abolish Custodial Crew Leader (70) Grade 7 at \$33,240 - \$36,737 effective December 20, 2008

A motion was made by Mr. Jordan, seconded by Mr. Masterpole to approve this item.

In answer to Mr. Lesniak, Mr. Lynch said this abolishment is the result of a redirection of their night crew; crew leader job has been absorbed into a one-person focus over all four buildings.

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

c. Create Director of Security, Grade 33 at \$55,252 - \$77,898 effective December 27, 2008

Mr. Lynch said the County Executive and the administration have made it clear to him that the county focus on security needs to be a top priority. Within Facilities, in their day to day work operations, they have found weapons in bushes, drugs, people who should be escorted by police, access controls that were not operating properly; there is no assessment being done concerning who is coming in the building, how they are getting in, where they are going; no study of how they can best secure each floor. Onondaga County does not have an active shooter program concerning who is in charge, who is contacting the Sheriff's Department, are the floors being locked down, are people told to stay in a room, setting up a command post. There is no follow-up of an incident review concerning why it occurred, how incidents can be prevented. It is not only department security, but also employee security and building security. Position would be all encompassing, not only dealing with the downtown complex, but all County buildings on security issues.

Mr. Lesniak said he is glad they are looking at this, compared to other counties that he is familiar with, we are behind the ball; need to step things up. In answer to Lesniak, Mr. Lynch said they have interested candidates, but have not interviewed anyone yet. They can absorb this position through the abolishment of a Custodial Crew Leader and a Custodial Worker 1; also have an opportunity for \$10,000 of DSS reimbursement because this person will specifically be working on some of the larger DSS programs.

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

Mr. Laguzza asked for a spreadsheet on the total group savings for these four creations. Mr. Laguzza noted that Van Duyn needed to be addressed regarding security. Ms. Smiley said this position would be assessing all the County buildings and other security issues, such as field workers.

Mr. Kinne asked if they have talked with the Sheriff's Department. Mr. Lynch said they did, but this is not just the law enforcement piece, it's the access controls, the development of a training program, etc.; the main office of Facilities will assist the person. Mr. Lynch said he expects the original assessment to take a year in order to go out to all the County facilities and make the recommendations. **Mr. Kinne requested to have a report about every four months concerning what the person is accomplishing, and what areas are left, Mr. Kraft agreed with this request.**

A vote was taken on this item; Ayes: 6 (Kilmartin, Lesniak, Jordan, Kinne, Laguzza, Masterpole; Abstained: 1 (Kraft).

d. Abolish Custodial Crew Leader (70), Grade 7 at \$33,240 – 36,737 effective December 20, 2008

e. Abolish Custodial Worker 1 (70) Grade 2 at \$24,248 - \$26,747 effective December 20, 2008

Mr. Kraft asked if any of the positions that they want to abolish are presently filled; Mr. Lynch said they are funded, but vacant.

A motion was made by Mr. Jordan, seconded by Mr. Laguzza to approve items 1.d and e; passed unanimously; MOTION CARRIED.

f. Create Director of Energy and Sustainability, Grade 34 at \$60,554 - \$85,404 and Authorize Advanced Step Hiring in step T at \$78,355 effective December 27, 2008

Their Facilities Management engineer resigned last month leaving a huge void for Facilities in the energy related field. Energy is worth \$26,000,000 in the Budget. There have been a lot of proposals to Facilities regarding bio mass plants, solar panels on the Civic Center, windmills. They currently don't have the in house knowledge for this position, need an expert in the energy related field to evaluate, recommend what programs have best paybacks, make sure bills are being paid correctly, commodity pricing, advice on whether to lock in at certain prices; these are enormous decisions with huge impacts on the Budget.

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

Mr. Kraft asked why Step T. Mr. Lynch said one of the reasons the engineer left was for a job with more money. They did a job comparison, came back between \$90,000 and \$96,000; with energy expense of \$26,000,000, the future of renewable energy here at the County, the Energy and Sustainability plan to be followed and hopefully rewritten, new RFP's to be evaluated by this person, Mr. Lynch said that up to \$78,000 would be a fair salary.

Mr. Lesniak asked about the qualifications. Ms. Walter said the proposal was for someone with at least ten years of experience, said that was probably a little high for a minimum qualification and suggested five years as a minimum, but obviously want to hire somebody with more experience if they can. Mr. Lesniak asked about advertising for this position. Mr. Lynch said they would advertise through the newspaper, Ms. Smiley said also websites.

Mr. Laguzza asked about collaboration with other municipalities. Mr. Lynch said there is possible opportunity for joint municipal buying power, currently with the City School District. Ms. Smiley said there is a countywide committee, the Citizens Energy Committee, including people from ESF and major corporations that advises the County on energy issues, much of the discussion is about things that could happen for towns and villages as well.

Mr. Jordan questioned why they don't approve this without the advance step and authorize it once they arrived upon a candidate. Ms. Smiley said the energy field is a very competitive business, a candidate is not going to hang around for a couple of months after an offer is made in order to come back to the Legislature. Mr. Lynch added that they thought this was a fair salary.

Mr. Kraft asked what this person is going to do that will make a difference in buying electricity. Ms. Smiley noted that based on work by Mr. Ferrara (employee who left) the County locked in an energy price, County will save over \$1.5 million than projected to spend, people who waited to do an RFP will be paying more.

A vote was taken on this item; Ayes: 5 (Kilmartin, Lesniak, Kinne, Laguzza, Masterpole); Abstained: 2 (Kraft, Jordan); MOTION CARRIED.

g. Abolish Facilities Engineer at Grade 33 at \$55,252 - \$77,898 effective December 27, 2008

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

h. Create Electrician, Grade EL at \$27.3864 effective December 20, 2008

Joint effort between Emergency Communications and Facilities Management, 9-1-1 abolished a Maintenance Worker 2 in addition to the Custodial Worker 1 that Mr. Lynch is requesting to abolish in Facilities Management. 9-1-1 Center has paid out \$175,000 in electrical services in the last two years, when hire in house there is not markup on parts or labor; they also have an enormous amount of electrical equipment at 9-1-1 (site itself, generators, preventative maintenance work). Person will be in Facilities and assigned to 911, will cross train. Mr. Balloni noted that the 9-1-1 Center will be operating with the new radio system with 15 tower sites that will have numerous cable pulls, inspections, maintenance work, they currently have to hire somebody to do it through a bid or contract. Mr. Lynch said this the right thing to do, the business case is there, it will benefit everyone; it is another step forward, saving the County money and increasing efficiency.

Mr. Kraft recollected that about ten years ago the County signed up for tower maintenance, asked why that wasn't taking care of it. Mr. Balloni said tower maintenance involves climbing towers and adjusting tension, things not associated with an electrician; but there a lot of things an electrician could do such as cable pulls, moving electrical outlets, could save a lot of money because there is no markup when you have your own electrician. **Mr. Kraft requested a write up about what the \$100,000 contract is doing.** Mr. Kilmartin asked if those services for towers included checking all the guide systems, re-tensioning, changing the bulb on top for FAA regulations; Mr. Balloni said "yes". Mr. Kraft asked how often they have to be checked; Mr. Balloni said it is required twice a year at each site.

In answer to Mr. Lesniak, Mr. Lynch said it will be a collaborative effort, the person's first priority would be to 9-1-1, but could do work for Facilities, also could send a person from Facilities out to help at 9-1-1, will be a huge learning opportunity for Facilities. Lesniak asked if the position would be covering part of the contracted service for the tower sites. Mr. Balloni will look at the specifics of the contract, if they absorb some of the items, they can expect a lower contract price.

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

Mr. Kraft asked how they could lose four people and not lose the ability to perform services they have been providing. Mr. Lynch said the work performance was not there for the four people who had the positions, not losing any capacity, have also gained two half time employees through the Department of Aging and Youth, have had tremendous success with the day time people, have made efficacies.

A vote was taken on this item; Ayes: 6(Kilmartin, Lesniak, Jordan, Kinne, Laguzza,

Masterpole); Abstained: 1 (Kraft); MOTION CARRIED.

i. **Abolish Custodial Worker 1 (70), Grade 2 at \$24,248 - \$26,747 effective December 20, 2008**
A motion was made by Mr. Masterpole, seconded by Mr. Laguzza to approve this item; passed unanimously; MOTION CARRIED.

j. **Informational: Authorize the Lease of Property Located at 321 West Onondaga Street, Syracuse, New York, for the Storage of Health Department supplies and equipment**

Ms. Smiley said they were working on a lease with a particular landlord and there was an issue in terms of pricing, not ready to bring it to the Legislature. The Health Department currently has 2,000 sq feet in the Public Safety Building for storage and has to move out. They are looking at 1,200 sq. ft. of space for rental for the storage of materials that go in and out on a regular basis; Health Department believes it would be adequate space. Ms. Smiley is not sure if the space they are looking at will work out.

The meeting was adjourned at 1:23 p.m.

Respectfully submitted,
Johanna H. Robb
Deputy Clerk

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HEALTH COMMITTEE MINUTES - NOVEMBER 12, 2008
ROBERT D. WARNER, CHAIRMAN

MEMBERS PRESENT: Mrs. Rapp, Mrs. Winslow, Mr. Buckel, *Mr. Kilmartin

MEMBERS ABSENT: Mr. Laguzza, Mr. Lesniak

Chairman Warner called the meeting to order at 9:10 a.m. ***A motion by Mrs. Rapp, seconded by Mr. Buckel, to waive the reading and approve the minutes of proceedings of the previous committee. CARRIED.***

1. MENTAL HEALTH: Robert Long, Commissioner

a. Transfer of Funds from Regular Salaries Account 101 to Hospitalization Account 534 (\$246,441)

Hospitalization is difficult to predict from year to year. This year it exceeded the budgeted amount of \$530,000; estimated expenditure is \$776,000. Two sections under State Law allow for hospitalization. Sections 508 & 402 of Corrections Law, deal with pre-sentence and post-sentence of inmates. It is removal of sick prisoners from the jail. If someone in jail has a psychiatric breakdown, and it is something that the County can't manage, then they are hospitalized. The second area is Section 730 or the Criminal Procedure Law, which has to do with incompetency to stand trial. If an inmate is pending trial and the attorney doesn't feel that they can assist in their defense because of mental illness, then the attorney requests that the judge order examination. Two psychiatrists, or a psychiatrist and a psychologist, examine the inmate. If determined that a person is unable to assist in their defense because of mental illness, then the individual is committed to a state hospital. They tend to be long stays and the County gets billed back 50% of the cost for each day they stay in the hospital.

Chair Warner asked if the County pays for hospitalization for people off the street. Mr. Long said "no". If someone goes to a State hospital and there is 3rd party payer, the hospital tries to bill for it. If not, State or Medicaid absorbs it. Chair Warner asked if it is the State's cost if someone goes to CPEP. Mr. Long said that it is--the only time it would not be is if a person were arrested, taken to the Justice Center, and hospitalized.

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

2. VAN DUYN: Peg Frigon, Director, Fiscal Management

a. Transfer of Funds from Regular Salaries Account 101 to All Other Expenses Account 410 (\$100,000)

There was unanticipated increase in security costs, laundry costs, personnel advertising and postage. There is surplus money in 101 do to fewer LPNs and nurse supervisors on payroll than anticipated. In answer to Chair Warner, Ms. Frigon said that the Securits service rates increased in late 2007 and again in June 2008. They had budgeted \$260,000; the estimated cost is \$285,000. There is a countywide bid for security.

*Mr. Kilmartin arrived at the meeting.

A motion was made by Chairman Warner, seconded by Mrs. Rapp to approve this item. Ayes: 4 (Warner, Rapp, Buckel, Winslow); NOES: 0; ABSTENTIONS: 1 (Kilmartin). MOTION CARRIED.

b. Transfer of Funds from Reg. Sal. Acct. 101 to Furn. and Other Capital Outlay Acct. 215 (\$120,000)

A number of unanticipated purchases are needed: some irreparable equipment; bladder scanner \$10,000; floor cleaning machines \$13,000; alarms in elevators \$15,000; sidewalks and railings for safety and security, est. \$90,000; fuel tanks engineering services, est. \$30,000; potable water system \$41,000. In answer to Chair Warner, Ms. Frigon said that about \$440,000 is left over in the 101 acct. prior to the two transfers today.

A motion was made by Mrs. Winslow, seconded by Chairman Warner, to approve this item.

Mr. Buckel said that the two transfers total \$220,000 from 101 and asked what accounts for that. Ms. Frigon said that they have had difficulty recruiting LPNs. The initial salary plan was to replace the RNs through attrition with LPNS, and they have been unable to bring in LPNS. They are over budget in overtime and contract nursing has increased. Ms. Haun said that there is a nursing shortage in the area. It is particularly difficult for Van Duyn, because there are so many opportunities for RNs and LPNs. Mr. Buckel said that as the year goes on, these positions may or may not be filled and asked what happens through the budget period. Ms. Frigon said that overtime and contracted nurses are used. Mr. Buckel said that program cuts across from the State will be occurring. Some accounts are not being fully utilized. If there is \$220,000 surplus, he would love to see it reserved instead of shuffled over to something else.

Mr. Kilmartin asked if the physical work that needs to be done is absolutely necessary or discretionary. Ms. Frigon said that the sidewalks are cracked and are a safety issue. There are numerous residents that go outside and family members take them outside; it is a hazard. Ms. Haun noted that these items were cut out of the 2009 budget, before the budget came to the legislature, because they wanted to do them sooner. They were then included in the 2008 budget. Mr. Kilmartin asked about a shortfall in overtime; Ms. Haun explained that it has been taken care of with executive authority. Mr. Kilmartin asked about the net affect on overtime and other matters that these transfers are allocated for. Ms. Haun and Ms. Frigon said that did not have the number with them. Ms. Haun said that when it is all netted out; they will still be under budget.

A vote was taken motion. Passed unanimously; MOTION CARRIED.

3. HEALTH: Linda Karmen, Deputy Commissioner

a. Authorizing the County Executive to Execute Agreements and Amending the 2008 County Budget to accept DNA Lab Grant Funds for the Purchase of a Comprehensive Management System (\$159,283)

Funding from the DNA Capacity Enhancement Grant has exceeding what it did in the 2008 adopted budget, \$159,283. Funds have been received through this grant for several years to support ongoing efforts to create the Laboratory Inventory Management System, an evidence tracking system that will provide for all of the agencies involved; to share and access evidence in a much more efficient and effective way.

Chair Warner asked if Onondaga County still does a lot of outside work for other agencies. Ms. Karmen said that it does. Chairman Warner asked if work being done for outside agencies will be tracked through this system. Mr. Kinder explained that they will be able to connect through a web portal.

Mr. Buckel asked if this grant covers the complete system. Ms. Karmen said that it is in addition to the funding previously allocated, \$534,000. In the 2008 budget \$413,322 was allocated. The \$159,283 will cover the cost of the system and provide some money for unanticipated roadblocks. Mr. Buckel asked if there has been budgeting for associated costs - personnel and management. Ms. Karmen said that this system will make the process more efficient - in the laboratory there has already been one position eliminated. Mr. Buckel asked if this system is for DNA. Ms. Karmen said that it is not just DNA information; it is any information that is evidence related to a case. It could be any evidence collected at the scene, any testing done in the lab, information obtained by ME through autopsy report. It is a way of bringing the evidence in, giving it a bar code, and then tracking it through the system. Mr. Buckel asked if federal government will be using this. Mr. Kinder said "no". In answer to Mr. Buckel, Mr. Kinder said that this is not duplicating any system; nothing exists right now. The State is using this system for their own laboratories. Other agencies are using the system, but they are not interconnected. Mr. Buckel said that he is interested in the fee schedule that is charged to outside counties. Mr. Kinder said that there is one for fee services, but it has nothing to do with this system, which doesn't benefit any outside counties.

Mr. Kilmartin said that last year there was discussion about an evidence tracking system that all police agencies and DA's office could tap into. Ms. Karmen said that this is it.

A motion by Chair Warner, seconded by Mrs. Rapp, to approve this item. Passed unanimously; CARRIED.

4. Local Law Prohibiting Sale of Tobacco Products or Herbal Cigarettes, Rolling Papers or Pipes to Anyone Under the Age of 19 Except Persons Serving in the U.S. Military, including Natl. Guard & Reserves

Chairman Warner said that this exact law was vetoed by the County Executive a few months ago. Since then, there has been a

very extensive budget process. The number one issue with the budget has been Medicaid, \$560 million plus per year for Onondaga County. It is the single highest cost to taxpayers in the county. He said that the law was vetoed for two reasons:

1. Convenience store owners would lose money. It confirms that 18-year olds are the largest group buying cigarettes in Onondaga County. Convenience store personnel told him that it seems that 18 year olds are largest group that they sell cigarettes to. He said that the 18-year olds are not just smoking them; they are taking them to schools and giving or selling them to 15, 16, 17-year olds and getting them addicted. The County ends up with them 20-30 years later on the Medicaid rolls. His doctor told him that the cost for someone addicted to tobacco can easily be \$1 million. If this law saves just a few of the kids, then 20-30 years down the road, we have done more with a law that costs virtually nothing to implement.
2. The County Executive didn't feel the law would do all that much - it would be "nibbling around the edges". He said that to nibble just a little bit would save tremendous future Medicaid costs.

Mrs. Winslow referred to judgment of younger people in the schools. Adults need to step out and save those that have become victims of the addiction to tobacco. There are kids bringing drugs from medicine cabinets in to younger children. These kids need more time to make informed decisions about what they want to take on. Keeping cigarettes out of schools until the 19 year olds move on, would be a good thing for the younger students. It needs to be kept out of the hands of younger students until they are able to make a better judgment call about using tobacco products or anything else.

Mr. Buckel said that he has been an avid supporter of public health matters including this bill. It is disturbing that our region still has one of the highest infant mortality rates in the nation and the way convenience stores are set up. Cigarettes and drug paraphernalia are right at the counter. These stores are not fulfilling their stated purpose and mission to sell goods and materials that promote health as opposed to harm it. Other communities have removed tobacco sales entirely by ordinance from these stores and established regional stores that are tobacco only, so that who buys them can be regulated. Wegman's has removed tobacco entirely from their stores, and calls upon other stores to voluntarily do the same. He feels that the local law is a reasonably fair, balanced measure and supports it.

Mr. Kilmartin said that the County Executive raised some relative points that there might be other effective means to address this problem. However, they don't necessarily need to be exclusive. If this legislation has an incremental benefit, it could reap great rewards in the long run and feels it is worthwhile to move forward with this local law at this time.

Chair Warner noted that two members of the committee are absent today, who have been previous supporters.

A vote was taken on the motion. AYES: 4 (Warner, Winslow, Buckel, Kilmartin); NOES: 0; ABSTAINED: 1 (Rapp). MOTION CARRIED.

3b. Informational: Laboratory Inventory Management System - Paul Kinder, Dir. of Operations, Forensic Lab.

Mr. Kinder provided the following Power Point presentation:

Chairman Warner said that the system is amazing and asked if with the \$534,000 if it is all paid for. Mr. Kinder said that it is along with some contingency. Chairman Warner inquired about their meetings. Mr. Kinder explained that right now they are down to a work group, which will meet for full days for the next 2 days to discuss the details. The meetings are held at the CSF.

Mr. Kilmartin asked about ongoing costs. Mr. Kinder said that training will be handled by in-house staff. The vendor will provide user training and systems administrator training. They have hired a systems administrator for the CFS through the IT Department. IT is also assigning someone to be responsible on the Civic Center side. The annual maintenance fee for the system is \$45,000. It includes immediate response from the vendor and any progressive versions. The vendor has virtual private network to get into the system to fix it remotely. There is a users meeting once per year, which provides training on the newest parts of the system.

Mr. Kilmartin inquired about integration with the DA's office. Mr. Kinder replied that it would be determined by the DA's office. Rick Trunfio has been an integral part of the decisions.

Mr. Kinder said that this system is poised to be connected to the Records Management System in the Sheriff's Dept. The Sheriff's Department and other agencies are working to create a comprehensive records management system for all law enforcements. It is not duplicative; the evidence property management system does a lot of complex things for the laboratory, which a records management system wouldn't. However, the police on the street will be able to enter information about evidence and property right into the records management system, which will be on their laptops. Once entered, it will automatically be put in the BEAST and populate fields.

Mrs. Winslow referred to bar codes and asked how susceptible the system is to human error. Mr. Kinder said that a bar code can be scanned and you get the right piece of evidence, but then a bar code can be scanned and put in the wrong location. It happens once in a great while; it happens at the laboratory. It used to take them 3 - 4 days to track property and evidence in the

property vault. Now it can be done in 3 hours and fix all of the mistakes. He feels that law enforcement will decrease their workload by half. Mrs. Winslow asked if there is a paper back up. Mr. Kinder said that there will be. There will be an electronic chain of custody. Right now there is a sheet of paper with the item listed and where it went until it gets to court. It will be replaced with a digital chain. Both servers would have to go down for something to happen.

Mrs. Winslow asked about how widely used the system is. Mr. Kinder said that the laboratory module, which is separate, is used in about 50-100 labs across the country. It is used in all laboratories across the State. The problem is that it is not connected anywhere else. It is installed in 350 police departments across the country. It is not a novel system; it is a novel approach to bringing it all together and making it work. In Onondaga County, it is set up perfectly for everyone to work together for a common cause.

Mrs. Rapp asked about the cost savings that could be afforded the County. Mr. Kinder said that the consultant created a cost benefit analysis. It was based on what they knew at the time, but it is not accurate. The resources that are overtaxed such as property rooms, will hopefully ease burden. He can't put a number on it; it will be a savings of staff time of some sort. Mrs. Rapp said that one person will not be replaced so there is a savings of at least one position.

Mr. Kilmartin inquired about the net savings in terms of personnel. Mr. Kinder said that it is hard for him to estimate the saving in another person's agency. Dr. Morrow added that eventually it may not be a decrease in personnel, it may be a decrease in time to solve a case; it may efficiencies across the board. Mr. Kinder said that everything done in the system is tracked.

Mr. Buckel asked who is actually doing the work. Mr. Kinder said that he is the project manager. The vender will come on site with a team of people to collect all information on the numbering system, barriers between departments, security from one another, passwords, etc. Mr. Buckel said that when these systems work, they are phenomenal. He hopes that they are an example for the rest of the County; these kinds of systems are used throughout the private sector. He asked about concerns raised by courts over the chain of custody for the evidence used, or if it has been consistently applied, certified, accepted. Mr. Kinder said that it was one of the biggest issues raised. Over the 7 years they have been following court cases that dealt with electronic chain of custody. There is no doubt that this will be accepted in the court system here, as it has in many other areas.

Chairman Warner asked how many cases have been dismissed or thrown out because the lack of chain of control of evidence in the Districts Attorney's office. Mr. Kinder did not know. Mr. Warner said that it is vital information in a case.

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
CASEY E. JORDAN, CHAIRMAN, December 8, 2008

MEMBERS PRESENT: Mr. DeMore, Mr. Stott, Mrs. Rapp, Mr. Rhinehart, Mr. Stanczyk, Ms. Williams

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

Chairman Jordan called the meeting to order at 11:00 a.m. **A motion was made by Mr. DeMore, seconded by Mr. Rhinehart to waive the reading of the minutes; MOTION CARRIED; A motion was made by Mr. DeMore, seconded by Mr. Rhinehart to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.**

1. COMMUNITY DEVELOPMENT: Ms. Linda DeFichey, Administrator

a. Amending the 2008 County Budget to Accept a Grant from the N.Y.S. Housing Trust Fund for the Community Development Program (\$500,000)

This is their third accessibility improvements grant, received over \$1 million in the last year.

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

Ms. DeFichey showed the commercial that ran on TV to generate interest in the program and get potential new applicants. Ms. DeFichey said the grant funds can be used for ramps, bathrooms on first floors for those who cannot go upstairs, chair lifts, chair glides and to pay for part of an addition to accommodate a first floor bedroom when needed; low income standard must be met, can go up to \$15,000 per home.

A vote was taken and passed unanimously; MOTION CARRIED.

b. Amending the 2008 County Budget to Accept a Grant from the U.S. Department of Housing and Urban Development for the Lead-Based Paint Hazard Control Program (\$3,000,000)

c. Amending the 2008 County Budget to Accept a Grant from the U.S. Department of Housing and Urban Development for the Lead Hazard Reduction Demonstration Grant Program (\$3,615,358)

Grants will allow them to do 450 units over the next three years. Family has to be low income to be eligible and have a child under the age of six in the household; they can be grandparents with children visiting, people who do foster care or day care.

In answer to Mrs. Rapp, Ms. DeFichey said the list of applicants was current as of last June, as the list gets lower they will do some more outreach. There are brochures going to every kindergartener, first and second grader in the county, direct mailings to households in target areas, also using billboards, TV and radio spots. Ms. DeFichey showed a 30-second commercial regarding the lead paint program.

In answer to Mr. DeMore, Mrs. DeFichey advised that the most pervasive source of lead poisoning is in opening and closing windows; it creates a fine dust that settles in the windowsills and on the floor beneath. Kids play with toys on the sills and floor and then put their fingers in their mouths. A secondary source being mentioned is the outside dirt around homes from chipping paint off and from gasoline. ESF is conducting a study on the south side as part a nationwide effort to see how much of a cause it is.

Mr. Stanczyk asked what the mix is between homeowner and renter. Ms. DeFichey said homeowner is probably 90%. Concerning rental properties, Mr. Stanczyk asked if they fix the entire property or just the units with a child under six. Ms. DeFichey said they only do the units necessary and the common space, if there were a complaint regarding one of the other units, the Health Department would investigate. Mr. Stanczyk asked how backed up they are with normal housing rehab. Ms. DeFichey said most family rehab is done through the lead grants, do occasional elderly outreaches. Mr. Stanczyk said the poor and elderly got pushed to the back burner for rehab when the lead grants became available, asked how deep those rehab lists are. Ms. DeFichey said there is probably a two to three-year wait, they do about fifty cases per year, there are about 400 on the list, if it is an emergency, it is done right away. Mr. Stanczyk noted they need to ramp up the stats to clear off the lists.

Mr. Rhinehart asked how they are doing with contractors. Ms. DeFichey said contractors have to be trained and certified by EPA to participate in the program, ran a commercial for a month looking for contractors and got a good response. Training is free to the contractors, but they do have to pay for their licensing at EPA.

A motion was made by Mrs. Rapp, seconded by Mr. DeMore to approve item 1.b; passed unanimously; MOTION CARRIED.

A motion was made by Mrs. Rapp, seconded by Mr. DeMore to approve item 1.c; passed unanimously; MOTION CARRIED.

d. Authorizing the Transfer of Tax Delinquent Property to the Onondaga County Housing Development Fund Company

Ms. DeFichey showed pictures of homes (before and after) that were rehabbed or demolished and rebuilt this past year and also properties that they are requesting to be turned over to Community Development for the Homeownership Program (properties about to be auctioned due to non-payment of taxes).

Mr. Stanczyk said he thinks it is inappropriate to cherry pick the properties, if these properties had gone through the County auction process and had not sold, it would then be appropriate to give them to Community Development to rehab or rebuild. Mr. Stanczyk said the concept of the auction was to recoup some of the tax dollars and give everybody a chance to participate. Ms. DeFichey provided handouts concerning the comparison of auctioned properties vs. properties deeded to Community Development and changes in assessment over time (in file with Clerk). Ms. DeFichey noted that the second page (without the high end houses costing more than \$240,000) shows that Community Development houses are all consistently higher in assessment than those auctioned, and in some cases the auctioned ones were even less than auctioned for. Whatever money is lost in back taxes by deeding them to Community Development is more than made up in the positive change in assessment.

Mr. DeMore asked if anybody else is building in the part of the Town of Onondaga listed in the resolution. Ms. DeFichey said "no" and the same could be said for Bridgeport. Mr. DeMore said cherry picking is not the appropriate term.

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

Mr. Jordan asked if the forgiven taxes are factored into the prices. Ms. DeFichey said "no", mentioned that they don't always get the price of the back taxes at the auction, they often sell for a lot less.

Mr. Stanczyk said he thinks there are a number of contractors, real estate investors that are good for neighborhoods, questioned whether they ought to be spending government time building houses, noted that government ought to do things when no one else chooses to do them, not before. Ms. DeFichey said these are typically properties that have been sitting for years, if somebody wanted to rehab them they could have. Mr. Stanczyk said the fact that nobody did anything with the property is probably because nobody wanted to sell it or focus on it. Ms. DeFichey advised that there is an extra \$10,000 to \$14,000 expense on demolishing the house because it has asbestos, the private market is not going to do that; Community Development picks up the worst, it is hardly cherry picking. Mr. Stanczyk asked how they defend taking a vacant lot. Ms. DeFichey said they have been working in Nedrow since the late 1980's; nobody buys the vacant lots.

Mrs. Rapp seconded the motion to approve this item.

Mr. Stott asked if there is a legal requirement for those people who purchase property at auction to restore the home. Ms. DeFichey said "no".

A vote was taken on this item; Ayes 6 (DeMore, Stott, Rapp, Rhinehart, Williams, Jordan); Noes: 1 (Stanczyk); MOTION CARRIED.

e. Create Housing Rehabilitation Specialist, Grade 9 at \$39,271 - \$43,438 effective December 20, 2008

f. Create two (2) Housing Rehabilitation Inspectors. Grade 9 at \$39,271 - \$43,438 effective December 20, 2008

Ms. DeFichey said that e. and f. are three positions that they are creating to deal with the funding they are receiving for the lead and accessibility programs. In answer to Mrs. Rapp, Ms. DeFichey said it is written into the resolution that the positions would be abolished if the grant funding were terminated.

A motion was made by Mr. Stanczyk, seconded by Mr. Stott to approve items 1.e. and f; passed unanimously; MOTION CARRIED.

2. ECONOMIC DEVELOPMENT:

a. Confirming Appointment of Mary Beth Primo as Director of the Department of Economic Development

Mr. Kochian introduced Ms. Primo, highlighted that she was an honors graduate in Economics, has a Law degree and has worked in a numbers of areas that they think will be beneficial in this job; noted that she has practiced law, was a State Assembly legislative aide (background should be useful with everything going on in Albany effecting IDA's and Empire Zones).

Ms. Primo said she is excited about taking on this new challenge, believes her experience and education will serve her well in this job, she will be working closely with her experienced staff and the County Executive for the next few months, will be doing some good things for the area.

Mr. Jordan asked Ms. Primo to elaborate on what her duties were with previous employment. Regarding R.L. Heron, Ms. Primo said she was responsible for meeting with businesses, helped to determine their needs as far as communication, management; worked with them to devise training programs, certain programs she provided the training. Ms. Primo said she was with Syracuse Metro Abstract for ten years; owner hired her because she wanted to take the company in a new direction. The company provides work to attorneys and also lenders, not only title insurance policies, but also all loan closing work. Ms. Primo began this process by meeting with different lenders and the manufactured housing industry, company expanded in New York State, Pennsylvania and Florida, noted that they more than doubled their revenues.

Mr. Stott mentioned the challenges of the cost of energy, high taxes, challenges going on in Washington regarding manufacturing, asked what immediate impact she could have. Ms. Primo said the first thing she wants to do is reach out more to the local companies, determine what their needs are, how they can be helped and how to make them grow. Another critical thing is the aligning of the research that is going on in town with the local companies to see if we can commercialize some of these products and processes that they are creating at the University and ESF. Mr. Stott asked about enticing new business. Ms. Primo said we have to play up our assets aside from the Empire Zone, such as easy living, relatively low crime, wonderful highways, great recreational and cultural resources, a good work force and that we are growing green energy, green materials. Mr. Stott mentioned the many different levels of planning boards, zoning boards and all the avenues companies have to go through for development in towns and villages, asked about plans to consolidate or merge. Ms. Primo noted that every municipality has different codes, and laws, they have talked about having standardized forms; have to sell the community on a project - the wealth it will bring, quality of jobs. They want to take a hard look at bringing together different agencies, offices that deal with economic development within the area to see if they can actually co-locate, perhaps have someone from the Chamber, City, County all in one office; when a developer or business person is in town they could call that one office.

Mr. Kochian said Mr. Stott referenced some things that go way beyond Office of Economic Development, for the last eight years there has been a lack of policy in regard to manufacturing in United States, needs to be some kind of strategic thinking about keeping manufacturing in the U.S. In regard to town issues, there are some towns they have worked with routinely that are

more strategic than others as possibilities for economic development; would love to have a one stop for every town, come close to that with Clay, will continue to think strategically.

Mr. Jordan said businesses have complained that they don't know what resources are available or where to go concerning marketing plans, business plans, need to set up an organization to act as a resource for local business.

A motion was made by Mrs. Rapp, seconded by Mr. DeMore to approve this item. A vote was taken; Ayes: 4 (DeMore, Rapp, Rhinehart, Jordan); Abstained: 3 (Stott, Stanczyk, Williams); MOTION CARRIED.

3. SOCPA: Mr. Don Jordan, Director

a. Reauthorizing Annual Agreements with the State of New York and the Central New York Regional Planning and Development Board relative to the Syracuse Metropolitan Transportation Council

Federal transportation law requires the existence of a metropolitan transportation planning organization for Syracuse and Syracuse Metropolitan Transportation (SMTC) fills that role, County acts as the host and serves as a pass through for the federal funding. County has subcontracted with the Regional Planning and Development Board to provide administrative services for SMTC. SMTC is fully funded with federal transportation dollars; there is no cost to the County.

Mr. Stanczyk asked the amount of the fully funded federal dollars that pass through. Mr. Jordan said it would be about \$1.2 million in 2009. The Regional Planning and Development Board provides administrative services and the SMTC staff directs the projects. Mr. Stanczyk said from what he sees, there will probably be tremendous federal monies for bridge and road projects, asked what is to stop Onondaga County from getting more actively involved, noted the huge concern about I-81 to reauthorize it through the city or spin it around; asked how we make sure that we have input. Mr. D'Agostino, Director SMTC, said the actual planning of the studies and how the money passes through is mandated by the federal government, has to come through a metropolitan planning organization like them. Mr. Stanczyk asked what checks there are to make sure that what they are doing is what his constituents want. Mr. D'Agostino replied that the staff does not make any of those decisions. The Council is made up of member agencies; County, City of Syracuse are voting members as well as State DOT, NYS Department of Environmental Conservation, MDA, Empire State Development Corporation and CYRTA. Mr. Stanczyk said it is going to be very important to be up to speed with what we have in the pipeline, decision like I-81 is going to be critical to what happens in the future in this area. Mr. D'Agostino said a study such as I-81 is done through a series of community groups, study advisory committees, citizen advisory committees, local focus groups, with the members of various organizations, the County and the City; studies are made with full view of the public. SMTC is involved in two studies (one being the public participation outreach), decision will take a couple of years to determine the viable options; began the process with no predetermined options.

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

4. COOPERATIVE EXTENSION:

a. Reappointing Monica Williams and Casey Jordan to the Cooperative Extension Association of Onondaga County Board of Directors

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

Mr. Rhinehart asked how the search is coming for the new director. Mr. Jordan said a decision hasn't been made yet.

A vote was taken on this item; Ayes: 6; Noes: 0; Abstained: 1 (Jordan); MOTION CARRIED.

4. INDUSTRIAL DEVELOPMENT AGENCY:

a. Confirming Appointment of Karen Kitney to the Onondaga County Industrial Development Agency

Mr. Meyer reviewed that Ms. Kitney was the head of the Planning Agency for a number of years. Mr. Rizzo notified Mr. Meyer with regrets that he is no longer available to serve, due to business demands.

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

5. INFORMATION TECHNOLOGY: Mr. Kenneth Beam,

a. Transfer of Funds from Contingency Account 650 to Fees for Services Account 408 (\$25,000)

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

Mr. Beam explained that they lost a programmer in August who had unique skills that are not duplicated in the department, need to move money in order to get some small projects done in Risk Management and Aging & Youth.

Mr. Rhinehart asked what they will do long term. Mr. Beam said they are in the process of hiring somebody, have not picked the person yet, mainframe skills has been the problem.

Mr. DeMore seconded the motion. A vote was taken on this item and passed unanimously; MOTION CARRIED.

The meeting was adjourned at 12:04 p.m.

Respectfully submitted,
Johanna H. Robb, Deputy Clerk

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PUBLIC SAFETY COMMITTEE - December 9, 2008
CHAIRMAN RICHARD M. LESNIAK

MEMBERS PRESENT: Ms. Williams, Mr. DeMore, Mr. Masterpole, Mr. Holmquist, Mr. Warner

MEMBERS ABSENT: Mr. Buckel

ALSO PRESENT: *see attached list*

Chairman Lesniak called the meeting to order at 9:00 a.m.

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

1. SHERIFF: Chief William Peverly

a. Transfer of Funds from Contingent Account 650 to Employee Overtime Account 102 (\$250,000)

This is on the police side; funds were moved from the 102 account and placed in a contingency account when the budget was adopted with the understanding that the funds would be transferred back to the 102 account if there were a need at the end of the year, which there is.

Mr. Masterpole asked if the funds were moved to contingency with the anticipation that something would happen before they got moved back. Chief Peverly replied that a deficiency was anticipated because of the issues with Operation Impact. The positions for Operation Impact were not funded in the budget and they had to have some coverage on an overtime basis. Chairman Lesniak said that there was anticipation that there would be an overage in the budget, as there is almost every year. Also because of Operation Impact, there was hope of getting some additional grant money through Operation Impact to cover some of the overtime.

A motion by Mr. Warner, seconded by Mr. DeMore to approve this item. Passed unanimously. CARRIED.

b. Transfer of funds from Regular Salaries Account 101 to Overtime Wagers Account 102 (\$850,000)

This is in the custody account. Salary savings throughout the year leaves a surplus in the regular employees salary account. The inmate population and the constant one-on-one supervision of high-risk inmates has substantially inflated overtime. In answer to Chairman Lesniak, Chief Peverly said that yesterday they were housing 504 inmates.

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

c. A Local Law Increasing the Compensation of the Onondaga County Sheriff

Chief Peverly gave a Power Point presentation (*on file with Clerk*).

Chair Lesniak presented a revised local law. There is no salary adjustment for '09 or '10. There is a one-time bump on Dec. 13th; the 3% increases that were in the previous legislation for '09 and '10 are stricken.

Mr. Masterpole asked if the Sheriff chose not to run for office, or if voters choose not to reelect him, are the undersheriff and the Chief both his appointments. Based on the numbers just presented, he assumes much of it is based on time of service. Chief Peverly agreed. Mr. Masterpole said that if the sheriff doesn't run or is not reelected, the difference in the Sheriff's salary and the Chief's or undersheriff salary will remain at the \$50,000. Chief Peverly explained that the undersheriff and the Chief have step and grades in their salary plan; the Sheriff does not. If a new Sheriff came in, he would assume that the new sheriff would come in at the current rate of pay that the existing Sheriff receives. The undersheriff and the chief would come in at a lower rate, but it could depend on their current employment. If they were current employees in the Sheriff's office, a determination would be made as to what step in the salary grade they would go to. Chairman Lesniak said that the original proposal on the table and this new proposal is that the 9.65% spread is not going to be there. When 2010 comes, there will be about \$2,000 difference between sheriff and undersheriff. The 3% would still apply to the undersheriff, the chief, and the assistant chiefs-they will still increase through the next 2 years, where the Sheriff's will stay steady.

Mr. Warner made a motion to approve this item, seconded by Mr. DeMore.

Mr. Warner asked about Seneca County and Cayuga County Sheriffs and DA's that authorized raids on the Indian Reservations and confiscated all of the untaxed cigarettes. He asked to be provided for a one-page explanation as to why it is not possible to do that in Onondaga County. Mr. DeMore said that he believed they went onto a store property--didn't go on Nation territory, it was on property that they had purchased.

AYES: 5 (Warner, Masterpole, Williams, DeMore, Lesniak); NOES: 0; ABSTAINING: 1 (Holmquist). MOTION CARRIED.

2. EMERGENCY COMMUNICATION: John Balloni, Commissioner

a. Transfer funds from Maintenance, Utilities, and Rents Account 413 to Travel Account 401 (\$8,100)

The transfer is for meal allowances--contractually have to pay employees who work in excess of 11 hours; they get a \$7 meal allowance; 73% of their travel budget is for this purpose.

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

b. Abolish Maintenance Worker II, Grade 9 at \$39,271 - \$43,438 effective December 20, 2008

The person occupying this position is a qualified electrician; there is a proposal through Facilities Management to move him to an electrician's position.

A motion by Mr. Warner, seconded by Mr. DeMore, to approve this item. Passed unanimously; CARRIED.

c. System Failure Report - John Balloni

Mr. Balloni said that he sent a one-page report (copy of file with Clerk) to all legislators, police chiefs, fire chiefs, and EMS agencies, throughout the county explaining the outage.

- 11/25/08, 10:17 a.m, a contractor had a short, a circuit breaker popped causing a power surge inside the building
- Power surge got to the UPS system; which is designed to absorb those kinds of power surges. It did that, but in absorbing the power surge, it fried a switch within the UPS and the system went down
- All power to the system is routed through the UPS system; when it went down bypass mode was entered. It had never happened before and took a few minutes.
- 4 individuals, technicians who are also dispatchers and call takers, were at the back-up site. They moved immediately to sit at phones and absorb the phone calls. No phone calls were dropped.
- Emergency Management employees were brought in to be 9-1-1- call takers and sat down at the radio positions.
- Off the air for a total of 3 minutes
- Total outage was 28 minutes; virtually nothing was dropped during that time.
- They are currently working with Liebert.

Liebert said that there are procedures to put in place. The cost of the incident was absorbed by Liebert, as there is a maintenance contract--considered a failure in their system. It was a totally unexpected event; commends staff on how they handled it. Managed the back up center until 5:00 that evening as a precautionary measure. Right now they are running from the basement in the Civic Center, which was a planned outage for 10 days to upgrade radio consoles at main center. It is serving the process very well.

Mr. Warner asked why the problem at one site automatically affected the other. Mr. Balloni explained that it actually didn't. The initial report, which came from him was that the CAD was not working at the back up site. CAD is pointed to the main site, the main servers. It has a server at the back up site, which is updated about every 5 minutes. It is a manual process to switch to the backup site server. When it went down at the main center, the CAD was still pointed to the main center, as it is right now. It is literally a decision to switch to the back up site server and a manual process to do so. During the manual process, they go to using cards--standard manual dispatch. The question was how long would they be down. The source of the problem was located fairly early and it was decided that they wouldn't be down very long. This is something that they had never dealt with before. He credited the staff; they did a tremendous job. They have a robust, redundant system.

3. CORRECTION: Tim Cowin, Commissioner

a. Amend '08 Budget to Appropriate Additional Federal Revenue for the Dept. of Correction (\$281,000)

This is federal inmate money--about \$1.5 million was budgeted for federal inmates, and they will bring in just under \$2 million this year.

A motion by Mr. Warner, seconded by Mr. DeMore to approve this item. Passed unanimously; CARRIED.

b. Authorize Advance Step for Correction Captain from Grade 34, Step I at \$68,443 to Grade 34, Step N at \$72,781 effective October 18, 2008

In October the Correction captain grade change passed through the legislature, but it didn't include the step that was intended.

A motion by Mr. Warner, seconded by Mr. Masterpole to approve this item. Passed unanimously; CARRIED.

c. Authorize Advance Step for Assistant Commissioner of Correction for Security and Operations from Gr. 36, Step I at \$84,722 to Gr. 36, Step N at \$90,101 effective January 1, 2009

The budget shows this as an upgrade--the line and step. However, the resolution has to show the grade and the step, and that did not happen. The money is in the budget. Mrs. Walter said that there was a misunderstanding between the two departments. The Correction Dept. intended to have a step-for-step adjustment; Personnel Dept. didn't see the Correction's Dept. document that showed that and therefore approved the upgrade using the promotion formula.

A motion by Mr. Masterpole seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.

d. Informational: Green Technology Roof Replacement and Energy Study: Tim Cowin, Commissioner; Sandell Snyder, Project Architects; Manny Barbas, Deputy Commissioner, Facilities Management

Mr. Barbas said that they are prepared to go to bid. He provided the following Power Ooint presentation. A handout was provided regarding detailing the original budget, revised budget and difference (*on file with Clerk*). They expect to be about \$1 million short from what was authorized.

Chairman Lesniak asked about sustainable strategy - if a regular roof were put on, the \$170,000 would not be available. Mr. Barbas agreed and noted that it will be bid as an alternate. Regarding NYSErDA, there is a possibility that they will come up with 50% on the monitoring portion. Mr. Barbas said that they are hopeful that NYSErDa will also help purchase the devices (thermal couples, etc.).

In answer to Mr. DeMore, the building is 25 years old, and it is EPDM roof.

Mr. Masterpole referred to the RFP for the owner site rep; he asked if there is anyone in the County that can do that work. Mr. Barbas said "no". In answer to Mr. Masterpole, Mr. Barbas said that he is not sure how long the project will be--estimated 3-4 mos. Mr. Masterpole felt that it was a lot of money. Mr. Barbas said that it may not come to that; 4% is a number that they generally budget--will have a real number when they get the RFP.

4. DISTRICT ATTORNEY: Barry Weiss

a. Transfer from Furn. & Other Capital Outlay Acct. 215 to Provision for Cap. Proj. Acct. 960 (\$75,000)

A phone system was purchased in 1997 for \$85,000. They are looking to upgrade it; the money was in the 2008 budget. When they met with IT in February, they were asked to wait. They are asking to move the money over so that they can get the upgrade done next year.

A motion by Mr. Warner, seconded by Mr. DeMore to approve this item. Passed unanimously; CARRIED.

5. A Local Law Enacting a Social Host Law to Prohibit the Consumption of Alcohol by Minors at Private Residences (Mr. Buckel).

Chair Lesniak said that Mr. Buckel was unable to be here today and the item will be held off until another time.

The meeting was adjourned at 10:00 a.m.

Respectfully submitted
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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**SOCIAL SERVICES COMMITTEE MEETING - December 10, 2008
CHAIRMAN SAM LAGUZZA**

MEMBERS PRESENT: Mr. DeMore, Mr. Buckel, *Mr. Warner, **Mr. Holmquist, Mr. Stott

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: *see attached list*

Chairman Laguzza called the meeting to order at 10:31 a.m.

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

**1. SOCIAL SERVICES: David Sutkowy, Commissioner; Brian McKee, Deputy Commissioner, Child Welfare
Informational - Child Protective Complaint Process/Flow Chart**

Chairman Laguzza referred to a recent situation in Oswego County, which resulted in the death of a child. He has received a number of phone calls about the situation and asked Commissioner Sutkowy to provide information on the process and a flow chart in Onondaga County. Mr. Sutkowy distributed the following:

ONONDAGA COUNTY DEPARTMENT OF SOCIAL SERVICES

Snapshot of CPS and Child Welfare population served:

- We receive 4,600 - 5,000 reports of child maltreatment each year.
- 32.4% of reports received in 2007 were indicated.
- 208 children were placed in foster care in 2007.
 - Half of our placements in 2008 were done by Investigators. The other half were done by Services caseworkers.
- We have about 380 foster children.
- We provide DSS and contracted Preventive Services to approximately 1500 children.
- We have between 50-70 children adopted per year.

Process for CPS investigation:

1. Report received by Local Hotline (315-422-9701) or State Central Registry (800-342-3720), and assigned to Caseworker (operates 24 hours, 7 days per week).
2. Caseworker makes 24-hour "immediate danger" safety check on all children listed on the report (maltreated or not):
 - Talks to source of the report
 - Attempts to contact children; family (usually face to face)
 - Makes collateral contacts (neighbors, police, etc.)
 - Addresses safety concerns
 - Checks back with supervisor
3. Within 7 days, Caseworker completes Safety Assessment:
 - Clears case; reads history of prior investigations; services received; income-related benefits received
 - Interviews all relevant parties
 - Completes comprehensive assessment of safety
 - Addresses safety concerns
 - Supervisor approves assessment of safety
4. Before completion of the Investigation (60 days):
 - Collects documentation relevant to allegations or other risk-related information (i.e. police reports, medical documentation, school attendance information)
 - Follows up on interviews, safety concerns, collateral contacts with information pertinent to child safety; maltreatment
 - Addresses safety concerns
 - Refers for needed services
 - Makes determination to Indicate or Unfound Investigation
 - Supervisor reviews all information; approves referrals for services, report determination, standards for complete investigation met

Service Options (CPS actions depend in severity of concerns; ability and willingness of caretakers to address concerns):

- Placement of children in foster care- court order needed, can remove on the spot, if necessary to protect children immediately.
- Court-ordered services, children in home
- Voluntary services
- Offer services, caretakers refuse, insufficient safety risk to get court-ordered services

Community Partners

Key Community Providers (DSS contracted services)*

ARISE Child and Family- 472-3171

Catholic Charities- 424-1800

Dunbar- 476-4269

Elmcrest Children's Center- 446-6250

Huntington Family Center- 476-3157

Liberty Resources- 425-1004

*In order for families to receive these services, DSS must approve and open a case.

Family Assessment Response:

- Pilot in 6 Counties in state
- Less critical allegations
- Safety not compromised
- Allows CPS workers the ability to take a more proactive, less adversarial approach
- Enlists client cooperation
- Better long-term results in addressing family issues

The process starts with a report. About 5,000 reports of child maltreatment are received per year. If the reports are accepted (logged in and assigned for investigation), within 24 hours a caseworker is dispatched. A safety check is done - check out the home and see the children, talk to the source of the report, speak to parent/guardian, then make collateral contacts. They want to make sure kids are safe.

Chairman Laguzza asked if the 24-hour turnaround is a mandated response. Mr. McKee said that the mandate is that a 24 affirmation of child safety is made. Locally, within 24 hours there is face-to-face contact with each child, especially with a maltreated child. They often see the home and follow up with the caretaker within 24 hours. The standard is that you confirm that the child is safe. Per the State, it can be done by phone, asking the source. Onondaga County goes to a greater degree of detail than the States standard.

Mr. Buckel asked for explanation of "cases indicated". Mr. McKee said that it means there is finding that something happened that had an impact on a child and what happened met the statutory requirements and standard for maltreatment.

Mr. Warner asked what legal obligation a person in authority or civilian has to report a case of child abuse. Mr. Sutkowy explained that mandated reporters are individuals, officials, required under NYS law to report maltreatment if they have reasonable cause that it has occurred. Their failure to do so could result in a Class A misdemeanor. Those mandated to report are those in social service positions - teachers, nurses, law enforcement, education, mental health. A civilian is under a moral obligation. Mr. McKee added that most mandated reporters are only mandated while performing their job duties.

Mr. Sutkowy said that DSS operates 24 hours. There are always supervisors available. Chairman Laguzza asked if there is protocol for the investigator to follow. Mr. McKee said that on the 24-hour assessment there is not a written protocol; the standard is that the source is called, get the information, see the children, see the home. Much depends on the nature of the concern.

Mr. Buckel asked about being provided medical information without violating HIPA. Mr. McKee said that they need signed releases. If consent is refused, they pursue the investigation. If it seems like there is information that is really needed, they pursue family court. By and large releases are willfully signed.

Mr. Sutkowy said that maltreatment is not just physical abuse--it can be of any form - inadequate provision of food, shelter, education, medical treatment, etc. Their goal is to determine if the child has been neglected or abused and develop an appropriate course of action. The social worker never works alone; always checks with the supervisor to ensure that the investigation is complete and they are collecting the information that is needed.

Mr. McKee stated that they developed a local quality assurance team a couple of years ago that set out to develop a 7-day assessment check list. They use a form, which is not required by the State. It is a guideline for supervision. They are things that a supervisor should be looking for, particularly if germane to the concerns at hand. Often times, reports come in with multiple concerns. They try to avoid tracking down a situation with a myopic lens. They want to look more globally at issues. Additionally, there is a group of employees that meet quarterly to review cases to make sure protocol was fulfilled, to make sure the check list is doing what it is supposed to and that people are adhering to what he original intent of it was. The original intent was not to treat every case the same way, regardless of what the concern are, but to make sure they are covering everything. They have a uniform case record that is electronic; all notes go into the database. There is a 7-day assessment where they have to answer questions to affirm that the child is safe. If the child is deemed unsafe, they have to defend with information on how the assertion was made and how the issue was resolved.

Chairman Laguzza asked when the partnership with other departments comes into play to see if there are needs for other services, i.e. Mental Health, Health, etc. Mr. Sutkowy said that it is throughout. Regarding developing the service plan, the worker will go from the investigation to the engagement. Mr. McKee said that if they reach out to providers within 7 days, it is typically to get information from them, and not to refer them for service and support. Once they clear the threshold in determining what the needs are, what might be needed in the long term, they look at referrals.

Mr. Warner asked if police do their own investigation; take their own statements from the children. Mr. McKee said that it depends. It is a small percentage of cases that they get, the ones that reach the paper, the egregious acts on children. DSS has an excellent partnership with law enforcement. There is a cross disciplinary team that investigates those concurrently. While the police take the lead on them, DSS benefits from the statement. Interviewing children, from a legal standpoint, is troublesome-- want to reduce the number of times that they have to interview them. DSS has a sexual abuse and trauma unit. The relationship between DSS and law enforcement is very important so that they reduce the number of variables.

Mr. Buckel asked if DSS determines that the child is in immediate danger, what is DSS's legal authority. Mr. Sutkowy said that they can petition the court for immediate removal. If the court is not open, because it is happening at night or on the weekend, then the Commissioner can remove the child on his/her authority. Mr. McKee said that there are 3 ways: 1. can petition the court during the day; the parent can appear in court the same day; 2. If the court is not open, or if they feel it is contrary to the child-felt the child could die if they left just to go to court, then they talk to the caretaker and ask for consent to take child into custody. If they consent, they sign a form; it becomes the court order for custody. 3. if they refuse, they are given a different document and exercise the Commissioner's authority to remove the child temporarily. They are then entitled to a hearing.

Mr. Stott said that the system looks thorough. The only possible breakdown could be the lack of an individual to assess a situation, which comes down to training. He doesn't see real holes in the process. He asked what is done regarding assessments of individuals doing the training. Mr. McKee said that in order to perform the function of child protective investigator, NYS has a trained curriculum that has to be scored satisfactorily. It is over the course of about 12 weeks on and off. While they are in training, they are in the classroom learning about safety and risk protocols, issues, how to keep their eyes open, are shown photos of various degrees of maltreatment-things to look for, talk about sexual abuse, the nature of disclosure. DSS reinforces and developed a training unit about a year ago. People are hooked up with mentors in field. There is also supplemental training - not everyone needs to know how to conduct a sexual abuse interview, yet they do specialize it that. The best way to learn child protective services is by actually doing fieldwork; after a couple hundred reports, aptitude begins to increase. A lot relies on interpersonal skills; the ability to extract information from unwilling parties.

*Mr. Warner left the meeting.

Mr. Sutkowy said that the nature of the service plan depends on the severity of situation; the willingness and ability of caregivers to work with DSS, to understand what happened. Sometimes the child is removed; half of the children placed in foster are placed after a case has been opened and not during the investigation. If there are issues that are serious, but the level of risk is not so high that the child needs to be removed, then they would still petition the court for supervision and services. Last year they place 208 children in foster care. As of December 1st they were around 200. It is steady number. The ultimate goal is not to remove the child and have a child stay in foster care for any period of time. For a long time they have worked with Elmcrest Children's Center. If they need to remove a child from a home, rather than place them in a foster home, more likely than not, the child is placed at Elmcrest Children's Center. DSS and Elmcrest work with the family, with other relatives that are being identified as potential caregivers, to develop a good plan for the placement of that child.

**Mr. Holmquist left the meeting.

Mr. Buckel asked about the approximate 1400 kids that don't go into foster care, yet have some sort of serious issue; is there is an outcome that is more common than not. Mr. Sutkowy said that making the segue from investigation and service delivery is difficult. DSS has to be intrusive, ask tough questions, to make sure that kids are safe. Mr. McKee said that the third that get indicated aren't necessarily indicated because of the seriousness of the issue. It is that it was affirmed that something constituted maltreatment, but it is not level of impact on the child. The third is not the kids that are in the most trouble or have the most need. With some there is an indicative report and no is intervention needed. There are situations where there is an indicated report and there is something needed, people aren't buying what they are selling and DSS needs to assert their will and pursue family court. There are also issues where a case is unfounded and there is a need there. Regarding FAR (Family Assistance Response) and alternatives to investigations, regardless of indicated or unfounded, the defensiveness makes it so that people aren't willing to tell DSS what they need. If they don't tell, then DSS can't help. If they can reduce the level of defensiveness, then DSS can help.

Mr. Stott said that once an assessment is made and a child needs to go into foster care, he understands that they are just placed with a family. The family doesn't get an opportunity to talk to the kids and see who would fit in their living situations. Mr. McKee said that is not correct. Half go to the family support center at Elmcrest. At that point, Elmcrest does an assessment of what the kids need and try to match homes. More than one set of foster parents may visit and get to know the kids and their needs. Mr. Stott said that it should be made more clear. Mr. McKee said that a significant background and home study is done for foster parents to try to ascertain types of children and determine what the foster parents wants are. There is absolutely a choice.

Mr. DeMore noted that there was a problem in a county to our north and asked Mr. Sutkowy if he had a feel for what went wrong. Mr. Sutkowy said that he only knows what he read in the press; is not privy to any other information. Chairman Laguzza said that it is important for the committee to know the process and know the flow chart so that issues like the one Mr. DeMore referred to do not happen in this county.

Regarding Family Assessment Response; Mr. Sutkowy said that six counties in the state are participating. DSS tries to break down the walls of defensiveness and really engage the family to address issues. They want to start on a small scale and see how it works. Other states have moved in this direction; there seems to be a lot more success in engagement with families. They feel this is the right direction to move in.

Chairman Laguzza asked if there are conversations with clergy; Mr. McKee said that it would be unusual. They have to reach out, but have to be sensitive to who they reach out to.

The meeting was adjourned at 11:22 a.m.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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ENVIRONMENTAL PROTECTION COMMITTEE MINUTES - DECEMBER 11, 2008
CHAIRMAN JAMES A. CORBETT

MEMBERS PRESENT: Mr. Rhinehart, Mr. Jordan, Ms. Williams, Mr. Masterpole, Mrs. Winslow

MEMBERS ABSENT: Mr. Kraft

ALSO PRESENT: Chairman Meyer, *see also attached list*

Chairman Corbett called the meeting to order at 11:00 a.m.

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

1. LAKE IMPROVEMENT: Sue Miller, Deputy Director, Lake Improvement project

a. ACJ Update

Clinton Phase I

- Gifford Street is open-- in final stages
- Working on punch list and final restoration.

Clinton Phase II (pipeline under railroad, between back of MOST and the Trolley Lot, Jefferson Street overflow)

- Installation of shafts on both sides of the railroad
- Looking at dewatering plans; have done additional pump tests
- DEC has to approve dewatering plan before implementation

Midland Phase II

- Final landscaping, will have follow up in Spring
- Punch list items
- Ready to receive any storm activity

Sewer Separation 050

- Restoration point; road is done; punch list items
- Next sewer separation project--South Ave. and Calvin Street, construction next Spring/Summer.

Harborbrook Floatables Flow Facility

- 3 net bags that remove floatables before they go to the lake
- Incurred damage due to storms
- Put out RFP and hired C&S to look at facility--to correct damage caused and prevent it from happening in future
- Will take on more importance than originally thought. It was an interim project under ACJ--when projects upstream were done, they would go away. Now on a moratorium and 18 CSOs along Harborbrook are there. Because there is no schedule for the future of 18 upstream, they are looking to make the interim facility as good as it can be.

Chairman Rhinehart asked about the price of the consultant; Mrs. Miller said she would let him know; it is approximately \$20,000.

CH2MHILL (firm hired to get into the gray and green infrastructure)

- Issue of porous pavement for city sidewalks and parking lots (not to replace roads)
- Prototype to present to the City; needs to have standards on how it should be installed

Mr. Jordan asked if porous pavement is subject to less heaving than normal concrete. Mrs. Miller said it is; ice goes right on through. In terms of longevity, from all they have found it is the same or better.

- Survey 8 cities on what they are doing, those with similar climates. Have begun looking at precipitation data.

Green and Gray Committees

- Continue to meet; have filed reports on what the consultants might look further into

She spoke at the Westside TNT and brought them up to date; has another one later this month. She spoke to them about green projects. There are a number of groups involved in the Near West Side and they are trying to work with all of them. Regarding the porous pavement, at this time there has to be approval from the Common Council. There is porous concrete now; porous asphalt is not yet around here.

Mr. Rhinehart asked if CH2MHILL is doing the survey and if it was included in the RFP. Mrs. Miller said that they are. He asked about the 11 CSO's on Clinton project--will any of what is being done remediate any of them. Mrs. Miller said that Phase 1 connects some CSO's but there is nothing connecting them to now. The pipes are in the ground; it has priority in terms of one of the gray infrastructure projects--figuring out how much to do in green in Clinton sewer shed, and how much will be remaining to do in gray in storage. DEC has mentioned a certain amount of storage system-wide that the County may be required to have.

Chairman Corbett asked about the ACJ extension. Mrs. Miller said that originally it was extended for about a year on Midland and Clinton; deadlines that were 2012 changed to 2013, but now are on hold. They are working with other parties on a revised ACJ that will layout new milestones for some specific projects and some deadlines for which you have to have a specific project.

2. WATER ENVIRONMENT PROTECTION: David Coburn, Director, Office of Environment

a. Amending the 2009 County Budget to Provide for Ongoing County Participation in Honeywell/Onondaga Lake Remediation issues (\$430,000). Mr. Coburn provided information(on file with Clerk).

Two month ago \$70,000 was obtained from the contingency account to continue to use outside expertise. Since then DEC and EPA gave a demand for reimbursement of costs they had incurred amounting to about \$12 million. Onondaga was a recipient, along with 16 other potentially responsible parties. It was expected to come. Additionally, they have received a draft health risk assessment from EPA on that portion of waste beds 1-8, which deals with the lake trail. It is a very technical, specialized document. Ecology and Environment, Buffalo, is assisting in interpreting the document. At the same time, our consultants are reviewing the 4 volumes tied to a draft remediation report on wastebeds 1-8, which are owned by the County. These ongoing things are felt to merit continuing to roll the balance of contingency funds into the 2009 budget, so that in the event that they are needed, they are available.

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

Mr. Jordan asked what portion of the \$12 million is the County's portion. Mr. Coburn said that there are a number of issues associated with it - is the \$12 million an appropriate amount or is it some other amount; is the County really deserving of a piece of the pie; if so what part is the County responsible for. Mr. Jordan said that this was known to be coming down the pike for quite some time. Prudence would dictate that this work would be substantially done prior to the demand being made. Now interest is accruing. Mr. Mendez explained that the accounting report upon which the demand, the actual demand letter from EPA, was not received until early November. It is 240 pages of salary scales, hourly rates, transportation reimbursement, direct and indirect costs. They have to figure out what the correct costs are and who they need to be allocated to. EPA has already agreed to provide the County with supplemental information to help clarify the accounting that was made available. Mr. Jordan said that he applauds the diligence in coming through with this demand, but can't be pennywise and dollar foolish. Can't spend a year battling this back and forth while in the meantime interest is accruing, there could be a situation where the County is no longer ahead of the game. Mr. Mendez said that the issue has been discussed, and are sensitive to the need to get on with this as efficiently as possible--to in fact generate real saving instead of just reallocating the cost. Mr. Jordan said that he is concerned about a liability brewing and the County still being in a discussion stage; would like to see it resolved as quickly as possible.

Mr. Rhinehart said that this has been out there for a long time, but this is before any action against the \$12 million. Years ago \$500,000 of taxpayers money was put it into a contingency account. They were taxed when they didn't need to be taxed. The money was put there and left in case it was needed. It is sad that the State of New York and the County are suing each other; taxpayers are paying twice. He asked if the State has action against all 17 parties. Mr. Mendez explained that 17 parties are named for one reason or another. Part of the issue is who is appropriate and to what aspect of the costs. He suspects they will be able to go through that issue relatively quickly. The real question is negotiations to get at a real number, and get allocation

for each of the parties. There is a temptation to divide it up equally, but there is also recognition that not every party is equally responsible in this case. In answer to Mr. Rhinehart, Mr. Coburn said that outside counsel is being used.

Chairman Corbett reviewed the list of parties; he knows one is no longer there. He asked what happens if a party ceases operation or declares bankruptcy. Mr. Mendez said that every party is potentially liable for the whole amount. In that case, there would be arguments that the State or the EPA will absorb that cost.

AYES: 5 (Corbett, Jordan, Masterpole, Williams, Winslow); NOES: 0; ABSTENTIONS: 1(Rhinehart). CARRIED.

b. Authorize Co. Exec. to enter into Intermunicipal Agreements to provide Services to Municipalities within Onon. Co. to Assist those Municipalities in Complying with DEC Stormwater Permit Requirements

Mr. Coburn provided information (on file with Clerk).

There are 25 towns, villages, cities, counties in the Syracuse urban area, that would have to comply with this permit. Several months ago, the Association of Town Supervisors approached the County Executive and began exploring permit compliances; many requirements are common to all. There are 6 major areas to comply with under the permit (minimum control measures) - range from education, dealing with illicit discharges, construction, good housekeeping-management of operations. The areas the Supervisors need assistance with are dealing with illicit discharge detection and elimination. An assistance proposal was developed that dealt with four activities under illicit discharge detection and elimination: 1: establish a centralized hotline; 2. perform routine inspection of stormwater outfalls (once every 5 years); 3. provide actual assistance in tracking down the source or illicit discharge; 4. share laboratory services. Where there are little or no cost to the County in providing assistance, the proposal suggests no charge for County services. In those areas where the County incurs significant cost, there is a proposed fee schedule for services; \$55/hr., all services to be provided by WEP.

Mr. Jordan referred to inspections of stormwater outfalls; part of the proposal is to hire summertime interns for the inspections; asked why the cost wouldn't be borne to the municipalities. Mr. Coburn said that based on time, labor, equipment, vehicle, they arrived at about \$38/hour for outfall. There are about 625-650 outfalls that don't belong to the County. If there is a goal to try to do 20% per year, it is about 125 spread amongst 24 different MS4s; less than \$200. It was felt that for that kind of money, just administering the billing, etc. wasn't significant. The total cost would be about \$2,000 per year. Mr. Jordan applauded the intention of the resolution - there is no sense in having multiple entities doing the same task, but didn't feel the County should be subsidizing the towns to do work that they would otherwise be responsible for. Chairman Corbett said that as the total could be under \$200, the cost to submit the billing would have to added onto the cost and it could cost as much to bill it.

Mr. Rhinehart questioned how a citizen would know what an illicit discharge is. Mr. Coburn said that there will be an education process. It is anything that is not stormwater and may be causing or contributing to a violation of a water quality standard. Mr. Rhinehart said that there are a lot of professionals in the towns and villages between their water departments, DPWs and County WEP and DOT; he is not sure that having a hot line will accomplish a whole lot for what the County will spend to have someone answer those phone calls. Mr. Coburn said that the County is receiving the calls now anyway; there is a 24-hour sewer maintenance number; often times it could be of this nature. The State recommended the hotline so that the public could participate in the process. Municipal employees couldn't be everywhere all of the time. People want to be able to get involved in helping to address what they perceive to be problems--typically there is an unusual odor or a visual indication. The hotline affords a centralized location for people to call.

A motion by Chair Corbett, seconded by Mr. Masterpole to approve this item. Passed unanimously; CARRIED.

6. INFORMATIONAL - Onondaga Lake Partnership Lake Model: Dave Coburn, Dir., Office of Environment Grant funds were accepted in April from the Army Corp of Engineers to do additional work on the water quality model that is being developed. At that time, there was a question if anyone else was building the same kind of model on the lake. The Upstate Freshwater Institute had received a research and development grant from EPA out of Michigan to do some modeling work on the lake. At the time, there was a request to make an attempt to coordinate the two activities and report back to the committee. There has been communication with UFI on a number of occasions. UFI has modeled a number of aspects of water dynamics in Onondaga Lake, but they have not developed a model to address all of the management questions that are being developed through the Lake Partnership. However, it has been learned that UFI has a number of concerns about the model that the County is developing; which has also been expressed to DEC and EPA. In response to that, the County approached the Lake Partnership and urged that UFI present their concerns to the Independent Scientific Review Panel. The panel could then make a judgment as to whether or not these are big issues, little issues or non-issues. At the last meeting the Partnership made a recommendation that the Panel be utilized in hearing UFI's concerns and steps are being taken on how to best accomplish that.

Mr. Rhinehart asked if carbon footprint has anything to do with the lake model or will it in the future. Mr. Coburn said that if there are remedies that require the use of energy, then there could be impact, but not in terms of the type of modeling being done.

3. SOIL & WATER CONSERVATION DISTRICT:

a. Confirming Reappointment of James Rhinehart and David Stott to the Onondaga County Soil and Water Conservation District Board

A motion was made by Chairman Corbett, seconded by Mr. Masterpole, to approve this item. AYES: 5 (Corbett, Jordan, Masterpole, Williams, Winslow); NOES: 0; ABSTENTIONS: 1 (Rhinehart). CARRIED.

4. ONONDAGA COUNTY WATER AUTHORITY:

a. Reappointing Wayne Simmons to the Onondaga County Water Authority

Chairman Meyer noted that Mr. Simmons has over 38 years experience in engineering with a specialty in water and wastewater treatments. It was noted that his attendance record was very good.

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

Mr. Masterpole stated that he will abstain from all OCWA appointments until there is a look at consolidation of OCWA and MWB. I

AYES: 5 (Corbett, Jordan, Williams, Winslow, Rhinehart); NOES: 0; ABSTENTIONS: 1 (Masterpole). CARRIED.

5. ONONDAGA COUNTY resource recovery AGENCY:

a. Appointing Donald J. Lawless to the Onondaga County Resource Recovery Agency

Chair Meyer said that the OCRRA appointments are term limited; a person has come to the end of their term.

A motion by Mr. Jordan, seconded by Mr. Rhinehart to approve this item.

Mr. Rhinehart asked if the results of OCRRA is going to Seneca Meadows; Mrs. Tarolli said that ahs and bypass goes to Seneca Meadows.

Passed unanimously; MOTION CARRIED.

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

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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& nbsp; **EDUCATION & LIBRARIES COMMITTEE MINUTES**
PATRICK M. KILMARTIN, CHAIRMAN, December 11, 2008

MEMBERS PRESENT: Mr. Corbett, Mr. Stott, Mr. Holmquist, Mr. DeMore, Mr. Kinne, Mrs. Winslow

ALSO PRESENT: See attached list (Attachment 1)

Chairman Kilmartin called the meeting to order at 1:00 p.m.

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

1. LIBRARY: Ms. Liz Loftus

a. Transfer of Funds from Regular Employee Salaries Account 101 to All Other Expense Account 410 (\$9,000)

To cover unanticipated contract security costs at the Central Library.

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

Mr. Kilmartin noted that there were some residual funds left over from two positions that were held vacant for a number of months, asked if this will have any other impact on the budget. Ms. Loftus said "no"; the salary increase is accounted for in their 2009 budget.

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

b. Roof Update - Mr. Chris Mack, Law Department

Mr. Mack said Mr. Stan Cook, Maintenance Supervisor at the Central Library, has been providing regular reports including pictures documenting the progress. Roof is about 85% done, weather permitting, they should be finished by this coming Sunday. Two issues outstanding are: penthouse roof that has to be dealt with differently than the rest of the roof and there have been some leaks with the new roof, roofers have been cooperative and said they will address them. The County is documenting through Mr.

DeCook's reports and pictures, Law Department is also sending their own investigator (Bill Hanna) over to confirm and take another look at what is being done, he is also documenting, Mr. Barbas and Mr. Sharon have also been up on the roof; the County is keeping its options open. Going forward, they plan to reinstate regular Board of Managers meetings and see what they can do going forward with the owners of the Commercial Unit.

In answer to Mr. Kilmartin, Mr. Mack said the Law Department is being provided with reports and they, in turn, are communicating with Facilities Management. Roofing company is Upstate Roof, the roof is a rubber membrane, has a felt cover with ballast over it. Mr. Mack said they observed the work that was started on the Commercial Unit; sent a letter to their attorney expressing concern about how it was being done and wanting them addressed for the County's part of the roof. They did address them, Mr. Mack is not prepared to say if they are satisfactory or not, they are not done and there are still some leaks to address. Communication has been between Central Library personnel, Law Department's investigator and the contractors and also between Mr. Cuffy, Mr. Mack and the owner's attorney. Mr. Kilmartin asked if the roofer did a complete tear-up of the old product or was the new layered on top. Mr. Mack said they have torn it up for the Library portion; a lot of insulation over the Library Unit was also replaced.

Mr. Corbett referred to a past committee meeting when he questioned Facilities Management about allowing them to proceed with a roof and a procedure that was less than the County was planning to do, he feared there would be areas that would still allow for leaks, noted that it sounds like it is happening. Mr. Mack said the roof still isn't finished; they still have an opportunity to address those leaks. Mr. Corbett said he understands that the County is keeping every legal opportunity open; Mr. Mack agreed.

Mr. Kilmartin suggested that any objections that were or will be sent to the vendor from Mr. Hanna, Mr. DeCook, Mr. Cuffy or Mr. Mack be copied to the counsel for the owner of the commercial unit and to the owners themselves to ensure that the County has clean hands, that no one can ever make an objection that they never received notice of specific objections.

Mr. Stott asked if the County is going to realize a savings because the contractor was already there working on the commercial unit. Mr. Mack said according to the condominium documents, written back in the 1980's, the roof is considered part of the common elements, common elements are in the first instance split between the Commercial Unit and the Library ($\frac{2}{3}$ - $\frac{1}{3}$). County contribution to common elements was contingent upon them renting out 75,000 sq. ft. in retail space, that hasn't occurred; therefore, the County was and is in the position of insisting on the roof replacement over the Library at the expense of the Commercial Unit.

As for the past issues with leaks and damage to County property and to the Library, Mr. Kilmartin noted that the County is preserving its rights to pursue actions for past problems; in terms of the present, the County is notifying them of any objections, staying in communication with the owners and the condominium association and preserving all our rights there; and in the future, will closely monitor any work to complete the roof and any future leaks or damage that come about. Mr. Mack emphasized that the contractor has said he will address the current leaks, has been cooperative. They are initiating Board of Managers meetings on a regular basis again with the owners of the Commercial Unit, they are also being cooperative; the County is preserving all its options. In answer to Mr. DeMore, Mr. Mack said the Board of Managers is responsible for maintaining the property; there are four members from the Commercial Unit and two members from the County.

Ms. Winslow said she is frustrated that there are still leaks, expressed concern about the damage it is doing to the building and to the contents of the library, usage of the library. Mr. Kilmartin said it is a cumbersome situation because the representatives from the Library and the County are in the minority on the Board of Managers; the positive part is we don't have to contribute to common areas such as the roof, downside is that we are in the minority and don't have control to impose dictates upon the majority as to the exact specifications of the roof, all we can do presently is keep putting them on notice, preserve our rights so that if it ends up being inadequate, then we can exercise those rights. Mr. Mack agreed. Mr. Kilmartin suggested at the next board meeting to make a demand of the Managers to submit to the County copies of the invoices for the work, specifications, and any warranties associated with the roof and make sure the Board takes actions to pay any fees needed to preserve those warranties.

Mr. Kilmartin asked Ms. Loftus if things have improved with the internal operation. Ms. Loftus said it is pretty much status quo, more of a cosmetic thing right now regarding the leaks. Mr. Manning said some leaks have gone away, three remain which are the ones around the drains, they need to go back and work those areas, roofers say this is a fifteen year roof, which is very good. Mr. Fisher said the interior damage remains; the next step will be addressing that.

OCPL Board - Informational - Robert Manning

Mr. Manning provided updates regarding the Central Library Roof, the Executive Director search, lifecycles assessment, strategic plan development and OCPL Board of Trustees Officers for 2009 (*Attachment 2*). Noted that there is language in the bond resolution, passed by the Legislature on November 14, 2008, that covers interior damage. The Board of Trustees has asked the library to go forward and put together a complete list of what the damage is, to get some quotes for the damage and to be

prepared to move on it if we need to do it on our own. **Mr. Kilmartin requested that the information be reported to the committee members.**

Regarding lifecycles assessment, Mr. Manning distributed Onondaga County Public Library System - Organizational Self-Assessment 2008 (on file with Clerk); noted that the Library is somewhere in the middle between growth and decline, want to get back to the front end of the growth cycle, Executive Director will be a critical player.

Strategic Plan Development will begin in January, lead by Mr. Bill Fisher.

Mr. Manning said they would undoubtedly be looking for some change in the salary level for the new Executive Director. Mr. Fisher said the current structure may not allow them to compete as effectively as they would like in order to attract the kind of candidate they would like to retain, it may require them to come back to the Office of the County Executive to ask for a change in the compensation structure.

Mr. Manning referred to the question asked by Mr. Stott at the last meeting about the usage of the Liverpool Library. They were able to go in by zip code and look at users with the new Polaris Integrated System. Another thing it told them is that OCPL really is working as a system, the use across the county of library assets is remarkable, interchange of materials is up in the hundreds of thousands a year.

The meeting was adjourned at 1:35 p.m.

Respectfully submitted,
Johanna H. Robb
Deputy Clerk

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WAYS AND MEANS COMMITTEE MINUTES - December 12, 2008
CHAIRMAN JAMES M. RHINEHART

MEMBERS PRESENT: **Mr. Stanczyk, Mr. Holmquist, Mr. Warner, Mrs. Rapp, Mr. Corbett, Mr. Kilmartin, *Mr. Kinne

MEMBERS ABSENT: Mr. Kraft

ALSO PRESENT: Chairman Meyer, Mr. Lesniak, see also attached list

A motion was made by Mrs. Rapp, seconded by Mr. Kilmartin, to waive the reading and approve the minutes of proceedings of the previous committee.

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

1. **Informational - Resolution Providing for a Paperless Onondaga County Legislature** (Sponsored by Mr. Masterpole). Chairman Rhinehart stated that Mr. Masterpole asked that this be postponed until January.

2. **Information Technology:** Ken Beam, Commissioner

a. **'08 Transfer from Acct. 650 Contingency to Acct. 408 Fees for Svcs. in the amount of \$25,000 to complete projects**

In answer to Mrs. Rapp, Mr. Beam said that this money will be used to bring in outside people (programmers) to finish up smaller projects.

A motion by Mr. Stanczyk, seconded by Chair Rhinehart to approve. Ayes: 5 (Stanczyk, Holmquist, Rapp, Rhinehart, Kilmartin). NOES: 0: OUT OF ROOM: 2 (Corbett, Warner). CARRIED.

3. **District Attorney:** Barry Weiss, Administrative Officer

a. **'08 Transfer of funds from Acct. 215 Furniture and Furnishings to Acct. 960 Provision for Capital Projects in the Amount of \$75,000 to Cover costs associated with the upgrade of the telephone system**

The 2008 budget provided \$75,000 for an upgraded phone system; IT asked them to hold it; and want to complete it in 2009.

A motion by Mr. Warner, seconded by Mr. Stanczyk to approve this item. Passed unanimously; CARRIED.

4. **Corrections:** Timothy Cowin, Commissioner

a. **Amend '08 Budget to Appropriate Additional Fed. Revenue for the Dept. of Correction (\$281,000)**

Federal money that came in from housing federal inmates; budgeted \$1.5 million; should be near \$2 million by end of year.

A motion by Mr. Warner, seconded by Mr. Corbett to approve this item. Passed unanimously; CARRIED.

b. **Authorized Advance Step for Correction Captain from Grade 34, Step I at \$68,443 to Grade 34, Step N at \$72,781 effective October 18, 2008**

This was passed by the legislature on October 7th. There was an oversight in the legislation, wherein the step was not listed.

A motion by Mr. Warner, seconded by Mrs. Rapp to approve this item.

In answer to Mr. Stanczyk, Mr. Cowin explained that these were existing people, and the step was to keep in conformity and keep as close to what the captains are making in the Sheriff's union.

Passed unanimously; MOTION CARRIED.

c. **Authorize Advance Step for Assistant Commissioner of Correction for Security and Operations form Grade 36, Step I @ \$874,722 to Grade 36, Step N @ \$90,101 effective January 1, 2009**

This was included in the budget and was passed, but it didn't appear in the Personnel Resolution. Mrs. Walters explained that the Personnel Resolution has to show the step if it is anything other than the promotion formula; there was a misunderstanding between the departments.

*Mr. Kinne arrived at the meeting.

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

Mr. Stanczyk asked for further information. Mr. Cowin said that the person is going to the same step that he would have been at. Personnel Dept. approved the upgrade. Mr. Stanczyk question why the step is beyond M. Mrs. Walters explained that if it were a regular salary increase it would have gone to a promotional step; the Dept. of Correction requested that it be at the same step that the person would have been in 2009. In 2009, the person would have received an additional step. The department's interest was to have the person be in the same step that he would have been in 2009 with the increase in grade, which was not understood by Personnel Department at the time. Mr. Cowin explained that the reason for having the same step is because this person is so far behind the grade is catching up to where he will fall behind. Also, there is an exact same position at the Sheriff's Department that is at a higher grade. Mr. Stanczyk further questioned going to step N. Mr. Cowin explained that it is fair and equitable. There was a chain of events...when captains were promoted, they were making less when they were promoted (making less than lieutenants). If they get promoted, they also lose a vacation day, a sick day, and have more responsibility. There is something wrong with the system. To correct it, the captains were improved. Now the same thing happened through a chain of events. To make it fair and equitable, the position has to be raised.

Mr. Stanczyk said that there are a lot of problems, if people can't be paid without moving them around in different steps on the schedule. It needs to be fixed.

Mr. Kinne said that when the study was done on the salary schedule, he remembers that problems like this were corrected. Yet it seems that within the last two years it has happened a lot. Mrs. Walter said that the schedule was put back to some assemblage that was most appropriate for most positions in 2000. The positions change, jobs change, duties change, and there are always going to be changes. However, the whole salary schedule is not exactly as recommended by the consultant.

Mr. Stanczyk asked why the resolution refers to step O. Mrs. Walter said that he is in step N currently. Later in 2009 (on anniversary date) he will be in step O. Mr. Stanczyk reviewed the salaries/steps with Mrs. Walter.

AYES: 6; NOES: 0; ABSTENTIONS: 2 (Stanczyk, Kinne). MOTION CARRIED.

5. OCPL:

a. **2008 Transfer of funds from Acct. 101 Regular Employee Salaries to Acct. 410 All Other Expenses in the amount of \$9,000 to cover higher than anticipated security costs (\$9,000)**

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

6. Transportation: Brian Donnelly, Commissioner

a. **Amend Res. No. 285-06 to Increase the Authorization to Advance 100% of the Fed. and State Aid Eligible Costs by Addl. \$200,000 for Construction & Construction Inspection Phases of Jamesville Rd. Bridge Over Butternut Creek C-26, BIN 3312910, PIN 3753.33 and Amend Max.Cost to \$3,885,500 (\$200,000)**

80% federal aid eligible; expect it to also be 15% State eligible, but won't know until State budget is passed. If it is eligible, the cost will be \$12,500 local share. This is Marsceselli funds eligible, and they took in an unanticipated \$63,000 in State aid for the design of Jamesville Road. Chairman Rhinehart asked where the additional \$13,000 will go; Mr. Donnelly said that he assumes it will go to general fund-no plans for it.

In answer to Mr. Stanczyk, Mr. Donnelly said that the additional \$200,000 was related to moving utilities, which did not show, on the as-built drawings - a WEP sanitary sewer and Town of Dewitt water main. Also, there was an increase in asphalt prices. Based on conditions in the field, there was a change in pile for the bridge.

A motion by Mr. Holmquist, seconded by Mrs. Rapp to approve this item. Passed unanimously; CARRIED.

7. Community Development: Linda DeFichy, Administrator

a. Amending the 2008 County Budget to Accept a Grant from the NYS Housing Trust Fund for the Community Development Program (\$500,000)

This is an accessibility grant from NYS, 3rd one received.

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

b. Amending the 2008 County Budget to accept a grant from the US Department of Housing and Urban Development for the Lead-Based Paint Hazard Control Program (\$3,000,000)

A motion by Mr. Stanczyk, seconded by Mr. Corbett to approve this item.

Mrs. DeFichy noted that items b and c are lead grants from HUD, totaling \$6.6 million; expect to do 450 hours on a 3-year schedule. In answer to Mrs. Rapp, she said that all houses are not identified.

Passed unanimously; CARRIED.

c. Amending the 2008 County Budget to accept a grant from the US Department of Housing and Urban Development for the Lead Hazard Reduction Demonstration Grant Program (\$3,615,358)

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

d. Authorize Transfer of Tax Delinquent Properties to Onondaga County Housing Dev. Fund Co.

One property is a vacant lot in Nedrow, which a house will be built on. The other one is a house in Bridgeport.

Mr. Stanczyk said it is not the proper role of government to be stepping in front of the auction process and pulling things out. He feels someone would bid on the house. He doesn't feel county government should be building on vacant lots right now.

Mr. Kinne said that there are several houses on Meredith Street, which are in poor condition. He asked what can be done about these other properties. Mrs. DeFichy said that they have been targeting Nedrow forever; do mass mailings, word of mouth. Mr. Kinne asked if people are applying. Mrs. DeFichy said they are; when Nedrow is compared to 30 years, it has significantly improved. Mr. Kinne said that the streets he is referring to haven't changed. She will provide Mr. Kinne with the numbers of participants in Nedrow. Mr. Kinne asked if the County offers contractors any special incentives to buy property and fix it up. Mrs. DeFichy said they do not. She referred to a report, which shows Community Development houses and properties that when to general public at auction. There are 4 that spiked; they were vacant lots that \$250,000 houses were built on. If those 4 are removed, Community Development properties are consistently higher and some that went to general public have dipped in assessment. The County gets paid back over and over.

Mrs. Rapp noted that the public is not allowed inside a home at the auctions. Chairman Rhinehart noted that Community Development does not run the auction process. Mr. Stanczyk and Mr. Kinne both noted that people need to get inside the houses. Mr. Stanczyk said that photos should be taken so people can get a glimpse. A number of people have bought property at auction, abandoned the property and tried to get their money back. Mrs. Carney said that the County does not have title to the property, and has no legal authority to go on the property or to go in. There would have to be a change on taking title. The County waits until after successful bids and then files deeds at the same time. Chairman Rhinehart agreed that if someone is going to buy property, they would want to get inside. He suggested that this be discussed with the Law Department.

Mr. Corbett said the he is on the Steering Committee and noted that in Nedrow there are properties that weren't taken care of in the manner that they should have been. However; when the newer houses came, those properties were taken better care of. There is positive development there.

A motion by Mr. Holmquist, seconded by Mr. Corbett to approve this item. AYES: 6 (Rhinehart, Corbett, Rapp, Kilmartin, Holmquist, Warner); NOES: 2 (Kinne, Stanczyk). MOTION CARRIED.

e. Create Housing Rehabilitation Specialist, Grade 9 @ \$39,271 - \$43,438 effective Dec. 20, 2008

f. Create 2 Housing Rehabilitation Inspectors, Grade 9 @ \$39,271 - \$43,438 effective Dec. 20, 2008

A motion was made by Mr. Stanczyk, seconded by Mr. Holmquist, to approve items 7e and 7f. Passed unanimously; CARRIED.

8. Health: Linda Karmen, Deputy Commissioner

a. Amend '09 Budget to Accept Onondaga Co. Community Development Grant Funds for the Lead Hazard Control Program (\$99,667)

A motion by Mr. Corbett, seconded by Mr. Warner to approve this item.

Mr. Stanczyk asked how much money is in the Lead Hazard Program in the Health Department, and how it works with Community Development. Ms. Wilson said that they receive about \$1.2 million in lead grant funds per year. There are 16 people employed, not all full-time-a number or part-time and shared-job employees. Mrs. Karmen said that the program covers relocation of families in homes that are undergoing lead hazard reduction; outreach and education in community, blood lead testing for children who reside at properties under going lead hazard reduction and promotion in the community for the Lead Hazard Program.

Mrs. DeFichy said that Community Development receives about \$600,000 for 2 new grand and the people in the Lead section do a lot of outreach - advertisings, brochures, billboards, radio/TV. A public educator goes to every house that has lead and talks to families about proper cleaning techniques, relocation, blood screening.

Mr. Kinne asked if there is follow up to lead testing. It was explained that if it is above 10, it is considered elevated and follow up is done. Intervention is dependent on what the level is. If it is higher, they are involved in inspections, management. If lower, they provide information; follow kids until blood levels are down.

Mr. Stanczyk asked to be provided with a follow up in terms of caseload, expenditure, and interaction with Community Development.

Passed unanimously; CARRIED.

b. **Amending the 2008 County Budget to Provide Additional funds for Special Children Services**
A motion was made by Mr. Kinne, seconded by Mr. Warner, to approve this item.

Mr. Warner said that this is controlled by the school system and the County is funding it. It should be on the school tax rolls, not the County. A memorializing resolution will be done, which is done nearly every year. Ms. Karmen said that there is a move across the state to transfer the responsibility to the schools.

Passed unanimously; MOTION CARRIED.

9. Emergency Communications: John Balloni, Commissioner

a. **2008 Transfer of Funds from Acct. 413 Maintenance, Utilities & Rents to Acct. 401 Travel in the Amount of \$8,100 to Cover Meal Allowance Costs**
A motion was made by Mr. Kinne, seconded by Mr. Warner to approve this item.

Mr. Balloni said that travel account pays a meal allowance, a contractual obligation, when employees work more than 11 hours in a row; they get a \$7 meal allowance. 73% of travel budget goes to meal allowances. Their overtime was more than they had anticipated, given the ongoing and new projects that are being done. A part of it is for training, but partially for technical people in the field.

Passed unanimously; MOTION CARRIED.

b. **Abolish Maintenance Worker II, Grade 9 at \$39,271 - \$43,438 effective December 20, 2008**

This is in coordination with Facilities Management, who will assign an electrician to Emergency Communications. The maintenance worker II position is filled by an electrician currently, who would be a candidate for the new position.

A motion was made by Mrs. Rapp, seconded by Mr. Warner to approve this item. AYES: 7; NOES: 0; ABSTENTIONS: 1 (Stanczyk). MOTION CARRIED.

10. Sheriff: Chief William Peverly

a. **2008 Transfer of funds from Sheriff's Civil Acct. 650 Contingency to Sheriff's Civil Acct. 102 Overtime in the amount \$250,000 to cover overtime costs (\$250,000)**

When '08 budget was adopted \$250,000 was put into contingency account with the understanding that the funds would be transferred back to the 102 account based on need. There is a need for it. In answer to Mr. Stanczyk, Chief Peverly said that \$1.475 million was adopted, and modified with contracts and settlement to \$1.690 million, which will add another \$250,000. They anticipated to finish year-end with \$2.3 million.

Mr. Stanczyk asked why there is so much overtime in Civil; Chief Peverly said that it was the nature of business. Mr. Stanczyk asked about the 101 line on the police side. Mrs. Hutchinson said that the BAM is \$15.54 million; adopted was \$1.34 million. The 2007 Civil overtime was \$1.87 million. Chief Peverly explained that part of the increase is from the OCSA arbitration award, which increased the hourly rate of pay. In 2008 they continued Operation Impact, with 90 hours per week; about \$120,000 in overtime. In answer to Mrs. Rapp, Chief Peverly said that about \$45,000 of it is reimbursed. The account also includes holiday pay, about \$500,000. They are currently at 100% staffing; there are still some in the field-training program. Mr. Stanczyk said with 100% staffing, there shouldn't be an increase in overtime. Chief Peverly said that they weren't 100% staffing all year long. A problem is that when someone leaves, they can't be replaced until the next academy comes along; there are only 2 per year.

Frequently, there are 6-12 positions vacant until there is an academy. Those positions have to be back filled to cover requirements for providing police protection in the community.

Chairman Rhinehart said that he was under the impression that Project Impact was grant funded for all overtime. Chief Peverly indicated that was incorrect; Project Impact has never been funded fully on overtime. This past year it was about \$45,000; the year before that it was about \$35,000. There are other functions under Project Impact that are grant allocations: intelligence, crime analysis. Chairman Rhinehart said that the county taxpayers are footing the bill for overtime for Project Impact. Chief Peverly said "for a portion of it."

Mr. Kinne asked when the academies are held. Chief Peverly said Jan and Sept. Mr. Kinne said that it must be known how many people the department will use. Chief Peverly said that it is difficult; there are 5-6 people that are anticipated to retire in 2008. There are other reasons that employees leave. They seek employment elsewhere; disciplinary actions, etc. Mr. Kinne said that if 5 or 6 people could be retiring, why couldn't a few be ready to go. Chief Peverly said that they try to do that on occasion; work with DMB, and seek authorization to double fill a few positions. They can't put people out on the street, who have not been hired in accordance with Section 58 of Civil Service Law, which requires that they come from a certified list of eligible candidates, meet certain agility requirements; meet age requirements. They cannot be used as police officers until they have completed their training and have been certified as police officers. To offset it they attempt to get lateral transfers; officers who are leaving other agencies, which substantially reduces the time that there is a vacancy. Also, there is a pre-credentialed program. Individuals go to college and take a pre-credentialed course. If they are successful and pass the Civil Service list, they can be hired. They have to go through a phase 2 component of the program, about 8 weeks vs. about 20 weeks at the academy.

Mr. Kilmartin asked to be provided with a history of the past 7 years of the overtime for civil and custody division, staffing, and the dollar amounts. He asked for the historical data for the number of people dedicated to Operation Impact, gross costs, and the percentage of that being funded through the DA's office and State funds. Chairman Rhinehart asked to also be provided with the number of grants and amounts received in 2008.

Mr. Stanczyk asked why Operation Impact and other things have to be done with overtime; can't they be accomplished with regular staff. Chief Peverly explained that it is difficult to do that; have to pull officers off of regular patrol areas to do it; which depletes services. Mr. Stanczyk said that the patrol areas are not equitable. It is obvious that more than 50% of efforts are spending areas where localities have determined that it is in their best interest to not pay anything for policing. The County does it for them, which is wrong and inequitable. There is no reason for overtime to go the wrong way all of the time. Chief Peverly said that each year that they submit a budget; they state that there are insufficient funds to cover them, and would be back.

Chairman Rhinehart said that he disagrees with Mr. Stanczyk in that towns in the outlying areas should be policing themselves. The County is doing it for them because they pay taxes for it; that is why there is a Sheriff's Department. Regarding the overtime, he agrees that he would like more specifics on how it occurs.

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

Mr. Kinne said that overtime always goes up, no matter how many people there are. He asked how often a review is done on how the patrols are sent out. Chief Peverly said that staffing is developed based on the call for services and the geographical areas. The calls for services are not the greatest in the southern part of the county, so they don't have three or four patrols in Skaneateles and Spafford. The calls for service in Salina are much greater, so they do have 3 or 4 patrols there; more commercial activity, greater population. Mr. Kinne asked how often the Sheriff's are in the Village of Liverpool; Chief Peverly said seldom; when there is a call for backup or assistance.

AYES: 5; NOES: 1 (Stanczyk) ABSTENTIONS: 1 (Kinne); Out of Room: Mr. Warner; CARRIED.

b. 2008 Transfer of funds from Sheriff's Custody Acct. 101 Regular Employee Salaries to Sheriff's Custody Acct. 102 Overtime in the amount of \$850,000 to cover overtime costs (\$850,000)

Mr. Stanczyk asked for the staffing in 101 and 102. Chief Peverly said that the 101 adopted is \$13.7 million; the budget for overtime is \$1.81 million. The overtime for Custody projection is \$3.1 million. He does not think they have enough money for the final adjustments; do not have the final numbers for 2008 yet. They will be back in January to close out the year. There is a \$850,000 increase because of inmate population; over population since 2004; mandated security posts; 10 positions below mandated staffing. Overtime last year was \$2.6 million. There has been a substantial increase of one-on-one supervision of inmates; it is State mandate when there is a high-risk, potential suicidal inmate. In November they had 15 one-on-ones as a high and the lowest was 3 at a time. They are done on an overtime basis, 24/7. They are at 100% staffing, but do not meet the State mandates; they are 10 positions below. The 2009 overtime budget is \$1.9 for Custody and it is expected to be \$1 million under budgeted. Mr. Stanczyk asked why there is \$850,000 in 101. Chief Peverly said that it is from turnover in Custody.

Chairman Rhinehart asked who determines if there the need for a one on one situation. Chief Peverly said that Mental Health Dept. makes the determination.

Mrs. Rapp said that a few years ago there was a handle on this with staffing and hours; is the program still in existence. Chief Peveryly said it is, but the one-on-one's did not exist to the degree they do now. They were not at the level of population that they are now. Also, they had opted at not fill certain security posts at certain parts of the day. The Commission told them that the positions were required to be filled and they had to adjust the staffing arrangement and deployment of personnel. They have modified their whole overtime monitoring system with more specificity to be able to identify reasons and causes. Historically the Sheriff's Dept. states during every budget process that there are not sufficient funds to cover overtime. Then they end up at the legislature every year at this time. They consciously work on it year round and try to deal with the issue.

Mr. Kilmartin asked for the historical data of the surplus for 101 in custody and civil.

Mr. Warner said that several years ago some legislators believed the Operation Impact was grant funded and overtime was being used to do it. That is obviously incorrect. Chairman Rhinehart said that there will be more discussion about this.

A motion by Mr. Warner, seconded by Mrs. Rapp to approve this item. AYES: 7; NOES: 1 (Stanczyk). MOTION CARRIED.

11. Van Duyn: Roberta Sprague, Commissioner

a. **2008 Transfer of funds from Acct. 101 Regular Employee Salaries to Acct. 408 Fees for Services in the amount of \$70,000 to cover costs of contract nurses (\$70,000)**

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

b. **2008 Transfer of funds from Acct. 101 Regular Employee Salaries to Acct. 215 Furniture & Furnishings in the amount of \$85,000 for security camera system repairs (\$85,000)**

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

c. **2008 Transfer of funds from Acct. 215 Furniture & Furnishings to Acct. 960 Capital Projects in the amount of \$90,000 for replacement of gasoline tanks (\$90,000)**

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

d. **2008 Transfer of funds from Acct. 101 Regular Employee Salaries to Acct. 960 Capital Projects in the amount of \$90,000 for sidewalk repairs (\$90,000)**

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

Mr. Corbett asked if this will be flex pavement. Mrs. Sprague said that the proposal will include having a sustainable product.

Passed unanimously; MOTION CARRIED.

12. Water Environment Protection: David Coburn, Director, Office of Environment

a. **Amending 2009 Budget to Provide for Ongoing County Participation in Honeywell/Onondaga Lake Remediation Issues (\$430,000)**

This is a request to roll the Honeywell litigation fund into the 2009 budget. In Sept. they obtained release of \$70,000 from the legislature. In November a letter was received from EPA and DEC regarding a demand for reimbursement for superfund related costs that amount to approximately \$12 million. There were 16 or 17 other potentially responsible parties that received the letter. At the same time, some consultants are spending time on a remedial investigation report that Honeywell recently released; it is 4 volumes regarding wastebeds 1- 8. The County owns beds 1 - 6. It is the area where the trail is going in. Consultants are also reviewing a human health risk assessment regarding the area associated with the County's bike trail. Because of the activities, it is felt there is merit in rolling over the balance of the contingency funds.

A motion by Mr. Stanczyk, seconded by Mrs. Rapp to approve this item. Passed unanimously; CARRIED.

b. **Authorize Co. Exec. to Enter into Intermunicipal Agreements to Provide Svcs. to Municipalities within Onon. Co. to Assist Municipalities in Complying with DEC Stormwater Permit Requirements**

Several months ago the Association of Town Supervisors approached the County Executive to explore opportunities for cooperation and assistance. The requirements for MS4s (municipal stormwater sewer systems) are similar. They needed the most assistance with illicit discharge elimination. WEP has experience and expertise in that area. An assistance proposal was fashioned to focus on that area. It includes four specific activities: 1: centralized hotline--citizens who think they see an illicit discharge can report it to just one number. An illicit discharge is anything that is not stormwater that may be causing or contributing to a violation of water quality standard. If a person sees a discolored discharge, smells odors that suggest that there is pollution, they will call the County who will determine which municipality is responsible for that investigation. It is recommended by the State. In answer to Mr. Stanczyk, Mr. Coburn said that currently a handful of these calls are received each year. Each municipality is responsibility for its outfalls.

Mr. Stanczyk asked why the County doesn't get involved in the whole process. Mr. Coburn said that ultimately the municipality where the illicit discharge is occurring has to do enforcement; but the County can offer assistance in determining if it is an illicit

discharge and tracking down the potential source. The proposal offers that service at a rate of \$55 an hour. Mr. Stanczyk said that the towns don't have the expertise, but the county is telling them to go look at it. Mr. Coburn said that the State has told them that they have to do that. They are trying to, but are having difficulty. Mr. Stanczyk felt that if the County is involved, it would be better for County officials to take a look at them. Mr. Coburn said that the MS4s are not allowed by law to relinquish them. Mr. Coburn said that the County has offered the service of investigation. Mr. Corbett said that there are many types of illicit discharges, and this is a way to have one command center take the calls and disburse to the appropriate municipality for measures for corrections.

Mr. Coburn said that another part is to inspect the outfalls. Every jurisdiction has a certain number of stormwater outfalls that have to be inspected at least once every 5 years, about 20% per year. The County has offered, as part of its service, to inspect those outfalls.

Mr. Lesniak said that once the town gets involved, in most cases, they have hired an engineer to do the investigation. Mr. Stanczyk said that there is so much abuse of the sewer system, let along the storm water system. There is no program to enforce it and certainly the towns and villages don't want to enforce it. It needs to be enforced to control the flow. Mr. Corbett said that it is being worked on.

A motion was made by Mr. Corbett, seconded by Chairman Rhinehart to approve this item. AYES: 7; NOES: 0; ABSTENTIONS: 1 (Stanczyk); Motion CARRIED.

13. Facilities Management: Brian Lynch, Commissioner

The work distribution and needs of the facilities have been reviewed. Abolishing these positions will not create any deficiency in production. The changes will increase production and efficiency. There are no incumbents in the positions being abolished.

a. Create Electrician, Grade EL at \$27,3864 effective December 20, 2008

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

Mr. Rapp asked where this position will be. Mr. Lynch said that he will be assigned to Emergency Communications, but available if needed downtown. An estimated savings of \$70,000-\$80,000 over the next two years; \$175,000 on contracted electrical services has been spent at E-911.

b. Abolish Custodial Worker 1 (70), Grade 2 at \$24,248 - \$26,747 effective December 20, 2008

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

c. Create Plumber, Grade PL at \$28,3448 effective December 20, 2008

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

d. Abolish Custodial Crew Leader (70), Grade 7 at \$33,240 - 36,737 effective December 20, 2008

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

e. Create Director of Security, Grade 33 at \$55,252 - \$77,898 effective December 27, 2008

Mr. Corbett said that as someone comes into the Courthouse, it is pretty secure. In the Civic Center and other buildings, someone can walk in, get on an elevator and basically access any area. There isn't really a means to stop them other than the guard at the main desk. He asked if the security director, will have a program to layout all security concerns throughout all of County government. Mr. Lynch said that he provided a background on the position. Not only does anyone have access to the building, they have access to every single department. There are certain individuals who need escorts to certain social services departments, which are supposed to be requested when they enter the building. No one is double checking that right now. Also, there are not enough security controls. There are no panic buzzers in the Civic Center; no security cameras in central locations. There is one in the central command center, which is extremely outdated. There is none on the loading dock. Currently, there is a cross collaboration of law enforcement, access controls, preventions of incidents. This position will provide training to liaisons in each departments. They want someone dedicated in each department to be trained in what should be known on a day-to-day basis to keep their employees safe. The position is all encompassing; looking for someone that has an extensive background; not just on the law enforcement side. It has to be an access control person, security person, assessment, training, etc.

Mr. Stanczyk asked what step this person will be in; Mr. Lynch said that it will be a grade 33; the step hasn't been determined.

Mr. Kilmartin asked at the County Facilities meeting for Mr. Lynch to report back on a year in review on what he has done. He is extremely impressed with what Mr. Lynch has done in Facilities Management - has reprioritized positions; reallocated personnel; redefined roles. He is going about many of these things in a business-like way, looking for a return on investment, especially with the proposed energy and sustainability position. It would be very helpful to the committee to get a detailed report on what he has done, as many things are getting done that the legislature may be unaware of and are positive for the County.

Mr. Lesniak asked if the positions were advertised for. Mr. Lynch said that they won't do that until they are approved the by the Legislature.

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

f. **Abolish Custodial Crew Leader (70) Grade 7 at \$33,240 - \$36,737 effective December 20, 2008**

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

**Mr. Stanczyk left the meeting.

g. **Abolish Custodial Worker 1 (70) Grade 2 at \$24,248 - \$26,747 effective December 20, 2008**

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

h. **Create Director of Energy and Sustainability, Grade 34 at \$60,554 - \$85,404 and authorizing advanced step hiring in Step T @ \$78,355 effective December 27, 2008**

Mr. Lynch said that a Facilities Management Engineer left the department last month. He was an expert in the energy field and a lead person for the County in all energy related proposals, projects, municipal collaboration, and utility bill review. Facilities is now lacking that expertise. The current mechanical systems supervisor, who oversees the entire steam plant has a mechanical engineering degree. They do not have someone focused directly on energy. There is a \$26 million energy/utility budget. They have locked in prices and are guaranteed \$1.6 million in savings through the work that was done in Facilities Management with the energy provider.

Mr. Warner said that a member of the legislature has expressed some concerns, and until they are addressed, he will abstain.

Mr. Kinne said that he is concerned that the pay level may not be appropriate to get the person needed to save the County even more money. Mr. Lynch said in Central New York, in the private sector, this person would be making around \$100,000. Chairman Rhinehart said that there is nothing to say that we can't get someone started, assess it, and look at it again.

Mr. Kilmartin said that there could be an incredible return on investment if the right person was obtained with the right experience, they could point the County in the right direction for green related issues. Also, they could save hard dollars and cents, which would make their salary pennies on the dollar. He encouraged Mr. Lynch to report to the legislature if he feels he has the right person. It could be a worthwhile investment, if the proposed salary isn't sufficient to draw a person into the public sector.

Mr. Corbett said that over the last couple of months, department heads have been told that 2009 is going to be bad and to be careful. He questioned how quickly the investment can be returned. With this position, there may be an opportunity to catch a rising star that is willing take the position. Or, they may be able to get someone with a tremendous amount of experience who just doesn't want to put 100 hours a week in any more--are willing to take a little less. To start out, there may be an opportunity to capture someone in that spectrum.

Mrs. Rapp asked how much is being paid to the energy consultants now. Mr. Lynch said "\$43,000"; he estimates that about \$15,000 will be taken off. Mrs. Rapp agreed with Mr. Corbett; in this economic climate, the opportunity to hire someone at this grade, in this community, could be very good.

Mr. Kinne said that he does not dispute that. However, he doesn't want to lose a good person that could return money to this County. If a good person is obtained in this range it is wonderful; but if a person needs a little more money, it might behoove Mr. Lynch to come back and give the legislature a chance to look at it.

A motion by Mr. Kilmartin, seconded by Mrs. Rapp to approve this item. AYES: 6 (Kilmartin, Rapp, Corbett, Holmquist, Kinne, Rhinehart); NOES: 0; ABSTENTIONS: 1 (Warner). MOTION CARRIED.

i. **Abolish Facilities Engineer at Grade 33 at \$55,252 - \$77,898 effective December 27, 2008**

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

Mr. Corbett asked if Mr. Lynch would report back on the positions and the determination of the steps for these positions.

14. Ways & Means Misc.:

a. **Authorize Comptroller, Upon Approval of Div. of Management & Budget and the Co. Executive's Office, to Transfer '08 Unencumbered Appropriation Acct. Balances in Excess of \$7,500 Into, Between, and Among all Interdepartmental Chargeback Appropriation Accts. and Adjust the Corresponding Interdepartmental Rev. Accts.**
A motion by Mr. Corbett, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.

b. **Authorize Co. Comptroller to Transfer 2008 Unencumbered Appropriations After Expiration of the 2008 Fiscal Year Upon Approval of the Co. Exec. and the Chair of the Ways & Means Committee**
A motion by Mr. Corbett seconded by Mr. Rhinehart to approve this item. Passed unanimously; CARRIED.

c. **Amend 2009 County Budget to Provide Funds for the Salary and Wage Accounts for Those Departments that are Reimbursed by Federal Aid, State Aid, other Revenues and Transfers to other Funds**

A motion by Mr. Corbett, seconded by Mr. Holmquist to approve this item. Passed unanimously; CARRIED.

d. **Southwood-Jamesville Water District Tax - General Apportionment**

e. **Southwood-Jamesville Water District Tax - Town of DeWitt Apportionment**

f. **Southwood-Jamesville Water District Tax - Town of Onondaga Apportionment**

A motion was made by Mr. Corbett, seconded by Mr. Rhinehart, to approve items 14d, 14e, 14f. . Passed unanimously; CARRIED.

g. **Warners Water District Tax - General Apportionment**

h. **Warners Water District Tax - Town of Camillus Apportionment**

i. **Warners Water District Tax - Town of Van Buren Apportionment**

A motion was made by Mr. Warner, seconded by Mr. Corbett, to approve items. 14g, 14h, 14i. Passed unanimously; MOTION CARRIED.

j. **2009 Town Tax Rates, fixed, ratified and confirmed**

A motion by Mr. Corbett, seconded by Mr. Holmquist to approve this item. Passed unanimously; CARRIED.

k. **Providing Continuous Individual and Family Dental and Health Insurance Benefits through Dec. 31, 2009 at County Expense for those Co. Officers and Employees During their Active Military Duty and Amend Res. No. 131-2007** (Sponsored by Mr. Meyer)

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

l. **Authorize Onon. Co. to pay the Difference in Pay Between Military Pay and Base Co. Salary to County Officers and Employees While Performing Ordered Military Duty and Amend Res. No. 140-2007** (Sponsored by Mr. Meyer)

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

m. **PULLED**

n. **Reappointing two Directors to the Onondaga County Tobacco Asset Securitization Corporation** (Legislators Rhinehart and Kraft)

A motion by Mr. Warner, seconded by Mr. Corbett to approve this item. Passed unanimously; CARRIED.

The meeting was adjourned at 11:25 a.m.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature