

## **Meeting Minutes Archive: June, 2008**

### *Office of the Onondaga County Legislature*

Court House, Room 407  
401 Montgomery Street  
Syracuse, New York 13202  
(315) 435-2070 Fax: (315) 435-8434  
[www.ongov.net](http://www.ongov.net)

0

#### **PLANNING & ECONOMIC DEVELOPMENT COMMITTEE** **CASEY E. JORDAN, CHAIRMAN, June 9, 2008**

**MEMBERS PRESENT:** Mr. DeMore, Mr. Stott, \*Mrs. Rapp, Mr. Rhinehart, \*Mr. Stanczyk, Ms. Williams  
**ALSO PRESENT:** and see attached list (*Attachment 1*)

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

*A motion was made by Mrs. Rapp, seconded by Mr. Rhinehart to waive the reading of the minutes; MOTION CARRIED; a motion was made by Mrs. Rapp, seconded by Mr. Stott to approve the minutes; MOTION CARRIED.*

**1. SOCPA: Mr. Donald Jordan, Director**

**a. Calling for a public hearing for renewal of Agricultural District No. 4, Towns of Dewitt, Fabius, Lafayette, Pompey and Tully**

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

**b. Calling for a public hearing on the proposed inclusion of viable agricultural lands within certified agricultural districts pursuant to Section 303-B of the New York State Agriculture and Markets Law**

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

**2. INFORMATION TECHNOLOGY: Mr. Kenneth Beam, Chief Information Officer**

**a. Abolish Information Systems Coordinator, Grade 12 @ \$46,868 - \$51,884 effective July 5, 2008.  
Create Systems Administrator, Grade 12 @ \$46,868 - \$51,884 effective July 5, 2008.**

Information Systems Coordinator title is more of a liaison or administrative type of position where person reacts between IT and County departments, Systems Administrator title is more technically bound, person would have more technical skills.

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

In answer to Mr. Rhinehart, Mr. Beam said the person would be working out of IT and will be able to handle more server administration and will go out to departments to handle pc repairs right on the spot.

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

**3. CONVENTIONS & VISITORS BUREAU: Mr. David Holder, President**

**a. Destination Image Marketing Program Results**

Mr. Holder presented a Power Point (*Attachment 2*). Mr. Holder said people are rethinking how they will spend their money due to the uncertain economic times throughout the country for the last couple of months. Noted that the website visits were down 17% over last year, inquiries down 55%. That began to change as they launched the following three programs:

- *New Website* - beginning on March 30, 2008- visits are up 28% since they launched the three new programs and expects it to be up 50%

- *New Visitor Insert Magazine* - 405,000 pieces distributed in newspapers of Saratoga, Schenectady, Troy, Albany, Scranton and Kingston and Ottawa, Ontario to households of greater than \$80,000 a year income. Insert accentuated shopping, ability to pamper people, cultural and arts, culinary and cuisine and sporting assets. Had close to \$70,000 of advertising support (corporate and private industry sponsors), Senator DeFrancisco arranged an Empire State Development grant for \$25,000 and remainder was CVB marketing program money not used last year. Marketing program ran about \$140,000.
- *Television commercials* - first round of launched in Scranton, Albany, Ottawa and Kingston. Mr. Holder showed the commercial that ran in April and May.

In answer to Mr. DeMore, Mr. Holder said their Visitor Guide lists all the events happening in the community from April through August, the television commercials in April and May focused more on indoor activities, the next one starts reaching out to the outdoor scene, the one following that will be heavily outdoor driven.

Mr. Holder said website visits are up about 28% since they launched the three programs, expects it to go up 50%; total inquires (people calling or e-mailing in) are up 122%, YTD inquires up 15%. Occupancy rate is second to Buffalo, Syracuse stayed stable concerning average daily rates.

*\*Mr. Stanczyk and Mrs. Rapp left the room.*

Mr. Holder showed the next TV commercial to be aired; two more are planned for early and late fall to maintain a stabilized voice within the target markets.

Mr. Holder distributed the Syracuse Meeting Planners Guide; they are planning media blitzes into all of the markets to talk to their radio stations, newspaper outlets and TV stations to reinforce the image.

#### **4. ONCENTER: Mr. David Marnell, President**

##### **a. 1<sup>st</sup> Quarter Financial Report:**

Mr. Marnell distributed a packet regarding the 1<sup>st</sup> quarter financial report (*on file with Clerk*) and reviewed the statement of revenues, expenses and changes in fund balance listed on the first page (*Attachment 3*).

**Operating Revenues:** (up \$415,172 over last year)

*Space:* \$87,000 increase

*Services/Personnel:* stayed about the same - increase of \$4,341 (1.22%)

*Food Service:* increase of \$165,385 (some business was postponed from December '07 to January '08)

*Food Service Novelties:* just about broke even (under about \$600)

*Parking:* up about \$158,970 (because they operating Lot 17 until construction of the hotel begins)

**Operating Expenses:** (up \$463,332 over last year)

*Personnel Service/Benefits:* increase of \$145,259 on top of normal 3 to 3.5%, had four positions in '06 and part of '07 that were not filled due to economic reasons, they are now back to full force. Mr. Rhinehart referred to Schedule D in the financial report and asked why they budgeted less in '08 for Personnel Services Benefits than actual. **Mr. Marnell will supply detail concerning this to the committee.**

*Office/Event Supplies:* up by \$19,000 (cleaning supplies up by \$2,000, fuel/lubricants up \$3,000, postage up, office supplies up 100% over last year).

*Fees for Services:* up \$8,625 (legal up a couple of thousand dollars due to some personnel matters)

*Travel and Training:* up \$2,343 (travel for sales and marketing - conferences, car allowances). **Mr. DeMore requested information concerning travel expenses for conferences attended.**

*Maintenance, Utilities and Rent:* up \$180,709 - Concerning Capital Reserve, started running items under \$10,000 through the operating account, at the County's request, beginning of April '07. Of the \$180,709, \$84,000 is capital items that are now in the Operating Budget; the remainder is for equipment repairs, open lot expenses of \$50,000, steam and electrical.

*Printing/Advertising/Promo:* on target - just a matter of how it is spent throughout the year.

*Other Operating Expenses:* up approximately \$12,000 - expenses that go into the open lot, also the garage did better, they segregate the net profits to the City, becomes an expense until they pay it out.

*Cost of Goods Sold - FS and Other Food Service Expenses:* up because the revenue is up, they are preparing more, costing more Deficit of \$527,685.

**Nonoperating Revenues:**

*Room Occupancy Tax:* used \$454,369 versus \$403,808 in '07.

*Other Income:* down \$3,490 (interest rates practically rock bottom compared to last year). In answer to Mr. DeMore, Mr. Marnell said box office fees also make up this account.

***Chairman Jordan requested a motion to go into Executive Session to discuss a pending litigation matter; a motion was made by Mr. Stott, seconded by Mr. Rhinehart.***

***A motion was made by Mr. Rhinehart, seconded by Mr. Jordan to go out of Executive Session with no vote taken.***

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,  
Johanna H. Robb, Deputy Clerk

\* \* \*

**COUNTY FACILITIES COMMITTEE MINUTES  
BERNARD KRAFT, CHAIRMAN, June 10, 2008**

**MEMBERS PRESENT:** Mr. Kilmartin, Mr. Lesniak, Mr. Laguzza, Mr. Kinne, Mr. Jordan, \*Mr. Masterpole  
**ALSO PRESENT:** see attached list (Attachment 1)

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

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

**1. TRANSPORTATION: Tony DeStefano and Tom Gottstein**

**a. Amending the 2008 County Budget and advancing 100% of the federal aid eligible costs for the construction and construction inspection phases of East Taft Road Reconstruction, C.R. No. 19, PIN 375298, at a maximum cost of \$9,025,000 (Attachment 1a)**

Mr. DeStefano stated this is a 3 mile project with capacity and safety improvements. The County is responsible for \$475,000 of the cost for this project, including inspections. The County will advance \$9,025,000 to the Construction Contractor and Inspecting Engineers. 95% of funds will be returned by the State and Federal Government.

In reply to Mr. Lesniak, Mr. DeStefano stated the bid has not been issued; the amount is based on a 1 month old engineer's estimate.

In reply to Mr. Kraft, Mr. DeStefano stated 80% of the money would be received from the Federal Government in 4 weeks. The 15% from New York State is issued on a quarterly basis.

In response to Mr. Kinne, Mr. DeStefano stated a cushion of 2% or 3% had been added to the estimate to cover increased cost.

\*Mr. Masterpole arrived at the meeting.

***A motion was made by Mr. Laguzza, seconded by Mr. Lesniak to approve item 1a. A vote was taken on this item and passed unanimously; MOTION CARRIED.***

**b. Amending Resolution No. 8-2003 to increase the authorization to advance 100% of the federal aid eligible costs by \$300,000 for the design (Scoping I-VI) and right-of-way incidentals of East Taft Road PIN 375298 (\$300,000) (Attachment 1b)**

Mr. DeStefano stated additional money is needed to complete the design of this project. Stantec was hired in 2003 for the design; March of 2005 they closed their Syracuse office. The contract was terminated for the use of a local firm. CNS was hired in July. Delays have occurred with transition to new design firm, additional Right of Way mapping and getting accurate field locations from utilities. This is a 2 year project set to begin in the fall with the major thrust in the spring.

Mr. Kraft stated the price is almost double. Mr. DeStefano replied the standard cost of design is based on 15% - 18% of the construction cost. There has been a dramatic increase in construction cost. Consultant costs are also going up. The design costs for this project is 9% of the construction cost.

In response to Mr. Laguzza, Mr. DeStefano stated the County will be reimbursed 95% of the additional \$300,000.

***A motion was made by Mr. Lesniak, seconded by Mr. Laguzza to approve item 1b. A vote was taken on this item and passed unanimously; MOTION CARRIED.***

**c. Amending the 2008 County Budget to accept additional revenue for plowing state roads during the winter of 2008-2009 (\$384,348)**

***A motion was made by Mr. Masterpole, seconded by Mr. Jordan to approve item 1c. A vote was taken on this item and passed unanimously; MOTION CARRIED.***

Mr. Kraft asked Ms. Smiley to address the committee. She stated she has been reviewing Town Snow Plowing Contracts with the Transportation Department and Management & Budget. They are trying to insure a fair contract is issued for the Towns as well as the County. Hope to finalize it later this week to begin meeting with the Towns. They are working to have all the agreements in place to avoid any future problems when the snow arrives.

Mr. Laguzza asked if the 1 man plow system was incorporated in these talks. Ms. Smiley stated this is not part of the Town contracts. It is one of the items being discussed with the Department of Transportation and the Union.

Mr. Masterpole asked if consolidation of any services were being considered with these contracts, as is being considered with the Town of Clay Police Department. Ms. Smiley stated there was a meeting with the Highway Superintendents to see what types of things the Towns and Villages might be looking for in terms of shared services and machinery. A couple staff members went to Chemung County to review their shared services and machinery programs. They are looking to share services, not changing the way people are hired. Also working the City DOT on collaboration of services and equipment; one example is the new pothole machine.

Ms. Smiley stated a task force is currently looking into the problems with the North Area Garage. Hope to have a proposal presented within the next couple of months.

Mr. Lesniak asked if the plow routes are being reviewed. She has meet with Mr. Lynch and he has meet with his staff in this regard. Over time this will be an area they will spend more time on using mapping and GIS. Mr. Lesniak added this impacts the cost of the contract. Ms. Smiley stated there are ways to improve; know one wants to duplicate services.

Mr. Kraft introduced and welcomed Mr. Mark Stasko, Director of Risk Management.

Mr. Kraft stated the next committee meeting will be held at the North Area Garage.

The meeting was adjourned at 11:28 a.m.

Respectfully submitted,

Katherine M. Knight  
Assistant Clerk

\* \* \*

**PUBLIC SAFETY COMMITTEE MINUTES - June 10, 2008**  
**RICHARD M. LESNIAK, CHAIRMAN**

**MEMBERS PRESENT:** Mr. Holmquist, Mr. Buckel, Mr. DeMore, Mr. Warner, Mr. Masterpole, Ms. Williams  
**ALSO PRESENT:** See attached list (*Attachment 1*)

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

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

**1. SHERIFF: Chief William Peverly**

**a. Amending the 2008 County Budget to provide additional grant funds for a Selective Traffic Enforcement Program and authorizing the County Executive to enter into contracts to implement this resolution (\$5,700)**

State increased the grant that is already included in their budget. Selective Traffic Enforcement Program (STEP) deals with aggressive drivers; they analyze accident investigations to determine the types of offenses that are aggressive driving incidents. Will target ten different areas with patrols (primarily in the northern part of the county where there is more traffic), deployed on an overtime basis, grant pays salary and fringe benefits for officers on overtime.

***A motion was made by Mr. DeMore, seconded by Mr. Buckel to approve this item; a vote was taken and passed unanimously; MOTION CARRIED.***

**b. Amending the 2008 County Budget to accept State Homeland Security funds for the Onondaga County Sheriff's Office and authorizing the County Executive to enter into contracts to implement this resolution (\$99,000)**

Funds to be used for a bomb containment vessel. Sheriff's Office will receive about \$99,000, Syracuse Police about \$110,000, they are pooling resources for purchase of a vessel for chemical, biological, radiological explosive type devices. Vessel will be able to contain explosive material so that it can be removed safely from the area.

In answer to Mr. Lesniak, Chief Peverly said the total cost is \$197,500, includes training for two officers (one from the Sheriff's and one from Syracuse Police).

Mr. Buckel asked if this would require any shifting of personnel resources; Chief Peverly said "no"; the only added expense would be delivery; one Sheriff's deputy and one Syracuse Police officer will go down to Pennsylvania to trailer it here rather than pay shipping costs.

Mr. Warner asked what they have now. Chief Peverly said they don't have anything for radiological devices, have bomb blankets, robots that can go into the scene and pick up the device and can do x-rays. Money is specifically for a bomb containment vessel; if not spent, the money would return to the Homeland Security.

Mr. Masterpole noted that it is a lot of money to spend on something we have never had to use, but if it had to be used once, it is probably worth it. Chief Peverly said when you get into a major metropolitan area, the anticipation is that you will have a certain level of classification; they are providing some funding to do that. Mr. Lesniak noted that we have had anthrax suspicions in the past, would have to be treated as such until it is tested.

Mr. Buckel said is there a limited pool of Homeland Security funds that the County is eligible for, asked if the County makes choices on a wider array of items. Chief Peverly explained that generally Homeland Security announces the amount of money that is coming to a jurisdiction and identifies where the money should go - some to law enforcement, come to emergency management. Homeland Security also identifies some of the parameters for which the funding can be used. Chief Peverly said they weren't given a choice concerning this grant; if they didn't do the bomb containment vessel, the money would not come to them. When it is general law enforcement funds, they sit down with the towns, villages and Syracuse Police departments and determine what the needs are based on the criteria laid out by Homeland Security. In answer to Mr. Buckel, Chief Peverly said the Homeland Security allocation varies every year.

***A motion was made by Mr. Warner, seconded by Mr. Holmquist to approve this item; a vote was taken and passed unanimously; MOTION CARRIED.***

**c. Amending the 2008 County Budget to accept additional funds from the State of New York Governor's Traffic Safety Committee for a Traffic Safety Corridor Enforcement Program and authorizing the County Executive to enter into contracts to implement this resolution (\$6,840)**

State Department of Transportation with the State Police analyze traffic accident information and identify traffic corridors where there should be selective traffic enforcement; they have identified Rt. 31 and Great Northern mall area for traffic enforcement. Sheriff's Office and Town of Clay will partner with the State Police to do traffic enforcement on an overtime basis (salaries and fringes are covered with grant money). There is no match to this grant. They are presently doing some enforcement on their own with STEP money.

In answer to Mr. Buckel, Chief Peverly said most of these grants are published STEP grants - annual recurring grant program that the state makes available to them, Sheriff's Office identifies areas to patrol. This Traffic Corridor grant is something the State has identified, money is available to work with the State Police in a coordinated effort.

***A motion was made by Mr. DeMore, seconded by Ms. Williams to approve this item; a vote was taken and passed unanimously; MOTION CARRIED.***

**d. Amending the 2008 County Budget to authorize the Onondaga County Sheriff's office to receive grant funds from the Edward Byrne Memorial Discretionary Grants Program and authorizing the County Executive to enter into contracts to implement this resolution (\$19,623)**

New funding for a State mandated sex registry program; will use asset seizure funds for the 25% match. Their Sex Abused Persons Unit will team up with patrol officers and go out in the field to document registry of sex offenders by photographing the individuals, their vehicles and the environment they live in, will also interview the individuals. Will create a heightened awareness of the sex offenders, information will be available in CNYLEADS, including photos of the individuals.

***Mr. Lesniak noted that Tennessee is issuing a different style drivers license for sex offenders, asked Chief Peverly to look into whether this program is leaning in that direction.***

**Mr. Warner asked what the recidivism rate is in Onondaga County. Chief Peverly will try to find out.**

***A motion was made by Mr. Warner, seconded by Mr. DeMore to approve this item; a vote was taken and passed unanimously; MOTION CARRIED.***

**e. Amending the 2008 County Budget and authorizing the Onondaga County Sheriff's Office to receive proceeds from the federal government resulting from seizures of assets following investigations of illegal drug possessions and or sale, and authorizing the County Executive to enter into contracts to implement this resolution (\$355,960)**

Additional funds have been released for the Sheriff's Office and their intent is to use the funds for the following:

- Purchase a bucket van vehicle for their technical operations people. They presently do installations of covert equipment with ladders. Vehicle will be dual-purpose, will replace their 1992 surveillance vehicle, would not add to the Sheriff's fleet.
- \$10,000 for fuel for covert operations covered with asset seizure funds.
- Vest Replacement Program. Law enforcement officers are provided with a vest through state and federal funding when they come into the business, then it is up to the individual agencies to replace those vests, manufacturers' warranties are good for five years. Sheriff's Office has never had a vest replacement program. They are planning to develop a vest replacement program using asset seizure money. The Research and Development Unit is researching slash vests, ballistic vests and vests that are a combination of the two to determine the appropriate vest and appropriate replacement schedule based on time period or inspection process. Ballistic and slash vests are around \$500 to \$600 a piece, combination vests are \$1,000. Approximately 400 officers would have to be equipped with replacement vests.

Mr. Lesniak said he is glad they are replacing the older vests; he has seen where the older vests are not stopping some of the bullets. Chief Peverly said it is their intent to replace any vests over 5 years old. Based on this, they need \$235,000 to replace about 400 ballistic vests.

***A motion was made by Mr. Warner to approve this item.***

Mr. Warner noted that the Asset Seizure Program is a great program, asked if there are other ways to seize assets. Chief Peverly said there are some provisions in some of the criminal laws; usually those are done with the District Attorney's Office. Mr. Warner asked if they could confiscate guns and resell to firearms dealers. Chief Peverly said from law enforcement perspective, they would be philosophically opposed to that, not in favor of putting guns back out on the street; they usually go through the process to destroy them.

In answer to Mr. Masterpole, Chief Peverly said if they replace 400 vests, they would be using \$235,000. \$80,000 would go into a separate project account for asset seizure funds, it would be spent in the same manner that they would expend out of the regular appropriations or operating budget accounts, haven't allocated that money yet. Chief Peverly explained that when they seize money and cash under their drug investigations, they turn it over to the federal government. The federal government goes through a legal process with hearings and appeals; once the final determination is made through the feds, and if it is favorable, the federal government has possession of the property. Thirty-five percent is administrative fees, the distribution of the remaining 65% is based on how many agencies were involved in the investigation; if strictly the Sheriff's Office, 65% would come back to them. Once the Sheriff's are notified, they come to the Legislature and identify the accounts that they want to put it into. Chief Peverly said that most likely they would spend the remaining money on equipment and office furniture that hasn't been replaced since 1978. Mr. Lesniak asked if they would have to come back to the Legislature for approval to spend that money. Chief Peverly replied "no", but they would come in at any time with a complete breakdown of expenditures with those funds, they use all the County's existing purchasing procedures.

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

**f. Amending the 2008 Onondaga County Budget to provide funds for retroactive salary and wage costs for years 2006 and 2007 resulting from the OSCPA arbitration award (\$1,400,000)**

Mr. Seitz reviewed that the Sheriff's Police Association received an arbitration award earlier this spring. They originally estimated about \$1 million for these two-year costs, award ended up being \$1.184 million in 101 costs and \$215,000 in overtime, 2008 costs will be handled in the 2008 budget.

***A motion was made by Mr. Warner, seconded by Mr. Masterpole to approve this item; a vote was taken; Ayes: 6, Abstained: 1 (Mr. Buckel).***

Mr. Masterpole asked if the Sheriff's Office has the ability to do some walking beats and use of bicycles to save fuel. Chief Peverly explained that the use of take home vehicles was eliminated as a result of the arbitration award, that could result in a substantial reduction; prior to this, they had unlimited use of the assigned take home vehicle. Bike patrols are used when there are major special events, such as the Balloon Fest. Have had interaction with IT concerning the computers in the cars when there is extreme heat or cold, they are trying to find out if there is any change in technology that would allow them to shut the cars down rather than have them idle.

The meeting was adjourned at 9:40 a.m.

Respectfully submitted,  
Johanna H. Robb, Deputy Clerk

\* \* \*

**HEALTH COMMITTEE MINUTES - JUNE 11, 2008**  
**ROBERT D. WARNER, CHAIRMAN**

**MEMBERS PRESENT:** Mr. Laguzza, Mr. Lesniak, \*Mrs. Rapp, Mr. Buckel, Mr. Kilmartin

**MEMBERS ABSENT:** Ms. Winslow

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

**Chairman Warner called the meeting to order at 8:59 a.m.**

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

**1. HEALTH: Ms. Linda Karmen, Deputy Commissioner**

**a. Abolish Assistant Nursing Supervisor (Jail/Correction Facility), Grade 3J @ \$41,609 - \$50,975 effective July 5, 2008; Create Registered Nurse (Jail/Correction Facility) Grade 2 @ \$39,013 - \$47,990 effective July 5, 2008.**

Additional Registered Nurse position is needed to accommodate the increase in the inmate population and the type of inmate coming into the Correctional facility; processing new inmates who are parolees and federal inmates is involved in terms of nursing assessment; have to establish medical records and determine what the health needs are and medications required.

Mr. Warner asked who pays for these inmates. Ms. Dukat said the federal are billed directly, will check on the State parolees and get back to the committee. Mr. Warner asked what the total cost for Correctional Health is. Ms. Dukat said the Adopted Budget is \$5.5 million.

Mr. Buckel asked if the obligations and duties are increasing the need for special care. Ms. Karmen said it is related to the volume of inmates coming in, RN title is more appropriate to the staffing pattern they have there, have a difficult time recruiting and maintaining staff, have had a lot of turnover in Corrections in the past year.

\*Mrs. Rapp arrived at the meeting.

Mr. Warner asked what the procedure is for a new inmate. Ms. Dukat replied that the RN must do a complete 4-page nursing assessment, take vital signs, assess and continue necessary medications, might have to send somebody to an emergency room; they have people who are diabetic, on seizure medications, HIV positive, have cardiac issues. Ms. Dukat said in the past they would get about three new inmates a day, they are now getting 8 or 9. In addition, they are still getting daily transfers from the Justice Center, doing paperwork for people going on to state or federal prisons, mix of work has changed dramatically over the last 3-4 years.

In answer to Mr. Kilmartin, Ms. Karmen said the increase is due to fact that the inmates go directly to Department of Corrections instead of coming through the Justice Center as some of them have in the past. Ms. Dukat reviewed that the overcrowding at the Justice Center was well publicized; the decision was made to have Corrections take parolees directly to relieve the Justice Center; this worked well for security, but there was a big impact regarding nursing. Mr. Kilmartin asked if any of the information regarding evaluations is digital; Ms. Dukat said it is hard paper; there is some testing information on the computer.

Mr. Lesniak asked if the Assistant Nursing Supervisor position is vacant; Ms. Karmen replied "yes". Mr. Lesniak asked about contracting with home health care nurses to supplement at Corrections. Ms. Karmen said it has been explored on preliminary level, concern is the consistency of having someone there to know what the established procedures are, training piece requires quite a bit. Mr. Lesniak would like this explored more, even if it is overtime supplemental. Ms. Dukat said she has been working with home health care agencies and has not found any candidates that have worked out; they have either failed the probation or left.

Mr. Warner asked about the nursing turnover rate. Ms. Dukat noted that it tends to be about one third, a lot are not making probation during the first year or they choose to leave, retire or transfer to another departments within the County. In answer to Mr. Warner's question about salary, Ms. Dukat said Correctional Health nurses are paid an increased rate compared to other nurses.

Mr. Laguzza suggested exploring how to expand the Justice Center, it is about 15 years old and it is obsolete for what it was built for.

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

Chairman Warner announced that item 1.b would be considered at the end of the agenda.

**2. VAN DUYN: Ms. Roberta Sprague, Commissioner**

a. Abolish Clerk III, Grade 07 @ \$32,429 - \$35,841 effective July 5, 2008.; Create Administrative Aide, Grade 07 @ \$32,429 - \$35,841 effective July 5, 2008; Create Program Analyst, Grade 32 @ \$49,189 - \$69,324 effective July 05, 2008.

Would like to abolish the Clerk III (person has retired) and replace with Administrative Aide. Person in the Clerk III position was fairly independent, worked in their educational training unit doing quality assurance programs, was involved with the initial training and ongoing in servicing. Clerk III position is normally in charge of supervising other clerical staff, there are no other clerical staff. Admin. Aide is the same grade and pay; but different in scope, would cover the job responsibilities better than the Clerk III position.

***A motion was made by Mrs. Rapp, seconded by Mr. Lesniak to approve Abolishing the Clerk III position and creating Administrative Aide position (2.a 1).***

Mr. Laguzza asked how this would be a savings if the person retiring worked 80 hrs per week and the person coming in will be working 70 hrs. per week. Ms. Hann said the person who held the position of Clerk III was grandfathered in, any new person brought in would be working a 35 hr. week, person leaving was at the end step, person coming in will be Step A.

In answer to Mr. Lesniak, Ms Hann said the hourly rate is the same; the person who retired was paid extra for the additional five hours worked.

***A vote was taken on 2.a-1 and passed unanimously; MOTION CARRIED.***

Ms. Sprague said the Program Analyst (2.a-2) would be assigned at the Long Term Care Resource Center; position is currently grant funded (\$200,000 grant for last two years under New York Connects) and has been assured that they will receive the grant again for this coming year. Person, who has been doing the work of that position is from the Maxwell School, did a summer internship a year ago and they brought her in on the Personnel Internship Program in August. She is at the top of the list for Program Analyst, is already getting paid and has benefit package; would be moving her from the Personnel payroll, that they reimburse, over to the Resource Center where she is doing the actual work for New York Connects. Ms. Sprague said she has made a big impact on the community and is well respected, comes with a Masters degree. The State will be helping to look at data collected during this third year of grant, are hopefully going to have their information technology base coming out this year, built an electronic medical record at the Resource Center back in 2001 and 2002 and they are way ahead of the curve on gathering data, State looks to them as one of the first to embark on that, they are hopeful that they can move into phase 2 which will be doing the enrollment into the Medicaid programs. If the grant were to go away, the programming piece under Phase 2 would come under the Medicaid cap, same as the other Resource Center employees' salaries are reimbursed. In answer to Mr. Warner, Ms. Sprague said the Intern position would not be abolished; it is on the Personnel roster.

Mr. Lesniak asked what would happen if they didn't get a grant for the next three years. Ms. Sprague said the main focus of Phase 1 is education, referral assistance; they are now looking at embarking on Phase 2 which is enrolling people into the Medicaid programs, they have been doing that since 1990; people who work on the Medicaid programs get reimbursed, there are no local dollars; she doesn't anticipate them pulling this, functions would still remain there, initiative is all across New York State.

***A motion was made by Mrs. Rapp, seconded by Mr. Laguzza to approve creating Program Analyst (2.a2); a vote was taken and passed unanimously; MOTION CARRIED.***

**b. Transfer of funds from Supplies & Materials Account 300 to Furniture & Other Capital Outlay Account 215 (\$90,000)**

Ms. Sprague distributed a handout regarding the reasons to recommend replacement of existing fuel oil tanks and budgetary pricing for replacement (*on file with Clerk*). Ms. Sprague explained that there are two above ground very old oil tanks (1966) on the property at Van Duyne; fuel is used as secondary backup. Issues of concern are the age of containers, the containment of the oil in them and the size. Tanks are 20,000 gallons each, recommending moving to two 5,000-gallon tanks that would be double walled. During the last inspection there was some concern that the containment may not be working to the best quality, need to work proactively before there is any type of spill to avoid remediation issues. One estimate shows it would cost about \$80,000, the will continue to work with Purchase Department to seek bids. Mr. Joyce, Superintendent Hospital Maintenance, said there is a liner under stone that is no longer holding water, if there is a spill, there is going to be a problem. Ms. Sprague advised that the cost for remediation and cleanup would be between \$2,000 and \$10,000 per gallon. Mr. Warner asked the amount of fuel presently in the tanks; Ms. Sprague said one has about 13,000 gallons, the other about 15,000 gallons, Mr. Joyce has recently begun to burn some of that off - using it to heat their water, also for the cooling system. Mr. Warner commented that there is a

tremendous amount of money in fuel left in the tanks and have to be careful contracting job out. Ms. Sprague said they would have more information as bids come in; also there is the possibility that other county departments burn the same type of fuel.

In answer to Mr. Lesniak, Mr. Joyce said natural gas is their primary source of fuel. Mr. Lesniak asked if they need two 5,000-gallon tanks. Mr. Joyce said the State requires them to have a seven-day supply of fuel in case of a problem. Mr. Lesniak asked if anything was figured into the bid for remediation of the site itself once they take the tanks out. Mr. Buckel noted that unanticipated costs, whether for extra or unplanned work, is a challenge, bid specs should account for the possibility of remediation work and should hold the contractor responsible for any spillage caused by them. Mr. Laguzza questioned whether \$10,000 would be enough if they have issues with remediation. Mr. Lesniak advised that they could let it aerate on the property if space is available, the big cost would be to ship it someplace else. Ms. Sprague said the liner was replaced about 15 years ago, did some remediation at that time; she will go over specs with Purchase. Ms. Sprague said one estimate came in at \$80,000, she is asking to move \$90,000 over in case they came into any issues. Mr. Joyce noted that the estimate was a rough draft, didn't get into specific bid specifications.

Mr. Rapp asked if a new boiler was still in the plan. Ms. Sprague said it is in their Capital Improvement Plan, but with the budgetary process, it was moved out until 2010.

Mr. Warner asked if they would come back to the Legislature with the bid. Ms. Sprague said she would like to be able to go with it, assuming that it is within reason. Mr. Lesniak noted that if it comes in above \$90,000 they would have to come back to the Legislature.

Mr. Lesniak suggested getting answers before Ways and Means concerning what size tanks would be needed if the capital project for a new boiler system goes through.

Ms. Hann informed the committee members that 80% of this project would be covered by Medicaid (2 year lag for reimbursement).

***A motion was made by Mr. Laguzza, seconded by Mr. Lesniak to move this item to Ways and Means.***

Ms. Sprague said they would have Carrier come in or talk with them by phone to find out if two 5,000-gallon tanks will still work if they move forward with the boiler project. Ms. Sprague said under NYS Dept. of Health regulations she has to have enough oil available to go seven days if there is a power issue. Mr. Joyce said they need to have it on site in case there is a major problem and the supplier can't get a truck up there. Mr. Lesniak advised that if Carrier says one 2,500-gallon tank is enough for the proposed new boiler, they have to look at some other alternatives, such as temporary tanks on site.

**1b. Informational: Early Intervention/Pre K Programs - Ms. Linda Karmen**

Ms. Karmen gave a Power Point on Special Children Services - Early Intervention and Preschool Special Education (*Attachment 2*). These are federal and state mandated programs that provide services for children who have been identified with a developmental disability or a diagnosed condition with a high probability of developmental delay.

Mr. Warner asked what the local dollars are for these programs. Ms. Wilson replied that Pre School local adopted budget is about \$12.3 million and EI is about \$1.9 million.

In answer to Mr. Laguzza, Ms. Karmen said there hasn't been a COLA in three years for Early Intervention, now the State has approved a single payment of 8.5% COLA retroactive to 2006 - 2007; not increasing the rate going forward by 8.5%, but it is going to affect payment that they have already made to the providers back to July of 2006. Ms. Wilson said their current budget for EI is probably up about \$600,000 and Pre School up about \$100,000 (combination of the impact of the state funding changes and more children with complex issues).

In answer to Mr. Warner, Ms. Karmen said the schools do not pay for any of the services up to kindergarten. NYSAC has been working statewide to try to get a cap for the county responsibility for these services.

Ms. Rapp suggested the programs have to be redeveloped to better deliver the services because it is out of control. There was discussion about drafting a memorializing resolution asking the state to implement a cap. Dr. Morrow said this issue has been a priority with the New York State Association of County Health Officials for years and also with NYSAC.

The meeting was adjourned at 10:40 a.m.

Respectfully submitted,  
Johanna H. Robb, Deputy Clerk

\* \* \*

**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES - June 12, 2008**  
**CHAIRMAN JAMES A. CORBETT**

**MEMBERS PRESENT:** Mr. Rhinehart, Ms. Williams, Mr. Jordan, Mr. Kraft

**MEMBERS ABSENT:** Mrs. Winslow, Mr. Masterpole

**ALSO ATTENDING:** Chairman Meyer, Mr. Buckel

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

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

**1. LAKE IMPROVEMENT:** Sue Miller, Deputy Director, LIP

a. **ACJ Update**

Mrs. Miller said that last Sat. was Lake Day, est. attend. 400-500; emphasis was "Going Green". It was very successful.

*Clinton Conveyances Phase 1:*

- Began microtunneling; have installed 260' of pipe through it; expect that it will conclude around the end of July
- Working on service restoration of Rescue Mission grounds, West Onondaga and Gifford Sts. are restored.

*Phase 2A (short bit of pipeline, underneath the railroad, in back of the MOST)*

- Street closure, only directly in back of MOST, the tunnel under railroad won't be closed
- Met with Armory Sq. Association and MOST to coordinate with them on traffic issues

Sewer Separation

- Restoration of streets - Parkway and Rockland - will be end of June and July

Clinton CSO

- Continuing to meet on gray and green topics

Skimmer Boat

- started up on May 1--there were a lot of dead fish; no definitive answer on the fish kill yet from DEC
- boat goes out once a week in May; goes out twice a week in June; collects approx. 25 tons of floatables/season

Mr. Rhinehart asked about Midland RTF; and if any storms were tested through it. Mrs. Miller said that the performance period started on May 16; there have been small and large storms that have gone through. There are operational issues that need to be addressed with sensors, monitoring, and the computer system. There is an issue with one of the pumps and are in discussions with the manufacturer. Under the contract, the contractor has to operate it for 4 events or a year, whichever comes first. Mr. Martin said that the storm on Wed. produced flow; there were some bugs, but it did what it was supposed to do; it is a tedious process.

Mr. Kraft said that \$70-\$80 million has been spent and we don't know if it works. Mr. Corbett said that it is part of the normal start-up procedure--there is a period of testing. Mr. Kraft said with \$15 million of engineering, it should work on day one. He asked about potential for revisions to Phase III. Mrs. Miller said that it has not been put out to bid because they are looking at it, along with Clinton, in terms of other possibilities for cost savings and provisions. Mr. Kraft asked if the 7 additional CSOs will be done; Mrs. Miller said that it is under discussion. Mr. Kraft indicated that all the money has been spent on the plant and now it isn't going to be done; he asked if the committee will continuously be informed. Chairman Corbett said that the executive branch is looking into this; and will keep the committee informed. Ms. Smiley said that County Executive will be briefing the legislature on this and other issues. Mr. Kraft said that pipes are in the ground and it isn't known where they will end up. Chairman Corbett said that the conveyances will be used one way or another.

**2. METROPOLITAN WATER BOARD:** David Fitch, Director

a. **Create Water Plant Trainee, Grade 6 @ \$30,180 - \$33,342 effective July 5, 2008; Create Water Plant Trainee, Grade 6 @ \$30,180 - \$33,342 effective July 5, 2008.**

MWB is required to have NYS certified community water systems operators; they have 24/7 operations at the Oswego Water Treatment Plant and the Admin/Distribution Center in Clay. Oswego typically maintains 10; Clay typically is staffed with one person-additional staff is needed on certain shifts. There were 4 retirements in the last year. Trainee positions are carried on the roster in the event that operators can't be recruited. The only way to get certified is by having worked in a plant with hands-on

experience. They were unable to recruit and need to train someone themselves. Two positions are filled and in the training period; need to create 2 new trainee positions; unfunded. Operators are a gr. 8, trainees are a gr. 6; funding is in 2008 adopted budget.

Mr. Rhinehart asked if the County has looked at outsourcing the management. Mr. Fitch said that MWB is aware that it is a possibility; but haven't actually sought outsourcing. Mr. Rhinehart said that it might be time for the County to take a look at it and put out an RFP.

Mr. Kraft said that once the positions are created, they all can be filled. Mr. Fitch said that they can't fill them without coming back because they are unfunded positions.

***Mr. Kraft made a motion to approve this item; Ms. Williams seconded the motion.***

Mr. Jordan asked when the current trainees will be ready to move into the vacant positions. Mr. Fitch explained that one will be ready in about 6 months, the other in about 9 months. Mr. Jordan asked if there is a provision in place so that once the 2 existing trainees move up, the 2 newly created trainees will be eliminated. Mr. Fitch said that a sunset could be put on them and he has no problem with that.

***Vote was taken: AYES: 4 (Williams, Jordan, Kraft, Corbett); NOES: 1 (Rhinehart): MOTION CARRIED.***

Chairman Corbett said that the Executive branch was asked to talk to towns and villages and get a countywide assessment on concerns that this committee and the legislature has had. The executive branch has done that; some towns and villages didn't respond in depth and have been sent a second communication. Once everything is comprehensive, then more information will be coming; if there are any meetings or areas affecting a legislator's constituency, the executive branch will keep the legislature informed.

**3. WATER ENVIRONMENT PROTECTION:** Sue Miller, Deputy Director LIP

**a. A resolution calling a public hearing in connection with proposed establishment of an extension to the Onondaga County Sanitary District known as the Devoe Road Area Sewer District, Extension, in the Town of Camillus and the construction of the improvements proposed therefore**

This was requested by the town. It is a new area, the town is asking the County to extend its district. A hearing has to be held; a resolution would come next month to ask to extend it. The town will pay for the wet well, the conveyance line to the valve pit; connecting it to County trunk sewer. The County will take the flow to the Camillus pump station and then it goes to Metro. This covers about 69 lots; there are no homes there now.

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

Mr. Rhinehart asked if the developer will do the construction. Mr. Pond, Barton & Loguidice, town engineers, said that the developer will pay for the connective sewers and transmission facilities; Barton & Loguidice will supervise and be on sight. The town will own it when the developer is finished. Mr. Rhinehart asked if SOCPA has commented on this development. Mr. Pond did not know. Mr. Rhinehart said it is a classic case of urban sprawl; SOCPA should provide input before the Legislature acts. Chair Corbett said that this has been in the works for a while; there was a slight communication problem between the town and WEP on it. Normally SOCPA would comment before it was set up; Mrs. Miller said that they may have done; she will check on it.

Mr. Rhinehart said that he is concerned that the County ends up with the affluent from this project and is not going to have any real say once there is an approval on how this is built and is concerned that the town, their representative, or engineer is on site to make sure the work is properly done so that if there are problems down the road they are not passed on to taxpayers.

***Vote was taken on the motion. AYES: 4(Corbett, Jordan, Kraft, Williams); NOES: 1 (Rhinehart). CARRIED.***

**b. Authorizing application for a grant under the Urban and Community Forestry Program in an amount up to \$75,000 and, upon approval, authorizing execution of a project agreement with DEC for such financial assistance**

The maximum amount available to large communities was submitted for. It is being submitted as the County, but the project will be in the City. It is aimed at urban communities. They are working with partners, City of Syracuse, it has to be done in cooperation with the City's urban tree management plan. About 400 trees will be put in, aimed at the near west side, the area which is part of the Clinton sewer shed. There will be a variety of trees, some along the street and some in urban forests, in vacant lands-they have to be on public land. Some trees will be smaller and can be planted by volunteers; some will be balled and burlaped, which requires professionals. Additionally, 2 demonstration rain gardens will be created. Efforts are aimed at reducing storm water runoff. There is a \$46,600 match from the County; \$48,845 is being donated in-kind. There will be an outreach and education component. Atlantic States is a cooperative and partner with the County on this grant.

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

In answer to Mr. Rhinehart, Ms. Miller said that Syracuse is a tree city. They have been getting money under the Urban Forestry tree plantings.

In answer to Mr. Jordan, the county contribution will come out of WEP's budget. Mr. Jordan asked if the roots could be a problem when planting in areas near infrastructure. Ms. Miller explained that it is all taken into account before things are planted. Certain varieties cannot be planted.

**A vote was taken on the motion. AYES: 4 (Jordan, Williams, Rhinehart, Corbett); NOES: 1; ABSTAINED: 1 (KRAFT). CARRIED.**

**4. Requesting the Onondaga County Executive to Study, Develop and Implement Greenhouse Gas Reduction Measures throughout Onondaga County**

- Mr. Buckel

Mr. Buckel said that this is in trying to focus and draw County attention on reassuming its positions as one of the nations leaders on economic development, conservation, and exploration of renewable energy. The policy of the county has pointed out environmental technology and industries as the centerpiece to the economic regeneration of the community and have funded and approved a number of projects that focus on it. He has surveyed other communities in the nation: Erie Co., Nassau Co. Suffolk Co., Syracuse, Austin. He inventoried a number of things that the legislature would ask to acquire and reviewed it with the Chair. It was noted that it not be bound to specific things that other communities may have done, but rather focus on County policy and draw upon expertise and local resources to do some thing better than other communities; to make it a true nation's leader. It will save County money in the long run, as well as serve as a leader for private business and industry. The goal is to save energy, be efficient, and promote economic development.

Chairman Corbett said that on the list, there are some items that the County is already involved in, i.e. lighting, motors, recycling, trees, etc. About 5 months ago, Mr. Buckel had a very aggressive green house reduction plan. It has been weaned down. There may be financial questions on how it will be implemented.

Mr. Rhinehart said that he agrees with the intent; appreciates the desire to be somewhat specific. He has concerns, i.e.: *inventory global warming emissions*--suggested that it should be narrowed--doesn't know how the County could define it. It may be an assumption that the County trucks on the road are a cause of global warming; *incentives for car pooling*--incentives are usually monetary; and asked who would pay for it; *reducing global warming pollution*--it is undefined; maybe something more specific should be determined; *County settlement plan*--he has been through it a number of times and it is being updated every 5 years; the master plan is updated. The word "adopt" may be incorrect, as the County already has a land use policy that reduces sprawl, preserves open space, etc. He would support this resolution if it were more specific and tightened up.

Mr. Buckel referred to an article that showed Onon. Co. as having one of the highest levels of carbon-based emissions in the nation. Chair Corbett suggested that Mr. Buckel send the article to all committee members. Mr. Buckel said that so much of the emissions are highway emission because there is an intersection of two major highways. In taking that piece out of it, it still shows the area as being fairly high. Regarding settlement plan and policies, it is a fight that will continue until municipalities sign an overall agreement, which hopefully the Co. Executive will be a leader in. Car pooling - does not mean to spend money; many communities have multiple occupancy vehicle only lanes. He agrees that the resolution should be tightened up.

Chairman Corbett said that this item will be held today; both caucuses will look at it and legislators will report to Mr. Buckel with suggestions.

**5. Urging NYS Legislature to update NY's Bottle Bill and enact S.5850-A &d A.8044-A--Mr. Stanczyk**

Chairman Corbett said that Mr. Stanczyk called yesterday to say that he wouldn't be here. Ms. Williams said that she would present the item.

Ms. Williams said that the bottle bill was put forth 26 years and there were some things that weren't so popular as they are now, i.e. bottled water, teas, and sports drinks. When it was originally implemented, unclaimed deposits were kept by the distributors. Gov. Patterson's bigger, better, bottle bill is requiring that the unclaimed deposits go into an Environmental Protection Fund, which will be used for updating parks, open space, etc.

Mr. Kraft said that something similar was voted on about a year ago. He said that a person buys a bottle of soda and gives a 5¢ deposit, when the bottle is brought back, 5¢ is given back to the consumer. Some people don't bring the bottles back, and the bottlers keep the money. The reason why the State allowed this to start is that the people that the bottles are returned to get paid a 2¢ fee--the bottling company gives them the 2¢. The bottling company gets the money from the pot from the people that didn't return the bottles. The system was designed to take care of itself. Taking the 5¢ unclaimed will be more money to the government; how are the bottlers going to pay the 2¢ to the retailers - they will have to increase their prices. The end result is that the State gets more money and it costs people more money; it is another tax. He doesn't have a problem extending the deposits to teas, waters, and sports drinks; is opposed to the unclaimed deposits piece.

Mr. Rhinehart said that last year there were 3 proposals and none made it through. There is one bill this year from the State and he asked Mr. Rhoads to explain the difference between this year and last. Mr. Rhoads said that this year's "bigger, better, bottle

bill" proposed this year in the Assembly and Senate, is pretty much the same as the "bigger, better, bottle bill" that was proposed last year in the Assembly. He said that Mr. Kraft is correct that there is discussion about where the nickels go, but it has been papered down to one primary legislation that is being supported by the Governor and DEC. It is not moving along well in the Senate; it is locked up in committee. **Mr. Kraft referred to a breakdown of the deposits, which he was provided with last year; Chair Corbett asked that it be provided to all committee members.**

Mr. Rhinehart stated the Anheuser Busch, bottles water, fruit juice, bottles for other companies, sports drinks, along with their beer. The whole bottling industry will be affected by this. He said a lot of independent bottle redemption places sprung up, when NYS went to the first bottle bill. He is concerned with the money going back to the State, that there would be less and less of it, especially from grocery stores that may not take bottles back. A lot of stores won't take them back, and there will be less places to take them back to. He is a supporter of the bottle bill and it will produce positive environmental results; but would like to see a compromise between the industry and the law. Mr. Rhoads said that there has been a lot of discussion about the grocery chains having additional responsibilities on the front end with having additional bottles. Albany has taken a good look at that, there are some limitations-how many bottles are allowed to be brought back. There is provision in the proposed legislation to increase a small fraction to the grocery chains and bottle sellers in return for their annual cost. Ms. Williams said that it goes up to 3.5¢. Mr. Rhoads said that there are some environmental opportunities to reduce oil consumption; the primary commodity that goes into the plastic bottles. There is a 80/20 rule; put a 5¢ deposit on it and 80% gets recycled. Without it, water bottles do not hit the blue bin.

**A motion was made by Mrs. Williams to approve this item. MOTION FAILED for lack of second.**

b. **MWB Informational Update** - David Fitch, Administrative Director

Chairman Corbett said the Mr. Fitch has a tremendous amount of information to bring to the committee and therefore, will be breaking it down into consecutive meetings.

Mr. Fitch said that there has been interest expressed in how they are maintaining the system infrastructure and also what is in the capital plan. He provided a capital plan information sheet (*attachment 1*)

**Proposed Projects:**

- Cover Terminal Reservoir - Route 31, across from Great Northern Mall; 30 million gallons - next reservoir to be covered. One issue is the pumping station- complicated; a maintenance nightmare because it is over the drinking water supply. Decision will be on how to proceed with financing the improvement-can be done by the County; through district assessment base (zone 1). Designs have been evaluated; MWB has not selected a design yet. One proposal is to put a concrete cover over the reservoir/ taking half of it down; would have to construct concrete columns to support a concrete roof - approx. \$36 million. Two concrete storage tanks could be built immediately behind the reservoir, but would require piping from the tanks into the pumping station. There is a 20' sump underneath the building; they are vertical turbine pumps that extend about 25' into the water-approx \$30 million. Another proposal is to build aluminum cover over the reservoir-because of the distances, they could use steel columns, but they would have to be so tall that they would enclose the pumping station. If 2 tanks were chosen, the preliminary numbers suggest that \$16.15 would be added to the water rate vs. about \$10 on the assessment base.

They have until 2009 to construct it or be on a state-approved schedule for covering. It appears in the capital plan that they don't start borrowing until 2012, but he does not know if the State Health Dept. will allow them to wait to deal with Terminal once Eastern and Western are completed. A certain amount of money needs to be spent up front to determine how it should be covered. If the legislature is considering someone else financing this, it doesn't make sense for the County to spend a lot of money on the preliminary engineering.

In answer to Mr. Rhinehart, Mr. Fitch said that they test water on the hour and have never had any traces of cryptosporidium and giardia. Mr. Rhinehart said that the City takes water out of Skaneateles Lake, and they will never be made to cover it and they have had traces in the lake. The County has always had a clean record. Mr. Fitch explained that Terminal is the first place that the water comes to after it goes to the treatment plant in Oswego; it pumps east and west. There is a demand of about 25 million gallons a day and it contains 30 million gallons of water; the water is in there a little over a day-in and out-has no time to sit there, stagnate, and get algae growing in it. It is some of the best water that they provide.

Mr. Kraft said that comments have been made that the system is falling apart, not being maintained; he would like to be advised as to what is going on. Mr. Fitch said that this relates to the next project:

- Water System Refurbishment/Replacement: reinvesting in existing infrastructure. Mr. Kraft asked if a list of projects is available for the \$6.7 million; Mr. Fitch said that he would email it to members. Mr. Kraft would also like to know the priority of them. Mr. Fitch said that he would like to come back next month and provide the detail on this.

Mr. Rhinehart suggested a separate meeting to get caught up with Mr. Fitch.

**Dropped Projects:** Cover Eastern & Western Reservoir - to be financed/constructed by OCWA

**Completed Projects:** East Branch Pipeline relocation--completed 2006; Minoa Rd Crossing-not in capital program, but funded with provision for capital projects money--completed 2008

**Anticipated Projects:**

- Back up Power supply - 3 places need back up generators: Raw Water, Clear Water, & Farrell Pumping Stations. It has been looked at several times; cost is \$6 million. MWB has felt the need to have them in the past because of large reservoirs for storage; NIMO has a number of ways to get power to them. With the new rule to cover storage, the volume is being reduced and it becomes more important to have stand-by generators. It needs to be looked at closer; CNY Water Systems Task Force recommended it.
- Southwestern Branch System - project has been around for a long time; last estimate was \$42 million in 2002
- Fulton Pumping Station, Parallel Clear Water Pipeline, Lake Ontario Intake at Burt Point - not in capital plan; included in the report because it is recognized that they need to be done. They used to be in the capital plan as indefinite stages. Many years ago, DMB did not want to show the projects in the capital plan because they were afraid that the rating agencies would see a lot of debt coming down the road. MWB was discouraged from putting projects into the capital plan if it wasn't certain that they would be started in the next year. They still need to be done at some point.

Mr. Fitch distributed the spreadsheets on the Oswego facilities, which will be discussed at the next meeting. He wants to dispel a perception that exists that somehow the facilities are not being taken care of. In answer to Mr. Rhinehart, Mr. Fitch said that their annual budget is \$10 million, have 38 employees. Mr. Rhinehart asked if they have someone solely responsible for writing grants; Mr. Fitch explained that they do not-he or his assistant work with DMB or Emergency Management on grants. Mr. Rhinehart questioned if it would be beneficial to have someone at the department full time to write grants.

Chairman Corbett said that he will consider a special meeting for Mr. Fitch to provide information.

The meeting was adjourned at 12:50 p.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

\* \* \*

**WAYS AND MEANS COMMITTEE MINUTES - JUNE 13, 2008**  
**CHAIRMAN JAMES M. RHINEHART**

**MEMBERS PRESENT:** Mr. Holmquist, Mr. Kilmartin, Mr. Warner, Mr. Kraft, Mr. Corbett, Mr. Stanczyk,\*Mr. Kinne

**MEMBERS ABSENT:** Mrs. Rapp

**ALSO PRESENT:** Chairman Meyer

Chairman Rhinehart called the meeting to order at 9:33 a.m. ***A motion was made by Mr. Warner, seconded by Mr. Corbett, to waive the reading and approve the minutes of proceedings of the previous committee meeting.***

**1. HEALTH:** Linda Carmen, Deputy Commissioner

a. **Abolish Assistant Nursing Sup. (Jail/Correction Facility), Gr. 3J @ \$41,609-\$50,975 eff. July 5, 2008;**

**Create Registered Nurse (Jail/Correction Facility) Gr. 2 @ \$ 39,013-\$47,990 eff. July 5, 2008**

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

**2. METROPOLITAN WATER BOARD:** David Fitch, Administrative Director

a. **Create two Water Plant Trainees, Grade 06 @ \$30,180 - \$33,342 effective July 5, 2008**

These are unfunded positions. MWB is required to have NYS certified community water plant operators--tried recruiting, canvassed open competitive list and were unsuccessful; need to create trainees to train in-house.

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

Chairman Rhinehart asked if MWB had considered outsourcing operations. Mr. Fitch stated that they have received information from some large firms that will offer those services. He took the proposals to the Water Board, but they did not pursue it at the

time--willing to take it to the Board if it is desired. Chairman Rhinehart indicated that the option should be looked at--there are a lot of advantages to it; they bring a lot of experience; it should be done through attrition and does not necessarily mean that people would lose jobs.

Mr. Stanczyk felt that this is a policy discussion for another time. Mr. Kilmartin suggested setting a preliminary schedule with benchmarks; have Mr. Fitch bring in the reports submitted in the past, hold a number of informational sessions to see if they have merit. Mr. Fitch said that he will carry the message to the Board at the next meeting.

Mr. Fitch said that it was suggested at committee that the two positions have a sunset placed on them, so that once the trainees become certified as operators, they move into the operator title and the vacant positions go off the roster. Mr. Stanczyk felt that it made sense to have the flexibility that they have now.

***Vote was taken on the motion; AYES: 7; NOES: 1 (Rhinehart). MOTION CARRIED.***

**3. INFORMATION TECHNOLOGY:** Michele Clark, Deputy Chief Information Officer

- a. Abolish Information Systems Coordinator, Grade 12 @ \$46,868 - \$51,884 effective July 5, 2008; Create Systems Administrator, Grade 12 @ \$46,868 - \$51,884 effective July 5, 2008

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

\*Mr. Mr. Kinne arrived at the meeting.

**4. VAN DUYN:** Roberta Sprague, Commissioner

- a. Abolish Clerk III, Grade 7 @ \$32,429 - \$35,841 effective July 5, 2008; Create Administrative Aide, Grade 7 @ \$32,429 - \$35,841 effective July 5, 2008

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

b. Create Program Analyst, Grade 32 @ \$49,189 - \$69,324 effective July 5, 2008

The position works primarily with the NY Connects Program at the Long Term Care Resource Center. The person in the position is an intern, but the ability to retain the person will expire in January, because it is an 18-month position. It has been funded through the State for the last 2 years; anticipate that the funding will continue and it is essential to have somebody in it to carry on the efforts of NY Connects.

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

In answer to Mr. Kilmartin, Mrs. Sprague said that if the State ends the funding, the position would still be needed because of the job done by this person. It is anticipated that if they do not fund it, the position would slide more to the Medicaid side, working with programs, and be 100% reimbursed under the Medicaid cap.

***A vote was taken on the motion to approve. Passed unanimously; MOTION CARRIED.***

c. Transfer from Acct. 300, Supplies & Materials, \$90,000, to Acct. 215, Furn. & Other Capital Outlay, to cover unanticipated costs associated with replacing overflow/reserve fuel tanks (\$90,000)

This is for the replacement of two oil tanks. When Van Duyn expends money in the next two years, they will recoup about 80% of expenditures because of the way the Medicaid grade works. Two above ground oil tanks were installed in 1966; the age is a concern and the containment is in question. A meeting will be held Monday with the Div. of Purchase to look at working on the specs; one estimate came in at \$80,000. At committee there was discussion regarding moving forward with the Carrier boiler project, which is on hold, and what the effect would be. John Joyce, Facilities Manager, has had conversations with Carrier and they said they would need a minimum of 2,500 tanks. If they needed to go full capacity for a 7-day period, and used as a secondary back up in the event that natural gas is down, they would need 2 - 7,500 tanks (a worse case scenario).

Mr. Warner said that item this did not pass Health Committee, as there were unanswered questions. He asked how the fuel that is currently in the tanks going to be used or accounted for in the bid process. Mrs. Sprague said that there is about 28,000 gallons left in total. Mr. Warner asked how often the tanks are used. Mr. Joyce said that last summer they had to use them because there was a problem with the gas line. National Grid calls and asks them to switch over to oil, when they have a huge demand. It happened during the Labor Day storms--happens a couple of times per year for short periods of time. Carrier's projection is based on what the new boilers can burn at maximum capacity. Stearns and Wheeler's estimate was based on the last 2 years of actual gas usage converted to fuel; they took an average 7-day supply. Carrier suggests that it would be safe with 2 - 5,000; but to err on the side of caution, they recommend 2 - 7,500 tanks. Carrier indicated that the difference in cost was \$2,000 - \$3,000.

Mr. Kilmartin said that it is a State requirement to have back-up tanks with sufficient capacity for a 7-day period. At Committee 2 - 5,000 tanks were being contemplated--asked if Van Duyn is now leaning more heavily on 2 - 7,500 tanks. Mr. Joyce indicated

that he is. In answer to Mr. Kilmartin, Mrs. Sprague said that there is sufficient contingency in the budget for the incremental cost. She said that the bids will reflect that the contractor will be responsible for any remediation, if there is any spillage or contamination. Mr. Joyce clarified that the contractor can be held responsible, if they cause the spill. Mr. Warner asked about what happens if something is already there. Mr. Joyce said that Carrier's recommendation is that if they go through with the boiler project, then they would do this as an add on to it. They would test the soil first to see if it needs any remediation and include it in their bid. Mr. Warner questioned if Carrier or DEC does the testing; Mr. Joyce reported that Carrier would make sure that it got done, do core sampling and send it out. Regarding any spills that have already leaked into the ground, Mrs. Sprague said that the cost is \$2,000 - \$10,000 per gallon for clean up. Mr. Warner asked how they determine if there is something there. Mr. Joyce said that Van Duyn monitors its tanks daily and takes readings everyday; if there were a leak, there are gallons missing. Mr. Warner asked if the remediation is also 80% Medicaid funded. Mrs. Sprague will find out.

Chairman Rhinehart asked if all nursing homes and hospitals have tanks like these. Mr. Corbett stated that they have to have a backup; it is a law; a secondary source for water and energy. Chairman Rhinehart asked if the County gets paid when National Grid asks Van Duyn to switch over to oil. Mr. Joyce said that they don't, but they do save money. He signs a document annually that says that they are fully dual fuel. If he did not, National Grid would charge an extra fee to keep Van Duyn supplied with gas. Chairman Rhinehart asked if there is any crossover usage with Community General; Mr. Joyce said that there is not at this time.

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

Mr. Kinne asked if there are 27,000 gallons of fuel there; to put 2 - 7500 gallon tanks in, there will be about 13,000 left. Mr. Joyce explained that would be if it happens today; he is burning it down, other county facilities use it, as does Community General Hospital.

***Passed unanimously; MOTION CARRIED.***

**5. TRANSPORTATION:** Tony DeStefano

a. **Amend '08 Bud and Advance 100% of Fed Aid Eligible Costs for the Construction & Construction Inspection Phases of East Taft Rd Reconstruction, C.R. No. 19, PIN 375298, at a Maximum Cost \$9,025,000**

A 3-mile project from South Bay Rd. to Northern Blvd; a federal aid project; capacity and safety improvements, improvements to I-81 ramps, signals. State money is \$900,000; County money is less than \$500,000.

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

b. **Amend Res. No. 8-03 to Increase Authorization to Advance 100% of Federal Aid Eligible Costs by \$300,000 for Design (Scoping-IV) and Right-of-Way Incidental of East Taft Rd. PIN 375298 (\$300,000)**

In 2003 the project was initiated; StampTech has hired. In 2005 StampTech closed their Syracuse office and at that time the contract was terminated. C&S Engineers were hired; there was a time delay and additional expenses for start up costs. There were additional costs for survey, contaminated soil, accident analysis, SHIPO required a Phase I cultural fee (which was not anticipated), ROW mapping, design work on I-81, and signals. Design is about 9% of construction, well below what the federal government estimates at 15%.

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

c. **Amend '08 Budget to Accept Addl. Rev. for Plowing State Roads During Winter of '08-'09 (\$384,348)**

Accept additional revenue from State for plowing State roads. A lump sum payment is received and based on severity factor of the winter, they are entitled to this additional amount. They will transfer money into 101 acct. to cover an anticipated deficit; 300 acct. of Highway Div. to cover cost for Clearlane (contract price increased); 300 acct. for Road Machinery for increase cost of fuel.

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

**6. SHERIFF:** Chief William Peverly

a. **Amending the 2008 County Budget to provide additional grant funds for a Selective Traffic Enforcement Program and authorizing the County Executive to enter into contracts (\$5,700)**

Had budgeted \$26,000 based on prior history and State increased allocation by \$5,700.

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

It is all overtime; there about 10 locations around the county on: Rt. 31, Rt. 290, Thompson Rd, Rt. 57, Taft Rd., Great Northern Blvd., Rt. 11. It is for aggressive driving type things-analyze accident investigations; determine the cause of accidents and do the

enforcement on them.

***Passed unanimously; MOTION CARRIED.***

b. **Amending the 2008 County Budget to accept State Homeland Security funds for the Onondaga County Sheriff's Office and Authorizing the County Executive to enter into contracts (\$99,000)**

Have joined with SPD; each contributing \$99,000 to purchase a bomb containment vessel. The City had received \$110,000. It is designed to contain chemical, biological, radiological, nuclear type devices. The device would be put in the container. If it were to detonate, it would contain the byproducts of the explosion. It would be removed to an area where the explosive people would render it safe. There is nothing in the area like this; would have to rely on feds or military to pull something in like this if it were needed.

Mr. Warner asked if Homeland Security told us to spend the money on this; Chief Peverly said that it is pretty much what they want. Both bomb teams are Level I; as a result there are certain types of equipment that they have to have. They were given \$99,000; would have liked to use it for additional training of bomb people, but couldn't because there wasn't enough money. It does include the training on how to use the device. Homeland Security outlines the parameters for the type of things that can be bought.

Chairman Rhinehart asked if this is really needed. Chief Peverly said there is not one in the area; it is a Level 1 Team piece of equipment that they should have, which is why Homeland Security is making the money available. If there is an occurrence, then it is needed. If there is an occurrence, and we don't have the equipment, we have to wait for some entity to respond that has its positions risk and delay.

Mr. Kinne asked what the life span of the equipment is; Chief Peverly did not know. He said that the bomb technicians would know what size bomb the equipment can contain. The unit will be kept in a SPD facility; it is self-contained on a trailer.

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

Chairman Rhinehart asked how many hazardous devices or explosive incidents occur in a year. Chief Peverly said that the bomb team responds to a number of explosive type devices, anything from suspected devices-fireworks and pipe bombs, etc.

Mr. Stanczyk said that the federal government spends a lot of money making sure that there is capacity to take care of unforeseen events. If there is an event, people are trained and ready.

Mr. Warner said that Homeland Security funds have put the County in a position--if this money is not spent, it goes back to the general pool. If he were in private business, he would not do it--would look at counties down the road or the Seneca Army Depot who would have something like this and save \$200,000.

***A vote was taken on the motion. AYES: 7; NOES: 0; ABSTENTIONS: 1 (Rhinehart). MOTION CARRIED.***

c. **Amend '08 Budget to Accept Addl. funds from State of NY Governor's Traffic Safety Committee for a Traffic Safety Corridor Enforcement Prog. and authorize Co. Exec. to enter into contracts (\$6,840)**

The State identified the Route 31 corridor and made funding available for Sheriff's Dept. and Town of Clay.

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

d. **Amend '08 Budget to Authorize the Sheriff's Office to Receive Grant Funds From the Edward Byrne Memorial Discretionary Grants Prog. and Authorize Co. Exec. to enter into contracts (\$19,623)**

State grant made available to help law enforcement agencies with their mandated sex offenders registry program; there is a 25% cash match. Asset seizure funds will be used for the match. They will deploy 2 teams of 2 officers each with digital cameras, recording address, location, taking photos of sex offenders and their environment; the information will be loaded on the database.

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

Mr. Warner asked what the recidivism rate is for sex offenders in Onondaga County. Chief Peverly said that has requested that information from the Abused Person's Unit; once he gets it, he will provide it to Mr. Warner.

***Passed unanimously; MOTION CARRIED.***

e. **Amend 2008 Co. Budget and Authorize the Onondaga County Sheriff's Office to Receive Proceeds from the Federal Government Resulting from Seizures of Assets Following Investigations of Illegal Drug Possessions and or Sale, and Authorizing the Co. Exec. to enter into Contracts (\$355,960)**

Funds will be used for 3 projects--a van bucket truck, which will replace a 1992 surveillance vehicle. They are currently using

30'-40' ladders; and sometimes foot spikes, while carrying technical equipment in all kinds of weather. The covert installations are being done for other agencies also, i.e. district attorney.

Mr. Kinne questioned the reach of the truck; Chief Peverly said that it is similar to a utility bucket truck. Mr. Kinne said that they don't go 40'. Chief Peverly said that they reach the level of power lines on National Grid poles as they have to tap into National Grid's electricity at times.

Mr. Corbett asked if this includes the training; Chief Peverly did not know about training in the use of the bucket van itself; but officers by way of ladders, tap into electrical components and have been trained in that aspect.

Chief Peverly explained that the other items are: \$10,000 for fuel allocations - fuel for the Drug Investigation Unit, due to increase in fuel cost and over \$300,000 for ballistic vests. There is no replacement program for them; they have a warrantee of 5 years; intent is to start a vest replacement program, replacing 400 vests. Still assessing if they will go with ballistic vests (\$540) or combination ballistic/slash vests (approx. \$1,000).

Mr. Kilmartin asked if the funds come in twice a year; Chief Peverly said that it depends on the volume of money. It used to come in once a year; but several years ago they were involved in a major investigation, which resulted in substantial seizure of assets. This money is all part of those assets being released, as they go through the legal process. They are near the end of that seizure; believes there is about \$300,000 still out there not sure if it will come their way. There is no other one on the books of this magnitude.

Mr. Kilmartin asked if the monies can be used to enhance a program, i.e. supervise or enforcement of probationers, sex offenders, law enforcement initiatives other than supplies, equipment, and training. Chief Peverly said that it could; it can supplement existing resources. He would have to look at the technical guidelines and see what programs, out of the direct law enforcement aspect, that funds could be used for.

In answer to Mr. Kraft, Chief Peverly said that there were convictions in the case that provided for the seizure of assets.

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

f. **Amending the 2008 Onondaga County Budget to provide funds for Retroactive Salary and Wage Costs for years 2006 and 2007 Resulting from the OCSPA Arbitration Award (\$1,400,000)**

Mr. Seitz stated that OCSPA received a multi-year arbitration award; retroactive cost for 2007 was approximately \$1.4 million. The 2008 funds are within the budget and will be done by executive transfer.

***A motion was made by Mr. Kinne to approve this item.***

This is taking money from available fund balance; have an excess over 10% of about \$6 million; the total number of fund balance is \$66.26 million; the 10% is \$6 million leaving a balance \$6.08 million. They will appropriate \$1.4 million for this; have taken \$240,000 for BOE; will have \$4.45 million available above the 10%. Funds were anticipated in 2007 budget, but not enough.

***Seconded by Mr. Warner. Passed unanimously; MOTION CARRIED***

**7. WATER ENVIRONMENT PROTECTION:**

a. **Authorizing Application for a Grant Under the Urban and Community Forestry Program in an Amount up to \$75,000 and, Upon Approval, Authorizing Execution of a Project Agreement with DEC for such Financial Assistance (\$75,000)**

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

**8. OCPL:** Sally Carmer, Director, Admin. Svcs.

a. **Amend 2008 County Budget to Accept Library Services and Technology Act Funds for the Starburst Accessibility Program, and Authorize the County Executive to enter into contracts (\$11,055)**

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

**9. CULTURAL RESOURCES COUNCIL:** Patrick O'Connor

a. **Transfer of funds from Authorized Agencies - Human, Acct. 650 Contingency in the amount of \$50,000 to Acct. 841 Cultural Resources Center to Cover Prior Year's Operating Deficits (\$50,000)**

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

Mr. Mareane explained that at budget time CRC asked for a supplemental increase in their base authorized agency grant; they had been getting about \$66,000/year and asked for additional dollars to get them through a difficult financial time. The Legislature provided the supplement and put it in a contingency account to make sure that the CRC made it through the year OK, and to make sure there were efforts underway to try to realign finances and address their financial situation before the money was released. CRC would like the money to be released from contingency and put into their regular account. It allows them to sustain operations for this year.

Mr. Stanczyk asked about next year; is it resolved going forward. Mr. O'Connor said that it will take a couple years to move out of their situation; they have made substantial budget cuts, staff reductions to meet the current operational expenses. Mr. Stanczyk said there was an \$116,000 subsidy to CRC last year; Mr. O'Connor said that \$66,000 was their budget. He hopes it will increase for 2009. They have insufficient funds for their general operation for the administrative side of the Council. For a Council this large, a certain amount of administration is needed, and it is very difficult to get fund raising for it. All of the programs are well funded through donations and State grants; the administrative line is not sufficiently covered. **Mr. Stanczyk asked that Mr. Mareane provide the committee with the history of the CRC, where they are today, where they are going financially. Mr. Kilmartin asked Mr. O'Connor to also provide a brief history of CRC, especially the recent financial history; staff, projection going forward for financial stability, if it will stabilize or grow, and the mission.** It would be helpful to get the information prior to the budget process.

Mr. Kraft asked if there were successful fund raising efforts in the past. Mr. O'Connor indicated that there were. Mr. Kraft asked if there has been fundraising in the past year. Mr. O'Connor said that they finished up the Irish Festival, but it was transitioned away from the Council. This year they raised about \$20,000. Mr. Kraft said that CRC will no longer receive profits from the Irish Festival and have given away the opportunities. The money should not be approved until it is determined that there is a way out to the future. Mr. O'Connor said that they are working on a plan now; it is not short-term. They have had good conversation with the Community Foundation and others, have additional support from the State Council on the Arts, NYS Senate, seeking additional support from the County, and are working towards that in a slow, deliberate process. Mr. Kraft said that CRC is going to a slow, deliberate process to increase County funding while other agencies are being held firm. Mr. O'Connor said that the County needs to make a decision on whether or not they want a CRC. Mr. Kraft said that Mr. O'Connor needs to tell the legislature whether or not he can raise money. Mr. O'Connor said that they can raise the money, but there needs to be a baseline support from the County. Mr. Kraft said that there has always been a baseline support from the County in the years he has been here. Mr. O'Connor said that it used to be a \$500,000 support, and it has been decreased over the years.

Mr. Kinne said that he would like to know the history of the staff. Mr. O'Connor said that at one point, there was 33 people and there is now a staff of 6.

***Vote was taken on the motion. AYES: 5; NOES: 0; ABSTENTIONS: 2 (Warner, Mr. Kraft). CARRIED.***

**10. FINANCE:**

a. **Amend '08 Budget to Accept Centralized Property Tax Administration Prog. Grant Funds for the Onondaga Co. Finance Dept. and Authorize the County Executive to enter into contracts (\$25,000)**

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

Mrs. Carney said that the State is asking them to prepare a study that will examine the existing assessment practices in the county and look for redundancies of operation and cost savings.

***Passed unanimously; MOTION CARRIED***

**11. WAYS & MEANS MISC.:**

a. **A Local Law Amending Local Law No. -2008, Adopted June 3, 2008, to provide for a limited special fee at Rosamond Gifford Zoo at Burnet Park**

The adjustment gives them flexibility on the dates; want to wait until July 2<sup>nd</sup>.

***A motion by Mr. Kinne, seconded by Mr. Holmquist, to approve the item. Passed unanimously; CARRIED.***

b. **Submission of Local Law Amending the Onondaga County Administrative Code to the vote of the qualified electors of Onondaga County on November 4, 2008 (Mr. Stott, Mr. Stanczyk)**

c. **Submission of Local Law Amending the Onondaga County Charter to the vote of the qualified electors of Onondaga County on November 4, 2008 (Mr. Stott, Mr. Stanczyk)**

d. **A Local Law Amending the Onondaga County Administrative Code to increase the terms of County Legislators from two years to four years effective January 1, 2010 (Mr. Stott, Mr. Stanczyk)**

e. **A Local Law Amending the Onondaga County Charter to increase the terms of County Legislators from two years to four years effective January 1, 2010 (Mr. Stott, Mr. Stanczyk)**

f. **A Local Law Amending the Onon. Co. Charter and Administrative Code to increase the terms of County Legislators from two years to four years effective January 1, 2010 (Mr. Stott, Mr. Stanczyk)**

Mr. Stanczyk introduced items 11b - 11f. He said that it gets very politicized in an election year; with a 2-year term it is 50% of time. It is infrequent when there are opportunities to cooperate, when people feel there is not a lot of political pressure. Political pressure can be more dysfunctional than functional. The concept is that the longer the term, the more it adds to turn over in a body. A longer term depoliticizes things, rather than hyper politicize things. Instead of being politicized 50% of the time, maybe it can be politicized 25% of the time. Three out of four years the legislature would not be up for election, which could make for a better environment in dealing with each other. It would need a mandatory referendum; asking for the opportunity to put it on the ballot so the people can decide.

Chair Rhinehart said that this is the first committee that these resolutions have gone to. Mr. Stanczyk said it was on the June session agenda and was referred by the Chairman to Ways and Means Committee.

Mrs. Tarolli explained that 2 items are resolutions that send the local laws to referendum. Item f is redundant, it combines 2 local laws into one local law (combined items d & e); it is an alternative. She believes that Mr. Stanczyk has decided to go with items d and e only. There would be a proposition for amending the Charter and a proposition for amending the Code. Chairman Rhinehart asked what happens if one passes and one doesn't; Mrs. Tarolli said that is why item f was drafted. Mr. Stanczyk said that the chances of that are slim.

Chairman Rhinehart asked if this went to referendum in November, when would it take effect. Mrs. Tarolli said it would take effect January 1<sup>st</sup> of the next term. Chairman Rhinehart said that the rest of the members at the table have not had outside discussion on this; have not met in caucus or discussed it as a group or individually. He does not want to call for a vote on it today; feels there will be more questions.

Mr. Holmquist said that with the current system; 10 out of 19 legislators have been here 3 years or less. Turnover currently is high. He needs time to think about it before he is prepared to vote.

Mr. Kilmartin asked about mandatory referendum vs. permission referendum. Mrs. Tarolli said that there are provisions in Municipal Law that spells out which things require mandatory referendum, and this is one of them. The local law has to be adopted 60 days before a general election; adopted also means that time be allowed for the County Executive to hold her public hearing. Mr. Kilmartin asked if this was brought up once before; Mrs. Tarolli said once in 1996. Mr. Stanczyk said it was combined with term limits.

**Chairman Rhinehart asked for a one-page outline on the history of this item.**

Mr. Kilmartin said in and around 1994 and 1996 a number of local laws were considered, but those affecting the term never went to a referendum vote; there was a vote that went to referendum that reduced the number of legislators to 19 from 24. Mrs. Tarolli agreed. **Mr. Kilmartin asked to be provided with detail as to whether or not a vote was held by the Onondaga County voters on the issue of changing the term.**

Mr. Warner has been satisfied with a 2-year term; it gives voters a chance to throw out representatives if they don't want them in, rather than being stuck with them for 4 years. It forces legislators to go out and get into the community.

Chairman Rhinehart asked if the County Executive chose to not sign a local law, is it a veto and does it stop there. Mrs. Tarolli said that with any local law, the County Executive has to hold a public hearing and then can sign or veto the local law. The legislature can override a veto by 2/3rds vote. Mr. Stanczyk said that he spoke to the County Executive and she stated that if a law were passed, she would not veto it.

Mr. Stanczyk said this allows the whole issue to be discussed by the public. It would be instructive for the legislature to have an opportunity to talk to the public about the benefits of it or if it doesn't make sense. The public would be engaged in how the legislature conducts its business. Mr. Kinne said it is an opportunity for the public to be involved and agrees that a 4-year term would be much better and depoliticize everything.

Mr. Holmquist asked about the deadline for when this would have to be considered. Mrs. Tarolli said that if it were voted on at the July session, there would be enough time. August would still be enough time, but would have to coordinate with the County Executive to hold per public hearing in a shorter time frame.

Mr. Kilmartin said that he is evaluating the proposed local laws. To prevent a highly politicized legislature, is to make certain that legislators are accountable to the voters every 2 years. There is no guarantee that 4 year-terms would eliminate a political nature of the legislature. In fact, it might perpetuate it. Being accountable to the people is done by being up for election every 2 years. The public is aware of what legislators do, they account for what they do. There is no better way to hold legislators feet to the fire than to make sure that they have to answer to the people every 2 years. If legislators jobs are in jeopardy every 2 years, then many legislators are going to be extremely responsive to the people who elect or don't elect them on a 2-year cycle.

Chairman Rhinehart said that he has looked favorable on term limits; and is a little disappointed that it is not incorporated with this.

Mr. Kilmartin said that Mr. Stanczyk makes a good point about going to the public, but feels that going to the public to elect them every 4 years instead of every 2 years is inherently contradictory. A better policy might be going to the public every 2 years so that the voters have an opportunity to decide whether or not a legislator should remain in office.

Mr. Stanczyk said that with Mr. Kilmartin logic, why not get in front of the public every year or every 6 months. The 2 years is just what we see, it doesn't make it perfect; feels that we should think in terms of something that could be better.

Mr. Kinne said it looks bad to say that if there is a 2-year term, legislators will go out into the public more; it implies that if there is a 4-year term that legislators aren't going to do that anymore. He said it degrades legislators as people and elected officials; he would be doing the same thing that he always has. He said that his constituents have informed them that they want legislators to have a 4-year term.

Mr. Warner said that incorporating term limits with this will generate a long discussion. He said Mr. Kraft has been here a long time, and didn't know where the legislature would be sometimes without him at budget time. To throw him out after a term or two would have been a loss to the County. It touches on an issue that is good and bad for the people of this County.

Chairman Rhinehart will not call for a vote today; will discuss it at caucus, will be provided with information from counsel and then it can be addressed. Mr. Stanczyk said that he would like to get it voted up or down in July. Chair Rhinehart said that he would ask Mrs. Rapp to get in touch with Mr. Stanczyk after the caucus.

**12. Law Department:**

- a. Settlement of Claim

***Mr. Corbett made a motion to enter executive session to discuss pending litigation: 1: PHH Arval V. County of Onondaga; 2. State Farm Fire and Casualty Co. A/S/O Dennis Whittin V. County of Onondaga and Donald T. Dimon; 3. Robert F. Paninski V. Onondaga County Department of Corrections, Timothy H. Cowin, Commissioner. Mr. Holmquist seconded the motion. Passed unanimously. MOTION CARRIED.***

***A motion as made by Mr. Corbett to move out of executive session and enter regular session. Mr. Holmquist seconded the motion. Passed unanimously; MOTION CARRIED.***

***A motion was made by Mr. Kraft, seconded by Mr. Corbett, to Authorize the Settlement of the Matter of PHH Arval V. County of Onondaga. Passed unanimously; MOTION CARRIED***

***A motion was made by Mr. Kraft, seconded by Mr. Corbett, Authorizing the Settlement of the Matter of State Farm Fire and Casualty Company A/S/O Dennis Whittin V. County of Onondaga and Donald T. Dimon. Passed unanimously; MOTION CARRIED.***

The meeting was adjourned at 11:45 p.m.

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

**Related Documents**

- [6-9-08](#)
- [6-10-08 CO FAC ATTACH 1a](#)
- [6-10-08 CO FAC ATTACH 1](#)
- [6-10-08 CO FAC ATTACH 1b](#)
- [6-12-08 ENV PROT](#)
- [6-11-08 HEALTH ATTACH 2](#)