

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

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FISCAL WAYS AND MEANS COMMITTEE MINUTES - March 12, 2007

CHAIRMAN WILLIAM H. MEYER, JR.

MEMBERS PRESENT: Mr. Corbett, Mrs. Baker, Mr. Kraft, Mr. Farrell, Mrs. Rapp,

Mr. Stanczyk, Mr. Warner, Mr. Ryan

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

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

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

1. Confirming appointment of Lisa Dunn Alford as Commissioner of the Onondaga County Department of Aging and Youth - Lynn Shepard Scott, Lisa Dunn Alford

Ms. Shepard Scott introduced Ms. Dunn Alford to the committee and highlighted her background. (*see attachment #2*)

Ms. Dunn Alford stated that she was happy for the opportunity to work at this level for the citizens of Onondaga County. She has worked for P.E.A.C.E, Inc. as the Child and Youth Services Director, supervising such programs as Head Start and Big Brothers Big Sisters Program. She also worked with maternal and childhood health promotions and has dealt with adults including the OMRDD population.

Chairman Meyer stated the county has a big involvement with Pre-K and early intervention. He hopes that she will be able to help us in this area.

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

Ms. Baker asked how they could assist her with the aging portion of her job. Ms. Dunn Alford replied, she needs to know what services and assistance the constituents need to live independently.

A vote was taken and passed unanimously; MOTION CARRIED.

2. Memorializing the Legislature and the Governor of the State of New York to amend Article 29 of the New York State Tax Law to extend the authorization for Onondaga County to impose the additional one percent rate of sales and compensating use tax and to provide for the allocation and distribution of the net collections of said additional rate - Mr. Mareane

Mr. Stanczyk asked if the resolution was from the County Executive or from Chairman Meyer. The Chairman replied the item was coming to the committee for discussion and action based on his request. The process is being started now so that we are able to meet the deadline. The current 1% tax expires on November 30, 2007.

Mr. Mareane passed out information on the 1% Sales Tax Renewal. (*see attachment #3*) He stated that state law requires the county to go to Albany every 2 years to renew the 1% additional sales tax. This county did not want to raise the sales tax to 4% but found in 2004 the growth in Medicaid cost and rising pension cost forced us to do so as an alternative to property tax

increases. A huge property tax was needed to pay these increases or the county would have to lay off approximately 1/3 of the county work force. It was decided it would be better to have the 1% sales tax. As a part of this agreement a portion of the 1% would be shared with the city, towns, villages and schools. The county keeps a much larger share of the 1% than the other 3%. They keep approximately 73% of the additional 1%, sharing the remaining balance. There has come to be a belief that the Medicaid crisis is over due to the cap on Medicaid, this is a misconception. Mr. Mareane highlighted some of the information provided in the handout.

- Medicaid cost will rise every year as long as this cap is in place. The cap states we are going to limit growth to 3% per year - not reduce burden. (Page 12)
- Virtually all counties are now above 3% (Pages 2 & 3)
- Proposed allocation formula (Page 4)
- Revenue received from 1% sales tax (Page 5)
- 27% Property Tax increase or 1/3 cut of the workforce without the additional Sales Tax (Page 6)
- Allocation of the 1% per jurisdiction (Page 7 & 8)
- Summary of total 4% (Page 9)
- Allocation of the 4% per jurisdiction (Page 10 & 11)

Mr. Kraft asked why the cost for Medicaid decreased in 2005. Mr. Mareane replied there is a footnote pertaining to 2005. In 2005 there were three things resulting in the reduction - cost were stable, the legislature gave us authority to hire additional staff to look at eligibility for Medicaid and we were allowed to waive about \$6.7 million in year-end accruals.

Mr. Ryan questioned if the city would be allowed to impose it's own sales tax with permission from the state. Ms. Tarolli replied that anyone may petition the state for anything, but tax laws mandate what can be done. She has never seen where the city imposed the tax. Generally the county imposes the tax and gives a portion to the city. Mr. Ryan stated that he did not get a definite answer. **Chairman Meyer requested this be look ed into.**

Mr. Mareane stated Mayor Driscoll sent a letter requesting that the county renew the 1% sales tax. (*see attachment # 4*) He added that he understands the city's budget for 2007-2008 will include the revenues from the additional sales tax.

Mr. Stanczyk stated the 1% additional tax is a significant dampening of economic development. The county's share is \$49 million plus. He questioned the surplus amount for 2006 and the total surplus amount in the counties fund balance. He asked how we justify needing these funds. Mr. Mareane stated that Medicaid has not gone away; we chose in 2004 to pay for \$50 million dollars worth of Medicaid cost with sales tax instead of property tax. Medicaid will continue to increase by \$2.5 - \$3 million dollars per year. Reserves were used to pay for Medicaid increases from 2001 to 2004. By 2004 we needed a reoccurring revenue stream to pay for Medicaid. The audit for 2006 is not complete; it appears the surplus will be \$18.9 million.

Mr. Stanczyk asked what the fund balance was before 2006. Mr. Mareane replied about \$60.06 million. Mr. Stanczyk stated this is a significant balance. Mr. Mareane stated it is about 13%. He explained how the surplus was arrived at for 2006.

- 2006 economy was better than anticipated when the budget was put together
- Welfare rolls were down \$2.5 million
- Won lawsuit with the state to recover \$1.3 million in old Medicaid cost
- Closed slow capital accounts resulting in \$1.2 million
- City Tax Lean sale resulted in \$.5 million
- Inmate population revenue was up \$1.6 million
- Sales Tax was \$1.3 million (9/10's over budget)
- \$2 million savings in the utilities account due to a mild winter and the Carrier Account.

The items listed above account for all but \$100 thousand of the surplus for 2006.

Mr. Mareane stated that the 2007 budget has accounted for almost all of the increases in 2006. Much of the gains in 2006 were one-time items.

Mr. Stanczyk stated that it was clear we would have to increase the sales tax in 2004 based on the Medicaid issue. We have gotten relief from the state for Medicaid with the cap. We have to a pledge to reduce the property taxes by \$10 to \$20 million to continue this 1% sales tax. The public needs to see the gain of the fiscal prudence of this county.

Mr. Farrell stated that we should focus on Property Tax reduction as the lesser of two evils. Mr. Farrell asked for the final figures for ROT in 2006 and detailed information on the prisoners from 2006. He requested a projection and budget figures on utilities, welfare, juvenile and pins. Mr. Mareane supplied an information sheet and stated he would supply these items. (*see attachment # 5 & #6*)

Mr. Farrell asked for an explanation of the percentage increase in Medicaid for 2007 - 2009. Mr. Mareane replied that the cap rate is not compounded and works as follows, in 2005 there was a base year, in 2006 the cap is 3.5%, 2007 the cap is 3.25%

and the cap for 2008 and beyond remains at 3%.

Mr. Warner asked if Medicaid numbers would increase due to a reduction in the number of citizens on welfare. Mr. Mareane stated it works in both directions. Mr. Warner asked if a person could receive Medicaid without being on welfare. Mr. Mareane replied that they may; it is a service for the working poor. Mr. Colon added that a good share of the Medicaid bill is paying for the elderly in nursing homes. Mr. Warner asked for a breakdown on long-term care. Mr. Mareane stated he would get the information.

Mr. Warner asked what the 10% reserve number is now. Mr. Mareane stated the fund balance goal is 10% of general fund revenues; it is about \$16 million over the 10% goal. After adjusting for \$140 million in pass-through revenues, we will have \$609 million in revenues, \$61 million would be 10% and it appears that we will have \$77 million in unreserved fund balance. Mr. Warner asked if the \$16 million was the portion everyone was considering returning in property tax. Mr. Mareane replied the policy states; anything above 10% will be used for tax reduction, debt reduction, or capital adjustments.

Mr. Ryan asked for a spreadsheet on the cost of Family Safety Net, showing the cost for welfare and safety net and the projected increase or decrease. Mr. Mareane replied he would get the information.

Mr. Ryan stated that we have been advocating for the state to give us \$104 for every prisoner as we are losing money. On the other hand it was implied that we are recruiting for prisoners to fill these beds. Mr. Mareane stated that the state pays us \$40 per day for a prisoner. We are required to take these prisoners even if we have to move our people out. Federal prisoners pay \$102 per day; it makes more sense to take these prisoners than to leave the bed empty. He added that it costs \$42 million to run these jails. Last year we received about \$4 million in state and federal dollars. Mr. Ryan confirmed that we are recruiting Federal prisoners for empty beds.

Mr. Ryan stated that when the 1% sales tax was put through we had agreed to look at consolidation. Because we are mandated to share the tax revenues with the towns, villages and city, consolidation has been pushed back as they received millions of dollars. Also the public is not aware where the funds are going. Mr. Mareane stated the state does not require the sharing of the sales tax; this was done politically to get the 1% additional sales tax passed through Albany. Mr. Ryan asked that all the money collected from the additional sales tax be allocated for county services.

Mr. Kraft suggested that they wait until 2010 to make any changes to the 1% sales tax to avoid having to renegotiate with all the parties involved. He added giving all the money back in one year could create roller coaster property taxes. Careful planning needs to be done before there are any changes made. He is concerned that the County Executive had a long list of projects that could be done with this money. He favors paying for future projects through bonding with low interest rates and returning the biggest share of this money to the taxpayers.

Ms. Baker asked for clarification on the time frame. Mr. Mareane replied that the tax expires on November 30, 2007. This legislature needs to act three times. First by memorializing the State Legislature; they would then draft legislation that is presented back to the County Legislature. This is followed by a home rule resolution. The state approves the extension and sends it back to county for enactment. This needs to be completed within the next 3 to 4 months.

Ms. Rapp asked for the actual surplus for 2006, with the one-time items removed. Mr. Mareane stated he would provide the analysis at the Ways and Means Committee Meeting.

Mr. Stanczyk stated the fund balance that this county has belongs to the citizens. We are now well above the 10% balance that is needed. He is not about to except a continuation of the sales tax without a property tax relief agreement.

Mr. Ryan stated he would like to look at paying for road resurfacing out of these additional funds; saving the interest that would be involved with bonding for this cost.

Mr. Ryan asked for a projection as to how the additional funds would be used before voting on this resolution. Mr. Mareane stated that April would be premature to bring forth a plan, as they do not have enough information on the 2007 - 2008 budget at this time. He would feel more comfortable giving them something to look at over the summer.

Mr. Colon added that if the sales tax is not extended, they will have to cut the 2007 budget about \$6.5 - \$7 million dollars. We will lose 7 of the 26 sales tax checks that we receive.

Mr. Meyer stated this is the first step; he asked members to please see the staff and get their questions answered before the Ways and Means Committee Meeting.

Mr. Kraft stated he remains committed to the fact that we are going to show something substantial to the taxpayers. He added interest represents the value of money over time; bonding is a payment for time not money. If we use the fund balance to pay cash, the citizens are forced to borrow money because we took their cash. They will be paying interest at credit card rates; we bond at a low interest rate.

Mr. Meyer stated this would be Ms. Baker's last meeting, as she is resigning. He thanked her for her participation and help and wished her good luck in the future.

The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

Katherine Stadelmann, Assistant Clerk

Onondaga County Legislature

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PLANNING & ECONOMIC DEVELOPMENT

SANDRA L. BAKER, CHAIR, March 12, 2007

MEMBERS PRESENT: Mr. Stanczyk, Mr. Meyer, Mrs. Rapp, Mr. DiBlasi, Mr. Jordan, Mrs. Chaplin

ALSO PRESENT: see attached list (Attachment 1)

Chair Baker called the meeting to order at 11:10 a.m.

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

1. DestiNY Update - Bruce Kenan and David Aitken

Mr. Kenan noted the following:

- Bonds sold two weeks ago with everybody's full cooperation; first time green bonds have been sold, which allowed part of the transaction to be tax exempt
- Energizing the building with a variety of very difficult requirements in terms of use of renewable energy and sustainable design, materials and techniques that are more friendly to the environment
- Finalized financing of \$540,000,000
- Construction manager on board - Cianbro Corporation- Pittsfield, Maine
- Actual work will begin within the next several weeks
- 80 percent of the contracts have been signed
- Will complete construction before the end of 2008.

Mr. Keenan said this 850,000 sq. ft. of area to be leased is just the beginning of a much larger project, actively working on design and financing discussions for subsequent phases. Mrs. Baker asked the timeframe for these phases. Mr. Kenan said they have two or three years for each of them, expect to build more than those three phases combined in a much shorter timeframe.

Mr. Aitken said a unique element of this transaction is the great partnership they have with the County, City and SIDA; \$65.4 million was delivered to the partners in local government as part of the initial bond closing.

Mrs. Baker asked about estimated jobs. Mr. Aitken said it would peak at about 1,000 over the course of construction and average slightly less than that, in operational about 1,500 individuals.

Mr. DiBlasi asked for a review of the three phases. Mr. Kenan said they are:

1st - No less than 800,000 sq. ft.

2nd - One or more hotels of not less than 1,000 rooms

3rd - An additional 350,000 sq. ft of gross area to be leased

Mr. Aitken will send information concerning the timeframe for these phases.

Mr. DiBlasi asked about the breakdown concerning the bonds. Mr. Aitken replied tax-exempt (green bonds) - \$225 million and taxable about \$95 million. Mr. DiBlasi asked if phase three would be a separate building, Mr. Aitken said it would be an extension.

Mrs. Rapp asked who would be going into the 800,000 sq feet for Phase 1. Mr. Kenan said they have some great opportunities that they are working on; it is premature to talk about it. In answer to Mrs. Rapp, Mr. Kenan said the renderings that have been prepared over the last several years regarding what the interior of DestiNY have not changed (river or canal running through it, levels tiered outward in a canyon type shape).

Mr. Jordan asked for an outline regarding the agreements between the City and County concerning what has to be done and consequences if full expansion is not done. Mr. Kenan said the County Legislature and the City Common Council passed legislation in 2000 and an amended version in 2002 that set up the pilot agreement on which the financing is based. With agreement, there is a minimum requirement to build at least 800,000 sq. ft of gross leaseable area, also had to give a completion guarantee signed by the owners to the City and the County. Subsequently, they made a supplementary agreement with the City and County last summer that they would build the two additional phases, if they don't build and open them by a certain time, their ability to do any further phases would lapse. Mr. Aitken said there would be a penalty of \$60 million (fee for selling bonds) as part of transaction last summer, a further assurance that they will keep going.

Ms. Chaplin asked if there are any recreational or entertainment entities anticipated within Phase 1. Mr. Kenan said they intend to include a proportionate mixture of the total project - entertainment, dining, retail.

Mrs. Baker asked about the parking. Mr. Kenan said the expansion would occupy part of the existing parking; first step is to build new parking south of Hiawatha Blvd. and initiate a shuttle bus service; the new parking will be sufficient to satisfy the parking requirements for the expanded facility. Mrs. Baker asked if there would be any road closures or infrastructure changes happening immediately. Mr. Kenan replied not immediately; they still intend to close the block of Hiawatha and last block of Solar Street when the time comes, but it is not associated directly with this expansion, would be before the next phase.

Mr. Meyer requested that Mr. Aitken copy the Clerk with the information he will be sending to Mr. DiBlasi concerning timeframe of three phases; asked that the County Facilities Committee be kept up to date concerning Rt. 81 traffic changes. Mrs. Rapp asked if they have had conversations with the state concerning the roads. Mr. Aitken said they have been analyzed in significant detail over multiple years; they are comfortable that there will be easy flow in and out of the facility.

2. Agriculture and Farmland Protection Board Update/Overview - Brian Reeves

Chairman Baker announced that Mr. Reeves was not able to attend the meeting.

3. Informational: Invitation and brief presentation for committee members to attend the Convention & Visitors Bureau Strategic Direction Presentation on Mach 15, 2007 at 11:00 a.m. in the Banquet Room of the Rosamond Gifford Zoo - David Holder

Mr. Holder extended an invitation to the committee members to attend the presentation on Thursday concerning the strategic direction of the Convention and Visitors Bureau (CVB), the plans over the four-year time period and the tactics for 2007; will showcase the three dimensions of the CVB - image creation in this area, converting that image creation into actual business and their follow-up job of servicing the actual business to make them repeat visitors to our area.

Mrs. Baker suggested that Mr. Holder inform the Legislators concerning any review after the presentation.

Mr. Holder said they will spend some time on Thursday analyzing the competition, how they are attempting to rise above communications and perceptions that are out there; a big piece of that is developing and showcasing themed based travel for this destination; helps across multiple dimensions and multiple audiences, particularly in getting attention of press, media, travel. Mr. Meyer said he is hoping the CVS can offer some guidance to the Legislature regarding County attractions.

Mr. Jordan asked if he speaks to people outside the area in terms of what they like and why this area is attractive. Mr. Holder said they have looked at regional data that has been collected by interacting with our visitors, particularly conventioners; with this initiative, they are looking at ways to hit new visitor audiences and also our own local audiences by building ambassadors, building greater levels of resident satisfaction. Mr. Holder said our area's diversity of product is incredibly affordable and accessible compared to markets they are going after; will showcase that it is exciting, adult atmosphere yet family friendly, a popular place and a unique place. **Mr. Jordan said he would like information regarding any feedback they receive after the presentation.**

Mrs. Rapp asked if they are taking a regional approach to the marketing. Mr. Holder said once they start creating different themed experiences, they have to look at everything they can incorporate within it, have to expand out of our region; will keep them in our area longer, make them more satisfied, prompt them to want to come back for more; will keep feeding with different ideas and different themes; will be leaders within our region and state; regional travel drives more economic impact than trying to stay localized.

The meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Johanna H. Robb, Deputy Clerk

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ENVIRONMENTAL PROTECTION COMMITTEE MINUTES

JAMES CORBETT, CHAIRMAN

March 13, 2007

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

MEMBERS ABSENT: Mrs. Winslow

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

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

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

1. LAKE IMPROVEMENT:

a. ACJ Update - Mrs. Sue Miller

- Work continuing at Midland - at 73.8 % total expenditures for the four main contracts
- Work continues on the 144-inch pipe - now have 840 ft. of the 1,200 ft pipe in
- Biosolids handling construction coming along nicely at Metro
- Next project to be started under construction - conveyances; received DEC approval this month of contract documents; put the bid out

Mr. Corbett said the agenda would be taken out of order, item 2b. after item 2e.

2. WATER ENVIRONMENT PROTECTION: Mr. Richard Elander, Commissioner

a. Appropriating \$15,477,760 of the proceeds of the bonds authorized to be issued pursuant to Bond Resolution No. 231 dated September 7, 1999 to provide funds for construction of Phase 1 Conveyances and other related expenses of the Clinton Street Conveyances and Regional Treatment Facility Projects (\$15,477,750)

Mr. Elander said that \$23 million is left of the original funds for this project; construction schedule is extremely critical, asking at the April meeting that the \$15,477,760 be released so they have the money and authority to award the contracts (project bids are due April 17th); can't afford another month loss. In answer to Mr. Kraft, Mr. Elander said they have come to the Legislature five different times for money for specific purposes; all were related to the evaluation and selection of the sites and the final design of the project, not to construction.

Chairman Corbett held 2a. and 2b. for a vote later in the meeting.

c. Amending the 2007 County budget to provide additional funds for participation with Syracuse University in the 2007 Federal Work Study Community Service Program and authorizing the County Executive to enter into contracts to implement this resolution (\$3,600)

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

d. A resolution calling a public hearing in connection with proposed improvements for the rehabilitation/replacement of combined and sanitary trunk sewers for the Onondaga County Sanitary District

Mr. Elander distributed packets of information to the committee with a description of each sewer and an estimate of work involved (on file with Clerk). Mr. Elander said the amount of the project has changed from \$6.5 to a little less that \$6.3 million; a portion of one sewer to be rehabilitated collapsed three weeks ago; they are in the process of repairing that portion with their emergency operating funds. Seven different sewers and force mains that need replacing are included in this project; has been in the County's CIP plan for a few years.

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

Mr. Jordan expressed concern that the bids are going to be driven by what has been approved. Mr. Elander said they have a number of projects where the bids were considerably less than what was approved, some higher; If they wait until the bids come in and then come to the Legislature for approval, they lose another three months; bid has to be awarded within 45 days. Mr. Elander added that the only thing it tells a contractor is that a small contractor is probably not going to get bonded for a \$6 million job or a big contractor may not want to bother with it. Mr. Elander said if the bids come in at \$5 million, bonds are generally never sold for more than that; if the bonds are sold and the job is less, the money gets returned to the reserve for bonded debt. In answer to Mr. Jordan, Mr. Elander said the engineers' estimates are made up in a variety of ways - most firms have a construction related firm to put the engineer's estimate together, sometimes done using normally used cost indexes, previous projects costs.

Mr. Farrell asked what the response has been in the past when they tie a number of sewers together. Mr. Elander said the bids were good when they did it with the pump stations.

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

e. Authorizing the acquisition of property for the Pump Station Improvements Project (\$4,425)

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

b. A resolution calling a public hearing in connection with proposed improvements to the Clinton Street conveyances and Regional Treatment Facility Project for the Onondaga County Sanitary District

Mr. Elander said the public hearing is scheduled to be held before the May Legislative Session; they hope to have resolutions before the committee for the April meeting approving the changes and approving the financing for the new project. Mr. Clare presented a Power Point entitled Clinton Street CSO Abatement Project:

History of Cost Estimates:

- 1997 Municipal Compliance Plan (approved in 1997)
- 2005 Facilities Plan (submitted to the DEC and approved in February, 2005)
- 50% RTF & 100% Conveyances Design Estimate (January 2007)

1997 Municipal Compliance Plan:

- Basis for existing authorized amount - \$31,500,000
- Basis of Design - 90th Percentile Storm (230 CFS/150MGD) - will handle storms that occur 90% of the time during year
- Requirement that design allow for future expansion of facility to accommodate a 1 year design storm (775 CFS/500MGD) if determined necessary to meet Clean Water Act standards
- Amount includes construction cost only
- Did not include mitigation costs
- Did not include property acquisition costs for conveyances or the RTF
- Did not include engineering, legal, administrative costs

Mr. Elander said the \$31,500,000 was for a project a third the size of what they are building and didn't include any of the costs that have to be carried in a project.

2005 Facilities Plan:

- Conceptual cost of vortex facility in the Trolley Lot - \$74,100,000
- Basis of Design - 1 year storm (775 CFS)
- Includes Total Project Costs based on February 2005 dollars (ENRCCI = 7298)
- Construction cost (with 20% contingency) - \$54,200,000
- Includes mitigation and conveyance property acquisition costs - did not include any money for the RTF
- Includes engineering, legal, administrative costs - \$13,600,000

50% RTF & 100% Conveyance Design: (50% RTF estimate includes a 15% contingency - new estimate in April):

- Prepared by the design engineers (EEA for RTF and on-site conveyances - CDM/C&S for off-site conveyances)
- Midpoint of construction:
- Off-Site Conveyances - July 2008
- RTF & On-Site conveyances - August 2009
- Total project cost now estimated at \$111,442,042

- This is an increase of \$37,342,042 over the 2005 Facilities Plan
- Components of the \$37,342,042 are as follows:

ü Inflation increase from the Feb 2005 Facility Plan construction cost to midpoints of construction (Conveyances July 2008, RTF August 2009). Using Engineering New Record Construction Cost Index - \$9,800,000

ü Increase of Mitigation/Special Costs (including RTF property acquisition) - \$1,000,000

ü Increase in Engineering, Legal, Admin. (includes all construction inspection services, six months to construction schedule and ongoing engineering expenses) - \$2,542,042

ü Increase based on on-site & off-site conveyance design - \$12,600,000

ü Increase based on RTF design - \$11,400,000

Mr. Elander noted that \$24,000,000 of the \$37,000,000 is in the actual construction costs of the two facilities and another \$10,000,000 of that is inflation.

On-Site & Off-Site Conveyances (\$12.6 million): - every geotechnical expert they talked to agrees that this site is the cheapest site to build on than any other site considered.

- Deeper & more extensive sheeting for on-site conveyances - \$.6 million
- Additional dewatering due to deeper excavations & subsurface conditions - \$2.6 million
- Change from facilities plan that requires leaving sheeting in place in selected areas - \$2.7 million
- Inclusion of creek walk construction - \$1 million
- Addition of flushing chambers & emergency diversion outfall - \$1.5 million (not included in Facilities Plan)
- Additional costs associated with elevated railroad & creek crossings - \$1.3 million
- Price increase of 35% for cast-in-place concrete and additional & deeper manhole structures - \$1.1 million
- Refinement of pipeline design, restoration costs & additional microtunneling \$1.8 million

50% RTF Design (\$11.4 million):

- Subsurface conditions requiring more extensive pile foundation system and more extensive dewatering - \$5.2 million
- Price increases of 35% for cast-in-place concrete - \$1.6 million
- Refined cost estimates for electrical, heating-ventilating & plumbing in lieu of a % of general construction costs - \$3.6 million
- Mechanical equipment cost increases beyond normal inflation - \$1.0 million

Mr. Elander distributed back-up information regarding Clinton CSO Abatement Project - History of Cost Estimates (Attachment 2)

Mr. Farrell referred to the Clean Water Act and the original design for a 90% storm. Mr. Elander explained that the Clinton RTF needed to be in accordance to handle the 90% flow; it also had to be expandable and constructed if it was changed to a one year design flow; actual design was progressed on the basis of the one year design storm. Mr. Geiser said the Pure Water Act requires certain performance results; monitoring done by a consultant indicated that they should be able to achieve appropriate limits to the lake with a 90% storm; state said they have to be able to expand to one year later on if they find the results they predicted were not achieved.

Mr. Farrell asked about the costs associated with the conveyances for the deeper construction and dewatering. Mr. Geiser said as they went in and did more extensive subsurface exploration, it was determined that there was high ground water carrying characteristics applicable to the entire area that was not originally anticipated; did a number of borings that showed characteristics similar to Midland facility. Mr. Elander said all their internal staff has now been directed to do the number of borings and dewatering tests needed if they have questions - the more information gained prior to bidding the better off everybody is.

Regarding shared costs a decade ago, Mr. Kraft said the County was looking at one third with state and federal governments coming into play, hopes they give more to hold down their share of cost increases. Mr. Kraft would like to see the bond authorization as low as possible. Mr. Kraft mentioned the engineering costs; Mr. Elander said they are probably a little higher on this project because of the piecemeal approach to evaluations due to getting on the Trolley Lot, etc.; reminded the committee that projects where they had construction management were up as high as 26 - 27% for the soft costs, looking at 15% to 18% on these projects. Mr. Albanese said due to litigation, public hearings, public meetings, engineers had to come up with answers regarding questions about going deeper, larger, and not so high. Mr. Kraft suggested having a discussion to educate the committee regarding the RFP's, responses to proposals, choice of bidder, adjustments to projects. Mr. Kraft suggested taking a look at the contingency of 20%, appropriate less so that the committee knows it isn't going to get spent until they know about it.

Mr. Elander said when you take the project back when it was at \$380 million and do the ENR indexes, you end up with \$570 million; Midland project is going extremely well, change orders are less than 2%; quality of design and effort that is going into projects shows in the bids they get in; when we get through with Harbor Brook, will still be below \$570 million; everybody involved including engineers and contractors have done a remarkable job; it is not going to cost any more money than it would have if we hadn't changed anything.

Mr. Rhinehart asked where the water would go with a 10 year storm after completion of this project. Mr. Elander replied that all water that can get to the facility will be stored and treated; if over a 5 year storm, can't be handled by sewers, would be running down street; with a 5 year storm, various CSO's will continue to be activated and will go into the creek as combined wastewater. Mr. Elander said our obligation is to capture and treat all storms up to a 1 year storm, if greater than one year, lasts long enough and systems are full, it will discharge into the creek. As a taxpayer, Mr. Rhinehart said this is an immense amount of money for what we are going to get. Mr. Elander said a half a billion dollars is a lot of money, but it will eliminate an awful lot of combined wastewater from going into the creek. Mr. Kraft recalled that the overflows were about 100 a year when he first came to the Legislature; Mr. Elander said it will be down to ten or fifteen a year and those are treated overflows.

Mr. Jordan asked if the costs for mitigation, property acquisition costs, engineering, legal and administrative shouldn't they have been included in the 1997 Municipal Compliance Plan; Mr. Elander said some of those costs should have.

Mr. Jordan said we are now looking at a project that is \$70 million more than what it was ten years ago. Mr. Elander said the big difference between the 1997 plan and now is that is was one-third the size.

Mrs. Chaplin asked if the blasting done at Midland upped the cost regarding sheeting, and do they anticipate that same situation at Clinton. Mr. Elander said it added a half a million dollars to the Midland project; have done sonic borings at Clinton, have located that there is some existing material; it is incorporated in these costs.

a. Appropriating \$15,477,760 of the proceeds of the bonds authorized to be issued pursuant to Bond Resolution No. 231 dated September 7, 1999 to provide funds for construction of Phase 1 Conveyances and other related expenses of the Clinton Street Conveyances and Regional Treatment Facility Projects

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

b. A resolution calling a public hearing in connection with proposed improvements to the Clinton Street Conveyances and Regional Treatment Facility Project for the Onondaga County Sanitary District

A motion was made by Mr. Kraft, seconded by Mr. Farrell to approve this item. Ayes: Mr. Kraft, Mr. Farrell, Mr. Jordan, Mrs. Chaplin, Mr. Corbett; Abstained: Mr. Rhinehart; MOTION CARRIED.

Mr. Kraft complimented Mr. Elander on how comfortable it was to work with him, how responsive his was to the committee through the years, and thanked Mr. Elander for his service to the County upon his impending retirement.

3. Informational: Intermunicipal Agreement - Clinton, Harbor Brook, Midland

The Intermunicipal Agreement (on file with Clerk) and summary (Attachment 3) were distributed to the committee. Mr. Rivizzigno reviewed past actions between the County and City:

- County brought a Third Party Action against the City for condemnation concerning Midland project; that litigation resulted in a judgment that was filed in January of 2004.
- The City appealed the judgment to the Second Circuit Court of Appeals; that matter was argued in September of 2004 in an expedited proceeding; still do not have the final decision.
- When the County commenced proceedings to acquire land for Clinton, the City commenced a State Court Action that resulted in it being brought into the Appellate Division, that action is currently pending; scheduled to be argued sometime later this year.
- In November of 2001 and again in February of 2002 the County served notice on the City of its intent to file an action under the Clean Water Act.

Mr. Rivizzigno said the agreement is a cooperative effort by the City and the County to resolve all that litigation and to provide for the circumstances and conditions under which the County can accomplish its projects and meet the court ordered completion date of January 2012. Letter of intent provided previously has now been expanded into this agreement; document contains a detailed agreement between the City and the County covering all the projects, the litigation as well as the mitigation.

Mr. Albanese said what were suppose to be expedited decisions were taking close to three years; all knew that ultimately the work was going to happen, cost was going up day by day; went ahead with Midland project, now at 75% completion and still do not have a final decision. Agreement involves the expenditure of \$15,000,000 in mitigation commitment, \$9 million of that was developed by the Executive Office and WEP as they went through projects and designs, incorporated a lot of what they typically would do with construction in these projects; made the conscious decision that they would leave every area they went into better than the way they found it. Mr. Albanese said particular attention was paid to the front end of Clinton because of the business impact it would have; knew they had to mitigate the parking loss that would take place. Parking involves adding spaces at a downtown parking garage project as well as a second project within the Armory Square area; owner of garage will agree to certain standards of lighting, security, hours of operation; will give the public additional parking spaces that are usable at times when they want to use them. Mr. Albanese said they want to make sure that every penny spent is going to be of good use, what the public wants and needs. Regarding Midland and Harbor Brook, decisions were made to empower the neighborhoods, involve the residents so there wouldn't be a dictate to them; they would decide what would make their neighborhoods better. Mr. Albanese said time is of the essence; looking at \$620,000 escalation for every thirty days they are delayed; when this agreement is signed and approved by both legislative bodies, it clears a path for us to move forward with all the remaining projects in the ACJ without any hindrance.

Mr. Tim Carroll, City of Syracuse Director of Operations, said the Mayor did the same type of assessment about six months ago; weighed the legal risk to the City given the six law suits that were ongoing and the cost of that litigation and looking at the potential opportunity for some community investment money; authorized the resuming of discussions with the County. Mr. Carroll said it is a fair resolution to a difficult and contentious issue that has divided the City and County for a number of years. Concerning downtown residential development, parking would be available 24/7, secure and lit; Armory Square Association thinks this would assist the area. Mr. Carroll said most intriguing is opportunity for \$6 million of community directed investment in three areas; on top of that, there will be \$3 million of community initiative money in the Midland area; thinks it will be very well received in areas of the city where people are finally going to have the opportunity to invest in their housing stock and neighborhood improvements. Other areas the would that would receive mitigation money: Harbor Brook (RTF plant would be built at corner of Grand Ave.), \$2 million for an area known as Skunk City, Sacred Heart track off of Park Avenue, RFT to be built on State Fair Blvd. Mr. Carroll said the City Council received the agreement yesterday, scheduled meetings, hopes for a vote some time within the next month.

Mr. Corbett asked if they would join with the County if a lawsuit came up by an ancillary group; Mr. McMahon replied yes. Mr. Albanese said the City has agreed to become a true partner in the project - verbally, legally, publicly. Mr. Albanese said the Armory Square area would have seen three hard years of disruption; by the County acting as construction agent for the City and having a single contractor do all the work concerning the pipe work for Clinton and the Creek Walk, will turn it into one year of major disruption and part of a second year with minor disruption; shows cooperation between the two levels of government.

Mr. Farrell asked the source of funds for the \$15 million; Mr. Elander said \$9 million of that is in the construction projects. Mr. Elander agreed that it is coming out of local dollars through sewer charges. Regarding the parking mitigation, Mr. Farrell said this is taking \$4 million of public money and handing it over to the private sector to create a parking garage; will benefit public, but direct benefit of parking revenue goes back to the developer; asked why is there is not an element to this that brings the revenue back to the County. Mr. Farrell said it is a substantial stumbling block to him. Mr. Carroll said right now the city is in the parking garage business, those are \$6 million losers to them; this benefits the city by adding 24/7 parking and puts the onus on the operator to deliver; garages are maintenance money pits; the City is comfortable turning both the risk over to the developer and letting the private market determine how to make the garage profit. Mr. Farrell stated that it is the County's money, the taxpayers' money. Mr. Corbett said there might be a short-term gain; revenue is needed to put back into fixing it due to our climate. Mr. Farrell suggested a comparison on that garage to the County's experience with its garage. Mr. Mareane said in return for this one time investment, we are spared the ongoing costs of maintenance for lights, security, manpower, etc., not just the periodic refurbishment.

Mr. Rhinehart asked what the City is contributing to this municipal agreement; Mr. Rivizzigno said they are dropping all the lawsuits, worth a significant amount in terms of dollars. Mr. Rivizzigno said we are talking about lengthy delays with litigation; the ACJ says we will start paying some big fines to the federal government if we don't finish by 2012; gives ability to finish projects unhindered, hard to put a dollar amount on that, thinks it is significant. Mr. Elander said they cannot do any of the projects without land that the city owns and controls; need to get past the city/county thing, this will allow every project to proceed without throwing away \$600,000 a month and without missing our deadline of 2012. Mr. Rhinehart noted that even though this is primarily funded by sewer tax money, County government also runs on general tax dollars when talking about employees who have worked on this, such as Law Dept., WEP; should have come up with something like this a long time ago.

Regarding the \$3 million for expansion of the Atrium parking garage, Mr. Jordan asked what the construction would be. Mr. Albanese said they would be adding on top; there would be a new façade and rehab/update to existing garage; felt they weren't just adding 200 new spaces, there are 800 existing spaces that are not available during certain hours of demand, but now would be; impacts patrons of the establishments as well as residents. Mr. Carroll said there would be about 120 thousand sq ft. of new office space in addition to two floors of parking.

Mrs. Chaplin asked who would administer the \$6 million in community enhancements; Mr. Carroll said it would go through Community Development. Mr. Albanese confirmed that none of the money could be used to offset any existing City expense, administrative expense; use of money is to go directly into the neighborhoods. Mr. Rivizzigno said the Mayor and the County Executive must approve projects.

Mr. Kraft mentioned that sales tax always been a bone of contention between the city, had to deal with City regarding difficulties regarding the Convention Center Hotel, negotiation of \$60 million concerning DestiNY; now talking about the ACJ and \$500 million plus worth of expense for improvements mostly in the City. Had not been for the consolidation of the Sewer District, it would have been a city problem; entire District is coughing up for this willingly; now, to get out of court, have to make a deal to come up with \$6 million; doesn't sit well with him. Mr. Carroll said there is an impact from construction in these neighborhoods, Mayor had a different preference on the way he would have liked to see the project go; last year he weighed all the costs, risks, etc. and agreed to sit with the County Executive to find a resolution to something that has divided the county for ten to fifteen years. Mr. Carroll prefers to see this as a potential for going forward. Mr. Kraft asked how much the mitigation is for the project going on at Wetzel Road; Mr. Elander replied not much. Mr. Kraft said these are necessary improvements to the betterment of the City. Mr. Jordan said he understands the cost of litigation, feels the County is being held hostage because of the realities of those costs, joins with Mr. Kraft's comments in this regard.

Mrs. Chaplin said she lives in this community that has been disrupted, is glad that something is being put back that was taken away, thinks it will make a great impact in the city. Ms. Chaplin said we all work here, flush here, make our living here; the City is the heart of the County of Onondaga, \$6 million is a small investment for what we are going to get out of this.

Mr. Corbett said he assumes this will go to Ways and Means, asked that the balance of Legislature receive all the information supplied to this committee. Mr. Albanese suggested that the committee members forward any questions regarding the agreement to him either verbally or in writing; he, in turn, will get the question and answer in writing to all the members of the committee.

The meeting was adjourned 12:00 p.m.

Respectfully Submitted,

Johanna H. Robb

Deputy Clerk

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EDUCATION AND LIBRARIES COMMITTEE MINUTES

MARCH 13, 2007

JAMES DIBLASI, CHAIRMAN

MEMBERS PRESENT*: Mr. Kilmartin, Mr. Holmquist, Mr. Kinne

MEMBERS ABSENT: Mrs. Winslow

*Legislator's Corbett and Chaplin were attending the Environmental Protection Committee meeting which ran concurrent with this meeting.

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

1. OCPL: Ms. Kate McCaffrey

a. Amending the 2007 County Budget to accept American Library Association (ALA) Grant funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts to implement this resolution (\$5,000)

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

Ms. McCaffrey stated the grant funds would be used for 2 lecture series on Jewish Literature, which will take place at the Petit Branch Library located on Westcott Street. The grant is offered on a regular basis.

The Chairman asked if there were any cost not covered by the grant. Ms. McCaffrey replied there were none.

A vote was taken and passed unanimously; MOTION CARRIED.

b. Amending the 2007 County Budget to accept Library Services and Technology Act (LSTA) funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts to implement this resolution (\$11,630)

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

Ms. McCaffrey stated LSTA Grants are federal funds administered by the State Library. This is an invitational grant to all library systems in New York State. The level of funding is based on the number of children who participated in the 2006 Summer Reading Program. The grant will serve 9,000 children throughout the county. There will be 2 programs for each of the 31 libraries, Zoo to You and Moreland the Magician. The grant will supply Interactive Mystery Kits and plastic bags for the children as well as posters and banners promoting the programs and reading.

Mr. Kinne asked if these were advertised programs that children attend at the library. Ms. McCarthy confirmed that was correct.

Mr. Kilmartin asked if the county put the money up front and was reimbursed when the federal funds were received. Ms. McCarthy replied the county does not advance the funds for these programs.

A vote was taken and passed unanimously; MOTION CARRIED.

2. OCC: Mr. William Emm and Mr. Mawhinney

a. Introduction: William Emm, Chief Fiscal Officer

The Chairman welcomed Mr. Emm and introduced him to the committee stating he was the new Chief Fiscal Officer of OCC.

Mr. Emm stated has been with the college for about 10 years. He came to the college after 18 years at Syracuse University. In 2004 he was asked to assume the position of comptroller, which he did until April of 2006. He then assumed the role of acting Chief Fiscal Officer until January 2007, when he assumed the role permanently.

b. Capital Projects Update

Mr. Emm passed out a graph containing the OCC Facilities Master Plan Implementation. **(Attachment #1)** OCC recently closed on 14.36 acres of land. No long-term decision has been made for the use of the property. There are a number of options and he will keep the committee informed as they go forward.

Phase I of the Gordon Student Center has been completed. Phase II will begin as soon as exams are over. Phase II will be renovating the kitchen and cafeteria areas. At the same time, upgrades will be made to the dining services contracts resulting in a more modern, open-air international food environment. The renovations should be complete by the time classes start in the fall of 2007.

Mawhinney Hall Phase I renovations on the 1st floor North and 2nd floor South Wing have been completed. Upgrades in technology, lighting, sound and furnishings have been made to the classrooms. Phase II renovations on the 2nd Floor North and Center Wing are currently under construction and should be complete by May of 2007. Phase III renovations on the 3rd floor North and Center Wing will be started in May. Construction is on schedule and within budget.

Health & Physical Education renovations are scheduled to begin in the summer of 2008. The focus will be on maintenance issue with this building and updating the fitness center. Students are now on campus full time and the fitness center must be improved to meet their needs.

Updates to the athletic fields are planned for the near future. The athletic program has done very well with a National Championship in Lacrosse last year and the Men's & Women's Basketball Teams both winning their conferences this year. Improvements to the fields will assist in building the athletic program and drawing more students to attend OCC.

The Chairman asked if the construction was on schedule. Mr. Emm stated the biggest project is the Mawhinney Building and they are on target. The Gordon Student Center will be spread-out until September. Technology may actually be ahead of schedule

as they strive to get the best pricing while still improving capabilities.

Mr. Kilmartin asked for the closing date on the land purchase. Mr. Emm stated it was in March.

Mr. Kilmartin asked if they were considering local food management. Mr. Emm stated that 5 companies had responded to the RFP. He stated they all seem to be fairly local. He cautioned that "Local" is a loose term. The companies are large and do operate in this local area.

Mr. Kilmartin asked if the additional land would be used for the athletic field expansion. Mr. Emm replied at this time they are looking at land to the right of the water tower.

Mr. Kinne asked what hours the physical fitness center was open and if it was staffed. Mr. Emm replied the center was open and staffed from 8:30 am - 7:00 p.m. Physical Therapy is also available at the fitness center and provided by a private company.

3. CULTURAL RESOURCES UPDATE - Leo Crandall & Katherine Lowe

Mr. Crandall stated he wanted to give a quick financial update and Ms. Lowe would then focus on technology issues.

Mr. Crandall stated this year has been a fiscal challenge due to the decrease in revenues from the Irish Festival, the major fundraiser for the Cultural Resource Council (CRC). Mr. DiBlasi asked if the decrease was due to attendance or cost. Mr. Crandall stated it was due to the beer sales. Mr. Kinne asked when Irish Festival was, the amount to attend, the cost for a beer and what kind of beer was sold. Mr. Crandall stated the Irish Fest is located at Clinton Square and takes place the weekend after Labor Day. There is no cost to attend the event. There is a range of beers and prices; a premium beer of Guinness or Harp sells for \$4.50. Sales were down in comparison to prior years. The first festival was very small and located in Armory Square without any sponsors. The CRC was asked to take over the festival and assist in promotion and growth of the festival. The festival peaked about 3 years ago and since has been on the decline; as all festivals have.

Mr. Kilmartin asked if any changes had been made since the decline. Mr. Crandall stated they had not made any major changes. Mr. Kilmartin asked if other concessions were tracked. Mr. Crandall replied not in the same manner, they take a percentage of food sales. Mr. Kilmartin asked if they had ever thought of doing the same for the beer sales. Mr. Crandall replied that the CRC had total control of the beer sales; they provide the insurance and use volunteers to staff it. Mr. Kinne asked how they get volunteers. Ms. Lowe stated they have a list of over 200 volunteers and actually have people coming to them requesting to volunteer.

Mr. Holmquist asked what percent of the budget comes from the Irish Festival. Mr. Crandall stated that the budget it hard to get a handle on as the CRC re-grants about \$200,000 to the arts. Even though are budget is \$750,000; the actual operating budget is about \$500,000. CRC is actually an art service organization. Net funds raised at the highest level were \$40,000; last year's net was (-\$10,000).

Mr. Kilmartin asked if consideration was given to leasing the beer booth, and taking a fixed percentage or renting the space with a flat fee. Mr. Crandall stated they have looked at this. This year they are going to focus on a larger issue. The local Irish community does not drive the festival. CRC has been in close contact with the Ancient Order of Hibernian's and other local Irish-American Groups, encouraging them to take a larger roll in the festival.

Moving on to service-base issues, Mr. Crandall stated a partnership has been formed with Syracuse University to provide an Artist Service Center. The center is located on the first floor of the Warehouse, and is staffed two days a week. Here artist have access and assistance with new technology and are able to set web pages, digital portfolios, and so on.

Mr. Crandall stated that Ms. Lowe would be discussing the website. Ms. Lowe stated they primarily connect with their members face to face but realized they needed to do more with the Internet. Ms. Lowe passed out pages from the new web site. <http://www.cspot.org/> In the past year they began updating the web site.

Newsletter updated from text-based publication to interactive web site

(on file with clerk - pages from old web site))

- 50% increase in the number of members receiving the newsletter
- 100% deliverability is achieved with the electronically maintained mailing list.
- E-Blast capabilities
- New web site to be launched this week <http://www.cspot.org/>
- Availability to change and update information as needed, with out having to go through web host
- New feature Artist News, used to paste fat breaking information for community access
- Addition of the Artist Salon, quarterly discussions with businesses, artists and the general

community to showcase work and discuss important issues

- Artist Registry updated to allow for a full web site the artist is able to update and maintain
- E-commerce with PayPal available for Internet Sales
- Video performances now available through partnership with Syracuse University
- Interactive regional calendar of events, joint effort with Cortland and Oswego Counties
- 300% increase in the number of events listed on site
- Up coming events Irish Night & the Horizon Awards

Mr. Kinne asked what the mission of the CRC was. Ms. Lowe replied to provide services to individuals, organizations and the general public that ensure the vitality and diversity of culture in Central New York.

Mr. Kinne asked if the CRC was aware of the study lead by Eric Mower in the early 90's. Ms. Lowe stated this study was one of the motivators for getting together artist, business people, legislators and the general community. One of the items listed in the study was a need for one central location to get information. The CRC has worked toward this goal with the web site updates, combined efforts with surrounding counties for promotion and tourism, and partnerships with Syracuse University.

Mr. Kinne asked about the funding issue. Ms. Lowe stated funding will always be an issue. The CRC started going to outside sources, such as the Arts & Business Council of New York. With the updates to the web site, CRC is looking to combine the arts and tourism. CRC is working to bring people in to town to see the artist and plan a day trip in the area. The combined efforts of the arts and tourism, have allowed for additional funding to be applied for. Mr. Kinne asked if anyone was trying to implement the funding issue that was brought up in that report. Mr. Crandall stated he was not sure of the value of this type of funding stream. The Chairman asked what the report was. Mr. Crandall stated the County Executive pulled together a group to study a potential dedicated funding stream for the arts. The Chairman asked what the funding source would be. Mr. Kinne replied the study group suggested a nickel tax on all entertainment or a portion of the profits from OTB.

Mr. Crandall stated that their counterpart in Buffalo had a dedicated funding stream and is just about ready to close. The county was in financial trouble and did away with the funding. Mr. DiBlasi suggested the entity stopped trying to generate funding.

Mr. Kinne stated a hybrid system was discussed with funds not to fall below a certain level for different groups, with the levels being determined by the CRC. The legislature would encourage groups to continue to raise funds as well. There are several examples across the country where dedicated funding has worked.

Mr. Crandall stated when he first joined the CRC they received an additional \$25,000 from the legislature. The CRC disbursed the money to smaller groups. These groups were then able to apply for additional money from the state. Without local support and county money the state will not grant any additional funds. The CRC divides local artist into 3 categories to disburse money: institutions, organizations & entities, and individuals. They try to give each category support so that everyone gets a piece of the pie.

Ms. Lowe stated the CRC is working on increasing their revenue with increased exposure, tourism and the ability to apply for additional funding. The Chairman stated he hopes the press might be able to help by printing information on the CRC. Ms. Lowe stated press releases would be going out in Onondaga, Cortland and Oswego Counties.

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

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

Respectfully submitted,

Katherine Stadelmann

Assistant Clerk

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WAYS AND MEANS COMMITTEE MINUTES

MARCH 27, 2007

WILLIAM H. MEYER, CHAIRMAN

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

MEMBERS ABSENT: Mr. Kraft

ALSO PRESENT: *SEE ATTACHED LIST*

Chairman Meyer called the meeting to order at 9:30

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

Ms. Tarolli provided a clarification regarding the imposition of sales tax related to the March Fiscal Ways & Means Committee.

1. TRANSPORTATION: Mr. Mark Lynch, Commissioner

a. Authorize Co. Exec. to enter into agreements with the Town of Geddes for the replacement of a sanitary sewer as part of the rehabilitation of Syracuse Cedarvale Rd (Grand Ave.), C.R. No. 39 (\$32,000)

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

This item accepts funds from the Town of Geddes. A portion of sewer needs to be rebuilt, \$32,000 estimate. WEP will relocate sewer lines owned and maintained by the county and lines the county maintains for Geddes.

Passed unanimously; MOTION CARRIED.

b. Amending the 2007 County Budget and advancing 100% of the federal and state aid eligible costs for the construction and construction inspection phases of Plainville Road Bridge over the Seneca River, Bridge C-28, BIN 3313200, PIN 3753.77, at a maximum cost of \$2,137,500

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

Mr. Lynch explained that this is the construction of the Plainville Road Bridge over the Seneca River--legislature has already approved design and ROW incidentals.

Mr. Farrell asked about the status of previous conversation regarding temporary bridges. Mr. Lynch explained that they are doing a study on the subject of temporary bridges. There will also be a temporary bridge needed for the Jamesville Road bridge. Temporary bridges are not normally used; these 2 are the first used in years. There was a question brought up at a previous meeting that asked them to study the possibility of buying a temporary bridge or bridges to have on hand. Paul Hood, the bridge engineer, is in contact with the firms that make the bridges. The study is not completed, but they feel that in order to get a bridge to cover all needs, a fairly substantial structure would have to be bought. It would have to be stored. The 2 current jobs are federal, so the county only pays 5% of costs. The process is that the contractor rents the bridge from a firm; rental cost is about 25% of actual purchase price of bridge; there are footing issues and span issues.

Mr. Farrell asked about government cooperation with the region. Mr. Lynch said that they explored the option with federal jobs to see if they could buy them under the federal program and were told that it is not a possibility. He does not know if it is a possibility with the state holding and supplying these bridges and letting the county use it - they can explore that option. Mr. Farrell asked about the lifespan of one of the bridges. Mr. Lynch said that if it is stored inside undercover, it would probably last forever. If it is left outside, it may last 20 years; they are made of galvanized steel, which doesn't last forever.

Mr. Warner asked about cost to purchase. Mr. Lynch explained that to buy a similar structure as the one for this project would be around \$80,000.

Mrs. Rapp suggested contacting Regional Planning Board to find about grants to purchase bridge for regional use. Mr. Stanczyk agreed. Mr. Lynch said that he would pursue it.

Passed unanimously; MOTION CARRIED.

c. Amend 2007 Budget and advance 100% of the federal aid eligible costs at a max. amount of \$200,000 and authorize Co. Exec. to enter into agreements for the design (Scoping I-VI) and right-of-way incidentals of Warners Rd. Bridge over the Finger Lakes Railroad, C-173, BIN 3093490, PIN 3754.24 (\$200,000)

This is to begin design, a federal project--Warners Road bridge located next to Pensebenes Park West Restaurant. The deck is coming apart. This project has moved up, as it is in such poor repair.

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

Mr. Warner asked about the last time that work was done on the bridge. Mr. Coley stated that it has been patched for 3 years. The state reconstructed their bridge over Rt. 695 in 2004, but they didn't touch the railroad bridge. Mr. Warner asked if the

railroad has liability. Mr. Lynch said that the County is clearly responsible for the deck. There is an issue about the rest of the structure; the railroad is saying that they are not liable for any of the structure. The state says that when the change went from Conrail to Consolidated to Fingerlakes, the agreement that the State had did not include responsibility for these bridges. The State is saying that they will include all projects on the federal program; any work that is needed will be taken care of. Mr. Lynch indicated that he does not want the county to be responsible for the substructure. The railroad is saying that they don't own it; the state is saying that the county owns it.

Mr. Coley said that when the federal government broke up Conrail, CSX held all the same contracts--they did not assign the little railroads the bridge responsibilities. Mr. Lynch explained that CSX did accept responsibilities for the bridges. The County has other railroad bridges that are CSX, wherein they own the substructure and County owns the deck.

Passed unanimously; MOTION CARRIED.

d. **Amending the 2007 Co. Budget to accept funds for Onondaga Co. Department of Transportation's LED Project and establishing a grant project to begin replacement of outdated signals (\$25,121)**

A motion was made by Mr. Ryan, seconded by Mr. Rhinehart to approve this item. Out of Room: 1 (Meyer); Passed unanimously; MOTION CARRIED.

2. **FINANCE: Ms. Karen Carney**

a. **Approving and directing the correction of certain errors on tax bills**

A motion was made by Mr. Ryan, seconded by Mr. Warner to approve this item. Out of room: 1 (Meyer); Passed unanimously; MOTION CARRIED.

3. **OCPL: Ms. Kate McCaffrey**

a. **Amending the 2007 County Budget to accept American Library Association (ALA) Grant funds for the Onondaga County Public Library and authorizing the Co. Executive to enter into contracts (\$5,000)**

This is for the Petite Branch for a series of reading and discussion regarding Jewish literature.

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

Mr. Ryan referred to both grant items, and asked if money is received every year for them. Ms. McCaffrey said that this is about the 3rd time in 10 years for the Petit Branch; not secured for any other libraries. Regarding agenda item 3b, this is the 3rd year received. The money was not put into the budget. Mr. Ryan is concerned that there is a lot of money coming in from grants that aren't put into the budget. Homeowners and business owners are allocating in the form of property taxes and then there is money received for these programs.

Mr. Warner said that Mr. Ryan's questions might better be directed to the DMB for the entire countywide grant system, to see what is projected and then at the end of the year where it ends up.

Mrs. Rapp asked if taxpayers' money was put in to fund this and now a grant is being received for it. Ms. McCaffrey said that there is no money until the grant happens. Mrs. Rapp asked if it is supplanting money that was already raised; Ms. McCaffrey said "no." Ms. Migano said that an analysis was done at budget time last year and there are efforts made to put the grants into the budget

Passed unanimously; MOTION CARRIED.

b. **Amending the 2007 Co. Budget to accept Library Services and Technology Act (LSTA) funds for the Onondaga Co. Public Library and authorizing the County Executive to enter into contracts (\$11,630)**

A motion was made by Mrs. Rapp, seconded by Mr. Ryan to approve this item. Out of room: 2 (Meyer, Farrell). Passed unanimously; MOTION CARRIED.

4. **HEALTH: Ms. Jean Smiley**

a. **2007 Transfer of funds from Center for Forensic Sciences Acct. 101 Salaries in the amount of \$36,000 to Acct. 408 Fees for Services to cover the cost of contracting for firearms examiner services due to recruiting difficulties (\$36,000)**

Ms. Smiley said that she had sent over detailed information (attachment no. 1)

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

The 2 people that they have on staff do not have sufficient training to be able to sign off on cases. In a firearms case, another scientist has to review the results and sign off. For training, they have had difficulty recruiting someone at the senior level, so they are trying to bring the 2 existing people up to the level needed to be able to sign off on cases for each other. It is a short-term issue because usually fire arms examiners, even if hired with a BA degree it takes about 2 years of on-the-job training. They did an RFP to contract it out; an individual will come in about 5 days/month; \$36,000 - \$65/hr., includes all travel and lodging expenses.

It is real problem across the country; as people retire, the number one issue for the Nationwide Center for Forensic Sciences in terms of firearms examiners. As people retire, there are not enough people behind them.

Mr. Ryan asked if this can be merged with the Sheriff's Dept. or SPD to get a recruit. Ms. Smiley explained that they have moved to a civilian laboratory, and some of the people that have that expertise are retired police officers. The 2 existing people are young, but the problem is that after a certain level of training there are other places that they can go.

Mr. Warner asked about the salary for a senior firearms examiner; Ms. Smiley said is \$52,986 - \$74,508. Mr. Warner questioned how many cases they handle; Ms. Smiley said that she will get that information.

Mr. Rhinehart asked what other communities do. Ms. Smiley said that some send cases to State Police--are only a few certified labs in surrounding counties; this is an issue across the country. Mr. Rhinehart asked if others will be looking at us to do their work. Ms. Smiley said that they are trying to make a regional facility, some lab work is done for other counties; right we are unable to handle our own firearms needs.

Mr. Farrell asked if other entities in the region have been actively pursued. Ms. Smiley said that they have.

Passed unanimously; MOTION CARRIED.

b. Create Environmental Health Technician I, Grade 8 @ \$34,577 - \$38,232, effective April 14, 2007; Abolish Environmental Health Technician 2, Grade 9 @ \$37,561 - \$41,548, effective April 14, 2007

Through Healthy Neighborhood grant - have had 2 main environmental titles - Environmental Health Tech I and Environmental Health Tech 2. The EHT2 recently took another position, but there is no one qualified to be a 2. The qualification for a 1 and 2 are exactly the same; there is no open competitive side; it mirrors itself and limits them to finding candidates. Desire to reduce title to a 1, instead of having two 2's.

Mr. Farrell asked if people typically come in on grants, transfer to another grant, then transfer into permanent positions. Ms. Smiley said they have many grants; all retirement costs that they are allowed to charge for are included; do not include insurance costs. Many grants are short-term, 3-5 years; they have some longstanding grants, i.e. Lead, WIC, Healthy Neighborhood. Some programs are entry-level positions--people might work there a couple of years and then there might be an opening that they qualify for and would move to a county-paid position. The grant affords them to have more time in the county system, but have not had anyone retire from the grants. A handful of grants do not allow charging for retirement fringes.

Mr. Farrell asked that the Comptroller be asked to report to Ways and Means Committee on the overall cost breakdown of fringes across county government.

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

5. SHERIFF: Captain Roy Graiten

a. Create the title Navigation Patrol Officer, Gr. 7 @ \$31,794 - \$35,139 in the Onondaga County Salary Plan, effective May 1, 2007

This is used for staffing boats with special deputies on a part-time basis in the summertime; typically 8 people who work a total of 1,000 hours. Typically they were in a previous laborer title and it was hard to get them to work at the rate of pay of \$10/hr; this will bring it to \$15/hr. The alternative is to fill with deputies with overtime. The funding is included in the 2007 adopted budget.

Mr. Warner asked if these people are trained in navigations patrol. Capt. Graiten said that they are trained as special deputies; basically have been using the same people every year. Mr. Warner asked if there have been a lot of complaints about unjustified stops of boats; Capt. Graiten said that he has not heard of anything.

Mr. Rhinehart questioned the problem of getting people to do this; he knows that a lot of the deputies have been doing it a long time and enjoy it. Capt. Graiten said they have had a hard time getting special deputies to continue to do it; these are not police officers, they can make much more money doing other part-time jobs. Mr. Rhinehart asked if partnering with other municipalities have been looked at. Capt. Graiten said that there is a program with Skaneateles.

Mrs. Walter explained that this particular title will only exist on the 103 payroll.

Mr. Ryan asked if Oneida Lake is in Onondaga County. Mr. Colon said that all of Oneida Lake is in Oswego County. Mr. Ryan said that if that is the case, the county is out of jurisdiction. He feels that this should be examined; Capt. Graiten said he would bring it up to the Navigation Unit.

A motion was made by Mr. Farrell, seconded by Chairman Meyer. Passed unanimously. CARRIED.

Mr. Stanczyk asked for an explanation on Oneida Lake, prior to the floor vote.

6. PARKS: Ms. Kate Skahen

a. Create Mechanical Systems Maint, Supervisor, Gr. 31 @ \$44,012 - \$62,002 effective April 7, 2007

This is a new position at the zoo; recently reviewed the skills and experience required for an existing position. The existing position is not in line with the technical expertise and skills needed. There is currently one person at the zoo for mechanical system, a supervisor, and 3 laborers. There is an incumbent in the position, maintenance superintendent; same grade.

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

Mr. Ryan asked if there is a correlating resolution to eliminate the current title. Ms. Walter explained that they don't want to abolish while the list is new; it will likely be abolished by budget time. It will be unfunded. This person would not revert back; part of the reason for this change is to accommodate the person's skills.

AYES: 7 (Corbett, Farrell, Rapp, Rhinehart, Ryan, Stanczyk, Warner); NOES: 1 (Meyer). CARRIED.

b. Add the rates of \$10.00, \$10.25, \$10.50 and \$10.75 per hour to the title Seasonal Aide

This will add 4 increments to 103 title of seasonal aide, currently the highest they can pay is \$9.75. This will be a money savings, as they currently have positions in the laborer I title and last summer the rate was \$10.05 and will be going up to \$10.91 in July.

A motion was made by Mr. Rhinehart, seconded by Mr. Meyer to approve this item. AYES: 7 (Meyer, Corbett, Rhinehart, Farrell, Rapp, Warner, Ryan). NOES: 0; ABSTAINING: 1 (Stanczyk). CARRIED.

c. Local Law authorizing the lease of County property located at Alliance Bank Stadium to the State University of New York for Parking Purposes - Commissioner Robert Geraci

Upstate Medical approached the County a couple of months ago--they are rebuilding their garage and need a place for their people to park; asked if it was possible to park at Alliance Stadium--about 500 cars/day from May 2007-November 2008. The Syracuse Chiefs are OK with it. The County will receive \$10,000/month. Upstate will be responsible for everything, including plowing and maintenance. Any repairs or damages to the parking lot will be Upstate's responsibility. A shuttle bus will run morning and night to and from the hospital.

Mr. Ryan asked what will be done with the money received. Mr. Geraci said that they he will come back next month with a plan; he will propose keeping the money associated with the stadium. There are a number of projects that that need to be done there, i.e. turf, scoreboard; the revenue would offset tax dollars.

Mr. Ryan asked about the states of heat and lights at the stadium. Mr. Geraci said that this past winter they did an energy review and were able to shut down portions of the stadium; looks to have cut back on energy expense. Mr. Ryan asked about the money that was spent and the reimbursement. Mr. Geraci said that would have to be asked to Mr. Kochian and Mr. Rivizzigno.

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

7. WATER ENVIRONMENT PROTECTION: Mr. Richard Elander, Commissioner

a. Appropriating \$15,477,760 of the proceeds of the bonds authorized to be issued pursuant to Bond Res. No. 231 dated Sept. 7, 1999 to provide funds for construction of Phase I Conveyances and other related expenses of the Clinton St. Conveyances and Regional Treatment Facility Projects (\$15,477,760)

- o There are approximately \$23 million dollars left in the financing for approved Clinton RTF and conveyance project.
- o With concerns over Midland and expenses, the legislature asked that whenever funds are needed for Clinton to come back as ask for periodic appropriations
- o Asking for an appropriation of approximately \$15.5 million; it will give money to go forward with Phase I of conveyance projects for Clinton
- o Project has been advertised for bid (Mach 5); bids due April 16
- o There is some connection with the City/County agreement, which is pending. There are Onondaga Creek crossings, which are owned by the city.
- o Scheduling is critical; this is the first project in the last 6 projects to complete the CSO portion of ACJ; as this one is delayed, the following 5 get delayed; was delayed one month already.
- o Total affect on unit charge is \$620,000/mo. for all 6 projects if delayed. Don't want to delay any more, which is why they advertised the bid.
- o This is not the RTF; it isn't Phase II
- o City Council was briefed last Wed. on the agreement; Environmental Prot. Committee was briefed on the 13th.

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

Mr. Warner clarified that this is all part of the ACJ; out to bid right now, it might now come in at \$15.5 million; if we fail to do it and there is a delay, the cost of everything presumably goes up. Mr. Elander agreed. Phase I and Phase II conveyances were reviewed on a map by Mr. Clare. Mr. Elander explained that the \$15.47 million is for the construction of the project, construction phase service of engineering (not approved yet), and \$140,000 design amendment or additional work. The previous and final design, all environmental work, all design, has already been covered in previous appropriations.

Mr. Corbett seconded the motion.

Mr. Corbett said that Mr. Farrell sent him an amended resolution. The thought was to put something in the resolution to convey that whatever costs possible should be reduced. The Law Dept. looked at it and there are 2 concerns: 1. the original resolution referred to just the Clinton Street conveyances and RTF project; and the new resolution also refers to Midland Ave; 2. the new resolution referred to value engineering in the added RESOLVE for both projects - when it would only be pertinent to the RTF and not the conveyances.

Mr. Elander said that value engineering is generally a process done to see where the best value is for your money. This particular sewer line has been approved by DEC and EFC; have options in bidding for types of materials, which can be done in value engineering. It has been left up to the contractor who will presumably use whatever he can get the best price on. Value engineering is typically not applicable to a sewer projects.

Mr. Corbett said it might be better off as a stand-alone resolution. Ms. Tarolli said the resolution stems from a bonding resolution. With bonding resolutions there is a desire to be as conservative possible and resolutions are supposed to only treat one topic. From a legal perspective, she suggested that if this something to be pursued, it should be done as a stand-alone resolution.

Mr. Elander said the RTF portion of this project design will be completed April 13th; DEC has 45 days to review it and then it is scheduled to be advertised. In that period of time, he feels it would be inappropriate to hold up submittal of RTF to DEC because of the schedule. He suggested that while DEC is reviewing, he could arrange for a one-day value engineering session relative to the RTF project, if desired.

Mr. Farrell said that his intent was to have a conversation that is exists now; have spent over \$500 million. As the cost has risen substantially, it is important to take every opportunity to reduce costs. He knows that is happening, but knows that projects like this can take on a life of their own, particularly when under deadlines. Sometimes it's beneficial to take a step back and look at everything.

Mr. Farrell asked if microtunneling is more expensive. Mr. Elander said that it depends on the circumstances. Mr. Farrell referred to the Hanford area, and asked if it would be open cut if the manufacturing conditions did not exist. Mr. Elander said that some of it would have been, but all circumstances must be taken into consideration, and the engineers have made analysis.

Mr. Warner asked if there is a legal ramification to value engineering. Mr. Elander said that they build value engineering into everything they do; it is a complex process and depends greatly on the project and is done in-house and in conjunction with

engineers. Mr. Warner said that value engineering may or may not keep the cost down; it could go higher. Mr. Elander agreed.

Mr. Rhinehart referred to the schedule regarding Clinton mitigation; \$190,000 to microtunnel Hanford area. Mr. Elander said that of the \$15 million in the city/county agreement, \$9 million of it is already in the project.

AYES: 7 (Meyer, Corbett, Ryan, Farrell, Rapp, Warner, Stanczyk); NOES: 0; ABSTAINING: 1 (Rhinehart). MOTION CARRIED.

b. **Amending the 2007 County Budget to provide additional funds for participation with Syracuse University in the 2007 Federal Work Study Community Service Program and authorizing the County Executive to enter into contracts (\$3,600)**

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

c. **Authorizing the acquisition of property for the Pump Station Improvements Project (\$4,425)**

The legislature approved the pump station improvements project; 2 pieces of property needed-one is a temporary easement; one is a fee and temporary easement. Appraisals have been done.

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

*Mr. Rhinehart left the meeting.

Chairman Meyer praised Mr. Elander for all of his expertise and dedication and stated that he enjoyed his tenure with the County.

8. WAYS AND MEANS MISCELLANEOUS:

a. **Requesting the Governor and the Legislature of the State of New York to require that State Economic Development Grants for projects that primarily involve participants other than municipalities and not-for-profit agencies be repaid with no interest (Sponsored by Mr. Ryan)**

Mr. Ryan stated that this is a result of the amount of monies the state government hands out to many different groups under different titles. Over the years grants have been given to many businesses, farms, and others with a lot of state taxpayer money raised to enhance them. Many of the projects would have gone on without the grants. The jobs didn't seem to keep pace with amount that they were supposedly going to generate. He feels the only people that benefit from this are the stockholders or business owners that receive the windfall. He would like the state to look at all of the object codes that they have and instead of doing outright grants, make them non-interest bearing loans.

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

Mr. Stanczyk agreed and said it has gotten to the point wherein a lot of things are driven by government money. Too often we are a part of the process that is funneling money into private hands with no repayment of those dollars.

Mrs. Rapp asked if Mr. Ryan has spoken to anyone in Albany about this. Mr. Ryan replied that he had not. Mrs. Rapp asked if this resolution refers to all state grants. Mr. Ryan said he would like the state to look at all of them - he referred to the empire zone and the "farm lottery".

Chairman Meyer said he has some concerns about certain empire zones. He would hope this resolution could be re-drafted and target the areas of the abuses. He noted our local empire zone has been used as a model and is doing a lot better than other areas. Mr. Warner would like to see the resolution be more specific.

AYES: 2 (Ryan, Stanczyk); NOES: 2 (Meyer, Warner); ABSTAINING: 3 (Corbett, Farrell, Rapp). MOTION DEFEATED.

9. LAW DEPARTMENT:

a. **Settlement of Claims**

Mr. Corbett made a motion that the committee enter into executive session to discuss the pending action of Ronnie Goodwin, Jr., an infant over the age of 14 years, by his mother and natural guardian Sonya Goodwin and Sonya Goodwin, Ind. V. the County of Onondaga of the State of New York, the Onondaga Sheriff's Office Department and Police Officer "John Doe" whose name being fictitious and presently unknown; seconded by Mr. Meyer; Passed unanimously. MOTION CARRIED.

** Mr. Stanczyk left the meeting.

A motion was made by Mr. Corbett, seconded by Mr. Farrell to enter into regular session, noting that no action was made during executive session.

A motion was made by Mr. Meyer to approve action of Ronnie Goodwin, Jr., an infant over the age of 14 years, by his mother and natural guardian Sonya Goodwin and Sonya Goodwin, Ind. V. the County of Onondaga of the State of New York, the Onondaga Sheriff's Office Department and Police Officer "John Doe" whose name being fictitious and presently unknown; seconded by Mr. Warner. Passed unanimously. MOTION CARRIED.

Mr. Farrell said he would like a discussion of future costs of liability according to the revised accounting standards (retiree health benefits), which is a substantial amount of money, at the next Fiscal Ways and Means meeting.

The meeting was adjourned at 11:20 p.m.

Respectfully submitted

DEBORAH L. MATURO, Clerk

Onondaga County Legislature