

Onondaga County Legislature

DEBORAH L. MATURO Clerk JAMES M. RHINEHART Chairman JOHANNA H. ROBB Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202 Phone: 315.435.2070 Fax: 315.435.8434 www.ongov.net

RESOLUTION NOS, 212 - 219

OFFICE OF THE CLERK

October 5, 2010

Listed below are the resolutions to be presented to the County Legislature at the October Session. The meeting will be held at 2:30 p.m. on Tuesday, October 5, 2010.

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION Mr. Holmquist
- D. SALUTE TO FLAG Mr. Kilmartin
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. Gold Seal:
 - a. Recognize and Congratulate Jeff Peneston upon Receiving the Esteemed New York State Teacher of the Year Award
 - 2. Public Comment:
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 10)

11TH DISTRICT - MR. KILMARTIN - PUBLIC SAFETY

- 1. **No. 212 -** Amending the 2010 County Budget to Authorize the Onondaga County Sheriff's Office to Accept a Vehicle from the United States Marshals Service, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$11,000) (18-0-1 Kinne)
- 2. **No. 213 -** Amending the 2010 County Budget to Accept Funds from the New York State Emergency Response Commission for Use by the Onondaga County Local Emergency Planning Committees (\$3,776) (18-0-1 Kinne)
- 3. **No, 214** Amending the 2010 County Budget to Accept \$272,170 in Additional Homeland Security Funds from the Urban Area Security Initiative Grant Program for the Onondaga County Department of Emergency Management, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$272,170) (18-0-1 Kinne)
- 4. **No. 215** Amending the 2010 County Budget to Accept \$317,781 in Additional Homeland Security Funds from the Urban Area Security Initiative Grant Program for the Onondaga County Department of Emergency Management, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$317,781) (18-0-1 Kinne)

14TH DISTRICT - MR. JORDAN - WAYS AND MEANS

5. No. 216 - Personnel Resolution (Facilities Management) (18-0-1 Kinne)

<u>4TH DISTRICT – MRS. TASSONE</u>

6. **No. 217 (Waiver) -** Memorializing the Governor, the New York State Department of Transportation and the Syracuse Metropolitan Transportation Council to Take Immediate Action to Protect the Traveling Public on Onondaga Lake Parkway, Including the Imposition of Travel Restrictions Similar to Those for State Parkways (18-0-1 Kinne)

5TH DISTRICT – MRS. RAPP – COUNTY FACILITIES AND PLANNING & ECONOMIC DEVELOPMENT

7. **No. 218 -** A Resolution Amending Resolution No. 154 - 2010 Relating to the Acceptance of Additional Revenue for Plowing State Roads During the Winter of 2009 – 2010 (18-0-1 Kinne)

9TH DISTRICT – MR. STANCZYK

8. **No. 219 (Waiver) -** Appointing Edward F. Ryan as Democratic Commissioner of Elections (18-0-1 Kinne)

LOCAL LAWS:

- A. PULLED A Local Law Establishing a Program to Promote Capacity Management, Maintenance and Operation of the Public Sewers and Related Purposes, and to Repeal Local Law No. 13 of 1989 (Sponsored by Mr. Corbett)
- K. UNFINISHED BUSINESS
- L. ANNOUNCEMENTS FROM THE CHAIR
- M. ADJOURNMENT

Respectfully submitted,

DEBORAH L. MATURO, Clerk ONONDAGA COUNTY LEGISLATURE

Motion Made By Mr. Kilmartin, Mr. Corbett

RESOLUTION NO. 212

AMENDING THE 2010 COUNTY BUDGET TO AUTHORIZE THE ONONDAGA COUNTY SHERIFF'S OFFICE TO ACCEPT A VEHICLE FROM THE UNITED STATES MARSHALS SERVICE, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, the United States Marshals Service has been awarded funding from the Department of Justice Asset Fund to purchase vehicles for all full-time state and local task force officers on the NY/NJ Regional Fugitive Task Force; and

WHEREAS, the Sheriff's Office will receive one vehicle for the sole use of a full-time task force officer; and

WHEREAS, a sum of \$5,000 will be granted for the vehicle to purchase necessary equipment, and, in addition, the Sheriff's Office will receive up to \$6,000 annually for fuel and maintenance; and

WHEREAS, it is the desire of this Legislature to accept the vehicles and funds; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into contracts to accept the funds and vehicle and to implement the intent of this resolution; and, be it further

RESOLVED, that the 2010 County Budget be amended and the following amounts be provided and made available:

REVENUES:

In Admin. Unit 40-79-20 Sheriff Police / Civil FAMIS Index #410019 In Acct. 012-0121 Fed Aid Public Safety Project – 782152 RFTF Vehicles 2010

\$11.000

\$11,000

\$11,000

Sheriff Police / Civil FAMIS Index #410019 Project – 782152 RFTF Vehicles 2010

\$11,000

2010 RFTF Vehicles.doc KMB 8.13.10 mmw

APPROPRIATIONS:

CG960 Appropriations In Admin. Unit 40-79-20 Sheriff Police / Civil FAMIS Index #410019

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DAY OF October

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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK

Motion Made By Mr. Kilmartin, Mr. Corbett

RESOLUTION NO. **213**

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT FUNDS FROM THE NEW YORK STATE EMERGENCY RESPONSE COMMISSION FOR USE BY THE ONONDAGA COUNTY LOCAL EMERGENCY PLANNING COMMITTEES

WHEREAS, the Hazardous Materials Emergency Preparedness Program, administered by the New York State Emergency Response Commission, makes federal funding available to the Onondaga County Local Emergency Planning Committees, also known as the Disaster Preparedness Committee (DPC), and for other emergency planning activities in accordance with the Emergency Planning and Community Right-To-Know Act of 1986; and

WHEREAS, the Onondaga County Department of Emergency Management is designated by the New York State Emergency Response Commission to act as the fiscal agent for the local emergency planning committees, and is eligible to receive such funds in the amount of \$3,776; and

WHEREAS, the funds will be used to coordinate and oversee planning activities in accordance with the Emergency Planning and Community Right-to-Know Act of 1986, and it is the desire of this Legislature to accept such funds; now, therefore be it

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

REVENUES: In Admin Unit 40-38 Emergency Management FAMIS Index 309997 Project # 734114 Local Emergency Planning Committee In Account 012-0123 Haz Materials Assist Prog. \$3,776

APPROPRIATIONS: In Admin Unit 40-38 Emergency Management FAMIS Index 309997 Project # 734114 Local Emergency Planning Committee In Account 012-0123 Haz Materials Assist Prog. \$3,776

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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK

\$3,776

\$3,776

Motion Made By Mr. Kilmartin, Mr. Corbett

RESOLUTION NO. 214

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT \$272,170 IN ADDITIONAL HOMELAND SECURITY FUNDS FROM THE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FOR THE ONONDAGA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, the federal government designated the Syracuse Metropolitan Statistical Area (Onondaga County, Oswego County, Madison County, City of Syracuse) as a Tier II Urban Area under the federal Department of Homeland Security Urban Area Security Initiative; and

WHEREAS, Onondaga County Department of Emergency Management has been designated the fiduciary agent for the Syracuse Central New York Urban Area; and

WHEREAS, the Syracuse Central New York Urban Area (SCNYUA) is eligible to receive additional funding from the Urban Area Security Initiative Grant Program (UASI) administered by the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the Syracuse Central New York Urban Area (SCNYUA) under the leadership of the Onondaga County Department of Emergency Management has submitted and received approval for additional grant funds in the amount of \$272,170 to be used from October 1, 2008 through September 30, 2011; and

WHEREAS, the additional grant funds are in an amount equal to the portion of the original grant withheld by the New York State Division of Homeland Security and Emergency Services, which such agency is now releasing for use by the designated urban area; and

WHEREAS, in Resolution No. 46 - 2009, this Legislature accepted a grant of funds to be used by the Onondaga County Department of Emergency Management on behalf of SCNYUA from October 1, 2008 through September 30, 2011; and

WHEREAS, the grant funds will provide for planning, organization, equipping, training and exercising to enhance target capabilities aligned with the eight national priorities to prevent, protect against, respond to, and recover from an all-hazards emergency with the emphasis on terrorism prevention; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into contracts to implement the intent of this resolution; and, be it further

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

REVENUES:

In Admin. Unit 40-38 Emergency Management FAMIS Index 309997 Project # 735001 UASI Program In Account 022-0371 St. Aid Pub. Safety Other

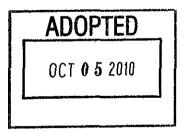
APPROPRIATIONS: In Admin. Unit 40-38 Emergency Management FAMIS Index 309997 Project # 735001 UASI Program \$272,170

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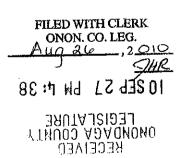


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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK



Motion Made By Mr. Kilmartin, Mr. Corbett

RESOLUTION NO. 215

AMENDING THE 2010 COUNTY BUDGET TO ACCEPT \$317,781 IN ADDITIONAL HOMELAND SECURITY FUNDS FROM THE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FOR THE ONONDAGA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT, AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS TO IMPLEMENT THIS RESOLUTION

WHEREAS, the federal government designated the Syracuse Metropolitan Statistical Area (Onondaga County, Oswego County, Madison County, City of Syracuse) as a Tier II Urban Area under the federal Department of Homeland Security Urban Area Security Initiative; and

WHEREAS, Onondaga County Department of Emergency Management has been designated the fiduciary agent for the Syracuse Central New York Urban Area; and

WHEREAS, the Syracuse Central New York Urban Area (SCNYUA) is eligible to receive funding from the Urban Area Security Initiative Grant Program (UASI) administered by the New York State Office of Homeland Security; and

WHEREAS, the Syracuse Central New York Urban Area (SCNYUA) under the leadership of the Onondaga County Department of Emergency Management has submitted and received approval for additional grant funds in the amount of \$317,781 to be used from June 1, 2009 through May 31, 2012; and

WHEREAS, the additional grant funds are in an amount equal to the portion of the original grant withheld by the New York State Division of Homeland Security and Emergency Services, which such agency is now releasing for use by the designated urban area; and

WHEREAS, in Resolution No. 97 - 2010, this Legislature accepted a grant of funds to be used by the Onondaga County Department of Emergency Management on behalf of SCNYUA from June 1, 2009 through May 31, 2012; and

WHEREAS, the grant funds will provide for planning, organization, equipping, training and exercising to enhance target capabilities aligned with the eight national priorities to prevent, protect against, respond to, and recover from an all-hazards emergency with the emphasis on terrorism prevention; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into contracts to implement the intent of this resolution; and, be it further

RESOLVED, that the 2010 County Budget be amended by providing and making available the following:

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<u>REVENUES:</u> In Admin Unit 40-38 Emergency Management FAMIS Index 309997 Project #735001 UASI Program In Account 022-0371 St. Aid Pub. Safety Other

APPROPRIATIONS: In Admin Unit 40-38 Emergency Management FAMIS Index 309997 Project #735001 UASI Program

EM UASI 2010 - 2009 FY.doc KMB 8.18.10 mmw \$317,781

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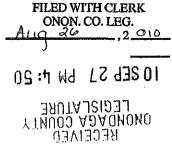
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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK



Motion Made By Mr. Jordan

RESOLUTION NO.

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PERSONNEL RESOLUTION

WHEREAS, the Onondaga County Comptroller recently conducted an audit of the Oncenter Complex, and that audit recommended that the County, as the owner of such facilities, assume responsibility for repair and maintenance of the Oncenter Complex buildings; and

WHEREAS, to provide for such maintenance and repair, the County needs to create the positions listed below; and

WHEREAS, the County subsidizes the Oncenter with room occupancy tax revenues, and it is the desire of this Legislature that room occupancy tax revenues continue to be used to fund these positions for services related to maintenance and repair of the Oncenter Complex buildings; and

WHEREAS, the County has available to it sufficient unappropriated revenues from room occupancy tax collections for these purposes, and the continued maintenance and repair of the Oncenter Complex buildings both serve a public purpose and promote tourism in Onondaga County; now, therefore be it

RESOLVED, that the following personnel changes be and hereby are authorized:

Facilities Management Unit 08-05-10

Create R.P. 01 80051000 0008 1281, Mechanical Systems Maintenance Worker, Grade 04 @ \$44,685 effective October 9, 2010.

Create R.P. 01 80051000 0008 1293, Mechanical Systems Maintenance Worker, Grade 04 @ \$44,685 effective October 9, 2010.

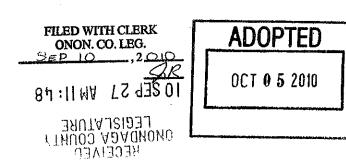
Create R.P. 01 80051000 0008 1294, Painter, @ hourly rate \$24.6205 effective October 9, 2010.

Create R.P. 01 80051000 0008 1295, Carpenter, @ hourly rate \$26.8031 effective October 9, 2010.

and, be it further

RESOLVED, that, as provided for within the 2011 Tentative Budget, room occupancy tax revenues shall be used to fund those positions for services performed in maintaining and repairing the Oncenter Complex buildings.

Oncenter - Facilities - ROTfunding.doc LHT mmw



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DAY OF October, 2010.

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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK

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RESOLUTION NO.

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October 5, 2010

Motion Made By Mrs. Tassone, Mrs. Rapp, Mr. Meyer, Mr. Corbett, Mr. Holmquist, Mr. Warner, Mr. Jordan

MEMORIALIZING THE GOVERNOR, THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE SYRACUSE METROPOLITAN TRANSPORTATION COUNCIL TO TAKE IMMEDIATE ACTION TO PROTECT THE TRAVELING PUBLIC ON ONONDAGA LAKE PARKWAY, INCLUDING THE IMPOSITION OF TRAVEL RESTRICTIONS SIMILAR TO THOSE FOR STATE PARKWAYS

WHEREAS, Onondaga Lake Parkway, located within Onondaga County, is a roadway owned and maintained by the State of New York; and

WHEREAS, the old railroad bridge located on Onondaga Lake Parkway, originally designed to accommodate low canal barges, stands at only 10 feet, 9 inches high, and it is estimated that over 23,000 commuters travel daily beneath that low bridge; and

WHEREAS, traffic on that road travels at 55 miles per hour along four lanes of traffic with no median, and in the past five years there have been ten accidents along that stretch of road and five fatal crashes since 1991; and

WHEREAS, the most recent accident, in September 2010, involved the death of four passengers, one a Central New York native, and serious injuries to others, as their passenger bus slammed into the bridge in the dark of night; and

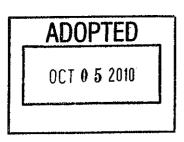
WHEREAS, representatives of the County have met with the New York State Department of Transportation to address means of improving the safety to the traveling public on Onondaga Lake Parkway, and this Legislature seeks to support efforts by New York State to address these issues in the most expeditious manner; now, therefore be it

RESOLVED, that this Legislature joins in the request of the Onondaga County Executive to the Syracuse Metropolitan Transportation Council for a new safety study; and, be it further

RESOLVED, that this Onondaga County Legislature hereby requests the New York State Department of Transportation to review the possible imposition of restrictions similar to those imposed on scenic byways and state parkways, including reducing the speed limit and prohibiting travel by commercial vehicles; and

RESOLVED, that this Legislature further asks the Syracuse Metropolitan Transportation Council and the New York State Department of Transportation to continue efforts to work quickly to resolve this issue and to consider, among the options, installing an infrared or other sensory signal system that will alert drivers to the upcoming low bridge, lowering the speed limit, improving signs to direct drivers toward the Regional Transportation Center (and away from the Parkway), improving police enforcement of the area, restricting trucks with more than three axles on the highway, or other means of improving the safety to the traveling public; and, be it further RESOLVED, that this Legislature hereby directs the Clerk of this Legislature to transmit this resolution to the New York State Governor, the Syracuse Metropolitan Transportation Council and the Commissioner of New York State Department of Transportation and urges that they expedite this request and make the changes needed to protect the public and improve traffic safety on the Onondaga County Parkway.

OnondagaLakeParkway.doc LHT mmw

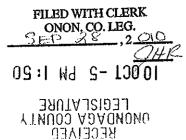


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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK



Motion Made By Mrs. Rapp, Mr. Corbett

RESOLUTION NO. 218

A RESOLUTION AMENDING RESOLUTION NO. 154 - 2010 RELATING TO THE ACCEPTANCE OF ADDITIONAL REVENUE FOR PLOWING STATE ROADS DURING THE WINTER OF 2009 - 2010

WHEREAS, this Onondaga County Legislature enacted Resolution No. 154 - 2010 to accept additional revenues under a contract with the State of New York to plow state roads during the winter of 2009 - 2010; and

WHEREAS, the contract provided for a lump sum reimbursement payment to the County, with additional revenue owed to the County depending on the severity factor for that winter, as determined by the State; and

WHEREAS, before the payment can be processed, the New York State Comptroller requires that the plowing contract be amended so as to include the definite amount of \$1,800,740, which is the amount owed to the County by the State under said contract; and

WHEREAS, it is the desire of this Legislature to authorize such amendment in order to receive those additional funds from the State; now, therefore be it

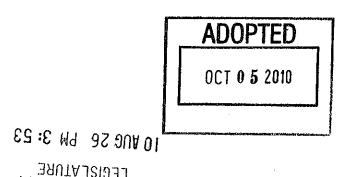
RESOLVED, that Resolution No. 154 - 2010 be amended to insert the following language after the first resolved clause contained therein:

RESOLVED, that the County Executive is hereby authorized to amend the contract with the New York State Department of Transportation to provide for a revenue in the amount of \$1,800,740 and to make any other necessary amendments to such contract so as to implement the intent of this resolution; and, be it further

and, be it further

RESOLVED, that Resolution No. 154 - 2010, as amended herein, remains in full force and effect in all other aspects.

2010 State Snow – Amendment.doc KMB 8.19.10 mmw



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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK

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Motion Made By Mr. Stanczyk, Mr. Lesniak, Mr. Dougherty, RESOLUTION NO. 219 Mr. Meyer, Mrs. Tassone, Mrs. Rapp, Mr. Rhinehart, Mr. Buckel, Mr. Corbett, Mr. Holmquist, Mr. Kilmartin, Mr. DeMore, Mr. Warner, Mr. Jordan, Mr. Kinne, Mr. Laguzza, Mr. Masterpole, Ms. Williams, Mrs. Ervin

APPOINTING EDWARD F. RYAN AS DEMOCRATIC COMMISSIONER OF ELECTIONS

WHEREAS, Diane M. Dwire, Chair of the Onondaga County Democratic Committee, has filed a certification with the Clerk of the Legislature pursuant to Section 3-204 of the New York State Election Law stating that Edward F. Ryan, residing at 2391 Otisco Valley Road, Marietta, New York, 13110, was duly recommended by the Democratic Committee of Onondaga County as a suitable and qualified person for appointment to the Office of Democratic Commissioner of Elections; and

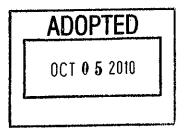
WHEREAS, it is the desire of this Legislature to make such appointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby appoint Edward F. Ryan, residing at 2391 Otisco Valley Road, Marietta, New York, 13110, to the Office of Democratic Commissioner of Elections for the County of Onondaga, for a term of two (2) years effective as of the first day of January 2011; and, be it further

RESOLVED, that the Elections Commissioners for Onondaga County shall be paid at the annual salary established for Grade 35 and payable in the same manner as are the salaries of other County officials; and, be it further

RESOLVED, that the Clerk of this Legislature be and she hereby is directed to forward certified copies of this resolution to the proper State and County officials.

RYAN.ED.DEM.ELECTION.COMMISSIONER.doc LHT/kak mmw



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

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CLERK, COUNTY LEGISLATURE ONONDAGA COUNTY, NEW YORK

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