



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

JAMES M. RHINEHART
Chairman

KATHERINE M. FRENCH
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
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REVISED

RESOLUTION NOS. 515 – 535

OFFICE OF THE CLERK

November 1, 2011

PUBLIC HEARINGS:

- 12:50 P.M. – Re: **A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Electronics Park**
- 12:51 P.M. – Re: **A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Metro WWTP**
- 12:52 P.M. – Re: **A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Oak Orchard**
- 12:53 P.M. – Re: **A Resolution Calling for a Public Hearing in Connection with Proposed Improvements for the Onondaga County Sanitary District: Sewer Cleaner, Tanker**

Listed below are the resolutions to be presented to the County Legislature at the November Session. The meeting will be held at **1:00 p.m. on Tuesday, November 1, 2011.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mrs. Tassone**
- D. SALUTE TO FLAG – **Mrs. Rapp**
- E. READING OF MINUTES
- F. APPROVAL OF MINUTES
- G. PRESENTATION OF COMMUNICATIONS
 - 1. **Correspondence:**
 - a. 09-19-11 Letter from County Executive Mahoney – Re: Reappointment to the Board of Directors of the Onondaga County Civic Development Corporation (Cydeny M. Johnson)
 - b. 10-20-11 Letter from County Executive Mahoney – Re: Approval of the Additions and Increases to the 2012 Tentative Budget
 - b. 10-21-11 Memo from Chairman Rhinehart – Re: Reappointments to the Onondaga County Water Authority (Dr. Eileen D. Gilligan, Susan A. Miller)
 - 2. **In Memoriam** – Tony Nesci
 - 3. **Public Comment:**
- H. REPORTS OF STANDING COMMITTEES
- I. REPORTS OF SPECIAL COMMITTEES
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District No. 4)

5TH DISTRICT – MRS. RAPP – CO. FACILITIES; PLANNING & ECONOMIC DEVELOPMENT

- 1. **NO. 515** Confirming Reappointment to the Onondaga Civic Development Corporation Board of Directors (Cydney Johnson) (17-0-2 Stanczyk, Kinne)
- 2. **NO. 516** Amending the 2011 County Budget to Provide the Syracuse-Onondaga County Planning Agency with Additional Funds Beyond the Estimated Dollars Appropriated in the 2011 Budget, and Authorizing the County Executive to Amend the Contract with the

Syracuse Metropolitan Transportation Council (SMTC) to Implement this Resolution (\$295,851) (17-0-2 Stanczyk, Kinne)

3. **NO. 517** Designating the Centerstate Corporation for Economic Opportunity as the Agency Authorized to Make Application to the New York State Department of Economic Development and to Receive Matching Funds Therefrom Under the New York State Tourist Promotion Act (17-0-2 Stanczyk, Kinne)

6TH DISTRICT – MR. RHINEHART

4. **NO. 518** Amending the 2011 Onondaga County Budget to Provide Funds for the Payment to New York State for the Early Retirement Incentive Program (\$12,115,522) (17-0-2 Stanczyk, Kinne)
5. **SENT TO PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE** Memorializing the Support of the Onondaga County Legislature for a Video Lottery Gaming Facility in Onondaga County, Subject to Satisfaction of Various Conditions
6. **NO. 519** Confirming Reappointments to the Onondaga County Water Authority (Dr. Eileen D. Gilligan, Susan A. Miller) (17-0-2 Stanczyk, Kinne)

8TH DISTRICT – MR. CORBETT – ENVIRONMENTAL PROTECTION

7. **NO. 520** Authorizing the Acceptance of the Seventh North Street Water Main from the City of Syracuse for and on Behalf of the Onondaga County Sanitary District; Approving the Classification of an Unlisted Action Under the State Environmental Quality Review Act (SEQRA); Declaring Lead Agency Status; Accepting the Short Environmental Assessment Form; Making and Declaring a Negative Declaration; and Authorizing the County Executive to Enter into Agreements (17-0-2 Stanczyk, Kinne)
8. **NO. 521** Authorizing the Execution of an Agreement with the Town of Geddes to Reimburse the Town Costs Related to Preventing Potential Backup of Sanitary Sewers in the Bronson Road Area (\$40,000) (18-0-1 Stanczyk)
9. **NO. 522** Authorizing the Execution of Agreements with the New York State Department of Environmental Conservation Under the Water Quality Improvement Projects and Nonagricultural Nonpoint Source Projects Grant Program and Amending the County Budget to Accept the Grant Funds (\$3,000,000) (18-0-1 Stanczyk)
10. **NO. 523** A Resolution Approving the Purchase of a Combination Sewer Cleaner, as Well as a Tanker, for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
11. **NO. 524** Bond Resolution. A Resolution Authorizing the Issuance of \$449,000 Bonds of the County of Onondaga, New York, to Pay the Cost of The Purchase of a Combination Sewer Cleaner, as Well as a Tanker, for the Onondaga County Sanitary District in and for Said County (\$449,000) (18-01-1 Stanczyk)
12. **NO. 525** A Resolution Approving the Construction of Certain Improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
13. **NO. 526** Bond Resolution. A Resolution Authorizing the Issuance of \$10,000,000 Bonds of the County of Onondaga, New York, to Pay the Cost of the Construction of Certain Improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District in and for Said County (\$10,000,000) (18-0-1 Stanczyk)
14. **NO 527** A Resolution Approving Various Improvements at the Metro WWTP Including the Grit Handling Operations in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
15. **NO. 528** Bond Resolution. A Resolution Authorizing the Issuance of \$5,600,000 Bonds of the County of Onondaga, New York, to Pay the Cost of Various Improvements at the Metro WWTP Including the Grit Handling Operations in and for the Onondaga County Sanitary District in and for Said County (\$5,600,000) (18-0-1 Stanczyk)
16. **NO. 529** A Resolution Approving the Construction of Certain Improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District of the County of Onondaga, New York (18-0-1 Stanczyk)
17. **NO. 530** Bond Resolution. A Resolution Authorizing the Issuance of \$12,405,000 Bonds of the County of Onondaga, New York, to Pay the Cost of the Construction of Certain

Improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District in and for Said County (\$12,405,000) (18-0-1 Stanczyk)

14TH DISTRICT – MR. JORDAN – WAYS AND MEANS

a17 **NO. 531 (Waiver)** Authorizing the Settlement of the Action Filed with the Supreme Court of the State of New York, County of Onondaga, Brian Frederick Radford v. County of Onondaga (17-1 Masterpole -1 Stanczyk)

16TH DISTRICT – MR. LAGUZZA

aa17 **NO. 532 (Waiver)** A Resolution Calling a Public Hearing to Consider Support for Video Lottery Terminals within Onondaga County (18-0-1 Stanczyk)

19TH DISTRICT – MRS. ERVIN

17a **NO. 533 (Waiver)** A Resolution Calling a Public Hearing to Consider the Proposed County Source Separation Law and Changes to Local Law No. 12 – 1989, as Amended, and Local Law No. 5 – 2003 (12 Tassone, Rapp, Buckel, Corbett, Warner, Kinne, Laguzza, Masterpole, Williams, Ervin, Dougherty, Rhinehart -6 Lesniak, Holmquist, Kilmartin, Cox, Jordan, Meyer – 1 Stanczyk)

1ST DISTRICT – MR. LESNIAK

18. **NO. 534** Authorizing an Agreement with the Town of Lysander to Defray the Cost of Waste Water Improvements for Whispering Oaks Pursuant to Local Law No. 1 – 2011 (17-0-2 Stanczyk, Kinne)

3RD DISTRICT – MR. MEYER

19. **NO. 535** Amending Resolution No. 265 - 1994, as Amended by Resolution No. 4 - 1995, Regarding Partial Payments of County and Town Real Property Taxes (17-0-2 Stanczyk, Kinne)

LOCAL LAW:

- A. **PASSED** - A Local Law Authorizing the Sale of County Property to Tuscarora Golf Club, Inc. (Sponsored by Mr. Rhinehart) (15-0-2 Stanczyk, Kinne -2 Kilmartin, Masterpole)
- B. **PASSED** - A Local Law Providing for the Defense and Indemnification of the Directors of the Onondaga County Convention Center War Memorial Complex Management Corporation (Sponsored by Mrs. Rapp) (17-0-2 Stanczyk, Kinne)
- C. **PASSED** - A Local Law Enacting a New County Source Separation Law, and Repealing Local Law No. 12 – 1989 as Amended by Local Law No. 14 – 1991 (Sponsored by Mr. Corbett) (17-0-2 Stanczyk, Kinne)
- D. **PASSED** - A Local Law Amending Local Law No. 5 – 2003 Which Provided for the Regulation, Collection and Disposal of Solid Waste Originating In the County of Onondaga (Sponsored by Mr. Corbett) (17-0-2 Stanczyk, Kinne)

- K. UNFINISHED BUSINESS
- L. ANNOUNCEMENTS FROM THE CHAIR
- M. ADJOURNMENT

Respectfully submitted,

DEBORAH L. MATURO, Clerk
ONONDAGA COUNTY LEGISLATURE

NOVEMBER 1, 2011
SESSION

ROLL CALL

LEGISLATOR	PRESENT	ABSENT	
1. LESNIAK	✓		
2. DOUGHERTY	✓		Public Comment:
3. MEYER	✓		1) Austin Olmstead,
4. TASSONE	✓		Conservative Party -
5. RAPP	✓		opposed to gambling/racino.
7. BUCKEL	✓		
8. CORBETT	✓		2) Patti Zangari, Conservative
9. STANCZYK		✓	Party - opposed to gambling/ racino
10. HOLMQUIST	✓		
11. KILMARTIN	✓		
12. COX	✓		3) Christina Fitch, opposed to racino/gambling
13. WARNER	✓		
14. JORDAN	✓		
15. KINNE	✓		4) Mannie Falcone, Geddes,
16. LAGUZZA	✓		supports Bronson Rd project,
17. MASTERPOLE	✓		racino
18. WILLIAMS	✓		5) Greg Lancellotti, Plumbers & Steamfitters, Supports racino
19. ERVIN	✓		
6. RHINEHART	✓		6) Linda Wilcox, opposed to racino
TOTAL	18	1	7) Kimberly Graf, Geddes, Supports Bronson Rd. project.

Gambling and Political Corruption

The short term benefits of gambling, do not justify the long term corruption and social costs that gambling always attracts.

After casinos opened in Atlantic City, the total number of crimes within a thirty mile radius increased 100 percent.

Gambling "has more of a history of corruption than any other industry," reports former Illinois Senator Paul Simon.

Concerns raised by the Chicago Crime commission show the likelihood of foul play when government and gambling intersect.

Lawmakers, continue to ignore the social and economic costs of gambling. Studies show an increase in crime, bankruptcy, suicide and divorce where casinos locate.

The idea of lawmakers pushing a policy built on the false hope of getting rich quick goes against the role of government to protect its citizens.

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Gambling and Political Corruption

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Gambling "has more of a history of corruption than any other industry," former Illinois Senator Paul Simon testified at the opening meeting of the National Gambling Impact Study Commission in June 1997 . The recent wave of gambling expansion in the United States has spawned another epidemic of political corruption.

- Two former West Virginia Senate Presidents were sentenced to prison for taking money from gambling interests. 10,000 payment from gambling interests.[1]
- Nineteen Arizona legislators and lobbyists were caught on videotape taking money after agreeing to vote for legalized gambling
- Three Hilton Hotels executives — one a board member — resigned in the wake of an investigation regarding the corporation's attempts to obtain a riverboat license in Kansas City, Missouri.
- Missouri's House Speaker of 15 years resigned in 1996 in the wake of a federal investigation induced by charges of gambling-related dealings.
- In Kentucky, 15 state legislators were eventually convicted or pled guilty to charges stemming from an FBI investigation centering on influence peddling and bribery involving the state's horse racing industry.[6]
- The FBI launched a two-year investigation into the activities of more than a dozen Louisiana legislators suspected of accepting bribes from gambling interests.
- Seventeen South Carolina lawmakers were convicted of or pled guilty to charges related to a federal sting operation labeled "Operation Lost Trust." The investigation centered around allegations that legislators accepted gambling money in exchange for pro-gambling votes on horse racing legislation.[10]
- In 1997, the former chairman of the Indiana House Ways and Means Committee was indicted on charges of bribery, perjury and filing false finance reports. The charges stemmed from allegations that the former chairman took bribes from the lead engineering firm in a riverboat casino project in the state.[11]
- Four of Atlantic City's last seven mayors have been found guilty of or pleaded guilty to corruption charges.[12]

NATIONAL
GAMBLING
IMPACT
STUDY
9 CAMP

Expert: Gambling breeds corruption

Industry influence too great, he says

By Shira Schoenberg / Monitor staff
November 18, 2009

Allowing expanded gambling in New Hampshire will increase the risk of government corruption, an expert told the state Gaming Study Commission yesterday.

"There's a potential addiction of elected officials to money given to their campaigns by gaming officials," said James Browning, director of development for the advocacy group

Common Cause in Pennsylvania at a press conference before the commission meeting.

Browning said once a state allows gambling, there is no way to curb the industry's influence. "Once the gaming industry takes root, it grows deeper quickly because of a relationship with elected officials," he said.

"A small number of individuals could have a disproportionately large impact and influence on the state Legislature," Kurk said.

In Maryland, Browning said he found people connected to the gambling industry giving campaign donations above the legal limits and setting up dummy corporations to give more money to officials. In Pennsylvania, he said, gambling passed through the legislature without a public hearing, then was upheld by the state Supreme Court. Gaming officials had given money to three of the state's justices, he said.

"The industry includes multibillion-dollar corporations with the ability to outspend local opposition 100 to 1," Browning said, with money going to ads, lobbying and campaign contributions

When it comes to Chicago-style politics, corruption is practically a given. Now the Chicago Crime Commission has warned that a measure to expand gambling across the state lacks basic regulatory safeguards.

The lack of safeguards makes the state ripe for scandal and corruption, the commission's report said.

....., the concerns raised by the commission show how the likelihood of foul play exists when governments and gambling intersect. "The new gaming act cannot be, should not be made into law in Illinois. Regulatory measures, safeguards are not in this bill and will not stop the corruption that will take place," said Jody Weis, of the Chicago Crime Commission.

"It's a terrible way to raise money. It's a tax on ignorance. . . . I don't like the idea of the government depending, for certain portions of its revenue, on hoodwinking citizens."
— Warren Buffett

New York lawmakers are mulling a change in the constitution that would allow full-blown commercial casinos across the state. Like other states, New York lawmakers are sold on the idea of using gambling to generate more tax revenue (\$1.5 million a day) and jobs.

Lawmakers, however, continue to ignore the social and economic costs of gambling. Studies show an increase in crime, bankruptcy, suicide and divorce where casinos locate.

Other area businesses suffer as well as casino money gets diverted away from restaurants and other entertainment. More broadly, the idea of lawmakers pushing a policy built on the false hope of getting rich quick goes against the role of government to protect its citizenry.

Corruption: "Pay to Prey"

Casino Interests are the Most Powerful Political Force in America Today

Six out of ten of the top funders of political causes nationwide are casino interests, according to analysis of the 2007 and 2008 cycle by the Center for Responsive Politics



"Let Us Buy the Vote!"

The massive expansion of predatory gambling over the last twenty years came as the result of gambling interests spending hundreds of millions of dollars under the guise of "Let the People Vote." What they really meant was "Let Us Buy the Vote!" In 2008, nine states considered whether to replace declining revenues with money from predatory gambling. "Never a Sure Bet," a report from the National Institute on Money in State Politics, examines the money behind these ballot measures. Gambling proponents significantly outraised opponents in each of the states they were successful in, ranging from about 2 to 1 in California to 1,734 to 1 in Colorado. An examination of the business sectors behind the measures shows that Indian casino tribes gave \$157.4 million, more than half (57 percent) of all the money. Non-tribal gambling interests were the next-largest donors, giving \$104.5 million (38 percent). Combined, these interests gave 96 percent of all money raised around the measures.



Alabama Gambling Bribery Scandal

In October of 2010, the U.S. Department of Justice indicted eleven people in Alabama accused of involvement in a gambling vote-buying scandal. The Justice Department unveiled an indictment accusing the owners of two of Alabama's largest casinos, four state senators and several lobbyists of a scheme to buy and sell votes in the Legislature. One defendant has pleaded guilty to offering a senator \$2 million to vote for a bill to keep the state's bingo machines operating. Below is a press release from the Justice Department, a copy of the indictment and a list of those indicted.



Predatory Gambling Has More of a History of Corruption Than Any Other Business

In the wake of the October 2010 indictments of four State Senators, Gary Palmer of the Alabama Policy Institute wrote about the historical connection between the legalization of gambling and government corruption. He quotes former U.S. Senator Paul Simon of Illinois who declared predatory gambling "...has more of a history of corruption than any other industry."



Corruption at Pennsylvania Gaming Control Board

In a scathing 102-page report, a state grand jury in May 2011 slammed the Pennsylvania Gaming Control Board as a patronage-filled, secretive agency that failed to safeguard the public by inadequately investigating casino operators and vendors, and succumbing to political pressure.

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GET GOVERNMENT OUT OF GAMBLING



21 Reasons to Get Government Out Of Gambling

"Here we are, protected, free to make our profits . . . ninety miles away, in partnership with a friendly government."

— Hyman Roth, *The Godfather Part II*

In an insatiable quest for more and more tax revenue, many state governments have become the chief partner and enabler of Big Gambling. The result across the country over the last thirty years has been a massive expansion of government-sanctioned gambling – with little public input or scrutiny of the metastasizing social costs. Please take a moment to learn some of the facts about the unholy alliance between government and gambling, and the impact it is having on society.

See the *60 Minutes* report on how more and more states have become addicted to gambling as a source of revenue. In the report, former Pennsylvania Gov. Ed Rendell tried to defend the explosion of state gambling by lashing out at correspondent Leslie Stahl. **WATCH**

OVERVIEW

21 REASONS WHY GOVERNMENT SHOULD GET OUT OF GAMBLING

NEGATIVE EFFECTS OF GOVERNMENT-SPONSORED GAMBLING

GAMBLING HORROR STORIES

TELL US YOUR STORY

GAMBLING AFFECTS FAMILIES

GAMBLING STUDIES

LINKS

1. Across the country, more and more state governments have legalized gambling on lotteries and in casinos without much, if any, thought, of the negative impact of such a vice. Thirty years ago, only a handful of states had a lottery, and casinos only existed in Las Vegas and Atlantic City. Today, 43 states have a lottery and there are more than 500 casinos in 28 states. (Source: *USA.gov* and *Online Gambling News*.)

2. The government-led explosion of gambling has resulted in tens of billions spent each year on an industry that produces very little beyond lots of losers. Americans lost \$91 billion on all forms of gambling in 2006. More money was spent on gambling than on recorded music, theme parks, video games, spectator sports and movie tickets combined. (Source: *Gross Annual Wager Report* and the National Gambling Impact Study Commission.)

3. States often tout the revenue that comes from lottery sales but the overall figure is small. On average, lottery profits only contribute about 2 percent to a state's total budget. (Source: Erik C. Owens, "Civic Values and 'Education Lotteries'" in *Gambling: Mapping the American Moral Landscape*, Alan Wolfe and Erik C. Owens, ed. Waco, Texas: Baylor University Press, 2009, p. 330.)

4. States steer lottery proceeds to popular programs, like education or senior citizens, but the net benefit is often misleading. That's because lottery funds for education often means less tax dollars for schools from the general fund. In Texas, lottery profits cover just three days of education costs. (Source: Owens and Eric Dexheimer, "Texas Lottery: A different game than state was sold two decades ago," *Austin American Statesman*.)

5. Elected officials often ignore or downplay the fact that gambling preys more on poor and working-class residents, cutting deeper into what little savings or disposable income they have. Gamblers with household incomes of less than \$10,000 bet nearly three times as much on lotteries as those with incomes above \$100,000. (Source: Ethics & Religious Liberties Commission.)

"It's a terrible way to raise money. It's a tax on ignorance. . . . I don't like the idea of the government depending, for certain portions of its revenue, on hoodwinking citizens."
— Warren Buffett

There was a time when elected officials understood the downsides of casinos. Giants like New York Mayor Fiorello LaGuardia launched campaigns to root out gambling as seen here.

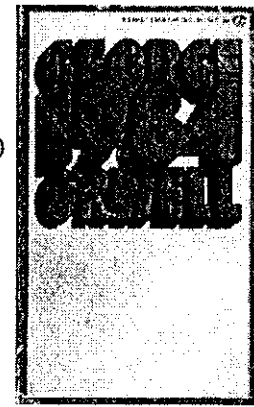
Our Ideas in the NEWS

RECENT COMMENTS

- Betty Lawrence: Well, we usually go to Kissimmee each year and invite my family to join us. We will no longer go...
- Poker is Not a Crime: The article claims gambling is a cancer spreading across society and hints at problem gambling...

- Matt Clafin: Sheryl is right. I enjoy a game of poker now and then, because it enables me to test my analytical...
- Sheryl: The "Internet gambling bill" that is being worked on, H.R.2366, would STRENGTHEN the Unlawful...
- Sharon: OUT WITH QUINN!!!! The worst Governor EVER!

6. Governments ignore or downplay the social costs that follow casinos wherever they go. The number of robberies, aggravated assaults, auto thefts, burglaries, larcenies and rapes increased by an average of 10 percent within five years in the counties where casinos opened. (Source: *The Review of Economics and Statistics*.)
7. Half of the District Attorneys in Louisiana surveyed in 1996 said gambling was a factor in rising crime rates in their jurisdictions. (Source: *The [Baton Rouge] Advocate*.)
8. A survey of 400 Gamblers Anonymous members found 57 (14 percent) admitted to stealing to maintain their gambling habits. Overall, they stole \$30 million, for an average of \$135,000 per individual. (Source: Gamblers Anonymous.)
9. A staggering 1.5 million people became new criminals from 1994 to 1997 as a direct correlation to states' government-sponsored legalized gambling. The cost for this rise in crime ranged from \$12 billion to \$15 billion. (Source: University of Illinois professor John Kindt.)
10. Wherever governments legalize gambling, personal bankruptcies increased. In fact, bankruptcy rates increased more than 100 percent in counties that legalized casinos. The presence of a gambling facility within 50 miles roughly doubles the prevalence of problem and pathological gamblers. (Source: Creighton University study and the National Opinion Research Center at the University of Chicago.)
11. Twenty-one percent of the people in a Minnesota study filed for bankruptcy, and 90 percent said they had borrowed from banks or credit cards to finance their gambling habits. (Source: University of Minnesota Medical School.)
12. Government's tout the tax revenue from gambling, but fail to account for the broader loss in economic productivity. Pathological and problem gamblers in the United States cost society about \$5 billion a year in productivity losses, social services and creditor losses. (Source: National Opinion Research Center at the University of Chicago.)
13. The government-led expansion of gambling breeds more addicts. Pathological gambling is recognized as a medical disorder by the American Psychiatric Association and has elements of addiction similar to alcohol and drug addiction. Of the 125 million Americans who gamble at least once a year, approximately 7.5 million have some form of gambling problem, and another 15 million are classified as "at risk" of developing a gambling problem. (Source: National Gambling Impact Study Commission.)
14. The four casinos opening in Ohio are expected to produce 107,000 problem and pathological gamblers, with a lifetime social costs of more than \$1 billion. (Source: *The Cleveland Plain Dealer*.)
15. One in 30 residents in Maryland has a gambling problem, and that number is expected to rise since slot machines were just introduced there in September 2010. Those most at risk for developing gambling addictions are single men between the ages of 18 and 29, either African American or Latino, with less education and income than the overall population. (Source: University of Maryland Baltimore County.)
16. Many problem gamblers contemplate suicide as a way out of their financial dilemma. A survey of Gamblers Anonymous members



"Where the Lottery was concerned, even people who could barely read and write seemed capable of intricate calculations and staggering feats of memory. Winston had nothing to do with the running of the Lottery, which was managed by the Ministry of Plenty, but he was aware . . . that the prizes were largely imaginary." George Orwell's 1984



Paul Davies is the editor of GetGovernmentOutOfGambling.org and the Maggie Walker Fellow at the Institute for American Values.

[READ MORE ABOUT PAUL DAVIES](#)

found that 48 percent had considered suicide and 13 percent had attempted to kill themselves. (Source: Gamblers Anonymous.)

17. Gambling mania is spreading to younger and younger age groups. The number of teen- and college-aged kids who gamble increased 600 percent between 2001 and 2005, thanks largely to the increase in Internet gambling and the spread of casinos. An estimated 7.9 million American adolescents are problem or pathological gamblers. (Source: Family First Aid and Harvard Medical School Division on Addictions.)
18. Governments tout the jobs and tax revenue that come with gambling. But opening casinos in local markets provides little overall economic benefits. The so-called "convenience casinos" don't bring money into the economy and have little net ancillary economic impact as residents substitute purchases of other goods and services for gambling. (Source: Federal Reserve Bank of Boston.)
19. Elected officials often argue that they voted to legalize gambling in response to the will of the people. But that is often not the case. Gambling interests spent an estimated \$50 million to influence Ohio voters to narrowly support a measure to legalize casinos. That public relations and media blitz came after Ohio voters had repeatedly rejected legalizing casinos. But gambling interest succeeded this time as the state was mired in the economic crisis and desperate for new tax revenue and jobs. (Source: Ohio Casino Control Commission Chair Jo Ann Davidson and research.)
20. Gambling interests often win government support through outsized campaign contributions. In Massachusetts, gambling interests contributed \$1.5 million to the campaigns of state lawmakers there between 2002 and 2007. Gambling companies paid more than \$8 million in salaries to lobbyists between 1998 and 2007. The river of money flowing into the campaign coffers of state lawmakers there was part of a broader 25-year push legalize gambling. (Source: Common Cause Massachusetts.)
21. Government involvement in gambling often leads to corruption. In the 1800s, the spread of gambling-related public corruption prompted nearly every state to outlaw lotteries and other forms of gambling. As more and more states legalized lotteries and other forms of gambling in the 1980s and 1990s, corruption returned. Between 1989 and 1997, nearly 60 lawmakers combined in West Virginia, Arizona, South Carolina, Kentucky, Missouri and Louisiana were convicted, pleaded guilty, or resigned for their roles in gambling-related corruption schemes. Late U.S. Sen. Paul Simon (D. Il.) told the National Gambling Impact Study Commission that gambling "has more of a history of corruption than any other industry." (Source: Alabama Policy Institute.)

These are just some of the dirty little secrets elected officials and gambling-industry executives downplay or fail to mention, while touting the benefits of casinos or lotteries. If you would like to learn more go to <http://www.GetGovernmentOutOfGambling.org>.



GET GOVERNMENT OUT OF GAMBLING



Negative Effects of Government-Sponsored Gambling

"Here we are, protected, free to make our profits . . . ninety miles away, in partnership with a friendly government."

— Hyman Roth,
The Godfather Part II

Governments like to tout the increased tax revenue that comes from its partnership with casinos and other gambling initiatives. But all that revenue comes at the expense of the very taxpayers governments claim to be helping. Read some of the facts surrounding the negative effects of the failed policy decision by governments to enable and expand gambling as way to fund state coffers. (Source: The Center for Counseling & Health Resources Inc.)

See the *60 Minutes* report on how more and more states have become addicted to gambling as a source of revenue. In the report, former Pennsylvania Gov. Ed Rendell tried to defend the explosion of state gambling by lashing out at correspondent Leslie Stahl. [WATCH](#)

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- Poker is Not a Crime: The article claims gambling is a cancer spreading across society and hints at problem gambling...

- The gambling industry has grown tenfold in the U.S. since 1975.
- 37 states now have lotteries.
- 15 million people display some sign of gambling addiction.
- Two-thirds of the adult population placed some kind of bet last year.
- Gambling profits in casinos are more than \$30 billion while lotteries are about \$17 billion annually.
- "Players" with household incomes under \$10,000 bet nearly three times as much on lotteries as those with incomes over \$50,000.
- In 1973 state lotteries had \$2 billion in sales. By 1997, the revenues reached \$34 billion.
- Gambling among young people is on the increase: 42 percent of 14-year-olds, 49 percent of 15-year-olds, 63 percent of 16-year-olds, 76 percent of 18-year-olds.
- There are now approximately 260 casinos on Indian reservations (in 31 states and with \$6.7 billion in revenue).
- Internet gambling has nearly doubled every year since 1997 – in 2001 it exceed \$2 billion.
- The Internet boasts 110 sport-related gambling sites.
- According to the American Psychological Association the Internet could be as addictive as alcohol, drugs, and gambling.
- After casinos opened in Atlantic City, the total number of crimes within a thirty-mile radius increased 100 percent.
- The average debt incurred by a male pathological gambler in the U.S. is between \$55,000 and \$90,000 (it is \$15,000 for female gamblers).
- The average rate of divorce for problem gamblers is nearly double that of non-gamblers.
- The suicide rate for pathological gamblers is twenty times higher than for non-gamblers (one in five attempts suicide).

"It's a terrible way to raise money. It's a tax on ignorance. . . . I don't like the idea of the government depending, for certain portions of its revenue, on hoodwinking citizens."
— Warren Buffett

There was a time when elected officials understood the downsides of casinos. Giants like New York Mayor Fiorello LaGuardia launched campaigns to root out gambling as seen here.

Pat Zangari 11-1-11

Wilmot, who once owned ShoppingTown Mall and Great Northern Mall, **has proposed building a harness raceway and video lottery casino – known as a racino – near Syracuse Hancock International Airport along Taft Road in Cicero.** The Rochester developer wants to use the racino to lure developers to invest in a new downtown hotel next to the Nicholas J. Pirro Convention Center.

The \$200 million racino project is far from certain. **Wilmot is vying with two other developers for a single remaining state-issued license that would authorize video gambling at a harness track.** He and the city of Syracuse, which owns the site near the airport, have not started serious discussions about the land, according to a top city official.

The caption that caught my attention is:

To make the deal work, Wilmot would have to convince Onondaga County lawmakers to legalize raceway gambling – a hard-won prospect in a legislature known for nixing other gaming businesses.

The latest test could come Tuesday, as county lawmakers – some of whom are not running for re-election Nov. 8 – consider a non-binding resolution that would endorse the racino as long as Wilmot builds the \$95 million convention center hotel.

“Quite honestly, I don’t think we need another casino in this area. I don’t want to see that kind of business coming n.”

Why does the issue of gambling come back for reconsideration again and again? In a time of a revenue surplus what is it that brings back this scheme as a way to raise revenue as opposed to living within an honest budget off of the high taxes we already pay? *that has been suggested*

Lawmakers have commented that they don’t want budget cuts that would deny those less fortunate from partaking in the mandated county services, yet they consider supporting a scheme that takes away money from people that are easy prey.?

The CP is opposed to using gambling as a way to raise revenue for government. We don’t know what really goes on behind the scenes. *to make the deal work*

What does it take make the deal work.....to convince onon cty lawmakers, some of them who are not running for re-election, to cast their vote to legalize gambling?

It is no secret that the gambling business is associated with sweetheart deals, payoffs, favored people getting” special jobs” and is a known dumping ground for political hacks. The CP does not want leaders who exploit hardworking taxpayer to serve their own ambitions. We do not support a government that cooperates with a recreation that takes money from people who don’t have it.

Where will your next job come from?

All one has to do is to follow the political trails to determine

The great difference between the real statesman and the pretender is that the one sees into the future, while the other regards only the present; the one lives by the law, and acts on expediency; the other acts on enduring principles and for immortality.

The statesman sees a long-range plan, operates according to it, and measures the performance of his administration against it.

The second characteristic of the statesman according to Burke is: The statesman operates

“on enduring principles and for immortality”. I understand Burke to say that the statesman operates according to high principles which can withstand the judgment not only of the electorate, but of God. The statesman accepts that there are ground rules by which the government official must operate. To the statesman, not only is the goal important, but the way he achieves that goal is just as important. The statesman, although he has compelling goals, operates as if he does not have to achieve these goals by his own strength. He does not have to take ethical shortcuts to ensure success. He has a strong code of ethics.

What are these enduring principles? I would submit to you that they include qualities such as: integrity, justice, diligence, and sacrificial service on behalf of others. Dwight Eisenhower said:



October 24, 2011

Laura A. Peschel, President
Onondaga County Association of Tax Receivers & Collectors
301 Brooklea Drive
Fayetteville, New York 13066

Honorable William H. Meyer
Onondaga County Legislator, 3rd District
401 Montgomery Street
Court House Room 407
Syracuse, New York 13202

Dear Honorable William H. Meyer,

Our organization has been in contact with the Lori Tarolli in the Onondaga County legal department concerning the changes we are requesting for partial payments on real property taxes. We have provided her copies of Resolution 265-94 and the amended changes to it. I have forwarded on to you copies of that resolution also.

As the Governor has now signed into law the changes that both the Senate and Assembly have established for partial payments on school taxes we now can go forward with amending the current resolution for property taxes. The County always could have adopted the changes to their resolution without having the law amended at the State level, but our organization felt it would be less confusing to our residents if the law was uniform for paying both school and real property taxes.

Again, on behalf of our organization we appreciate all the efforts and help that you have provided to help us in getting this to the floor of the legislature and passed as it will be of great benefit to our taxpayers especially in these economic times. If I can be of further assistance please do not hesitate to contact me either by mail at the above address or by phone, 637-6481.

Sincerely

Laura Peschel, President OCATRC



County of Onondaga
Office of the County Executive

John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202

Phone: 315.435.3516 Fax: 315.435.8582

www.ongov.net

Joanne M. Mahoney
County Executive

Ann Rooney
Deputy County Executive, Human Services

William P. Fisher
Deputy County Executive

Matthew J. Millea
Deputy County Executive, Physical Services

September 19, 2011

TO THE HONORABLE MEMBERS OF THE ONONDAGA COUNTY LEGISLATURE:

I have reappointed, subject to confirmation of the County Legislature, the following individual to serve as a member of the Board of Directors of the Onondaga County Civic Development Corporation:

REAPPOINTMENT

Cydney Johnson
111 Edwards Drive
Fayetteville, NY 13066-1003

TERM EXPIRES

October 6, 2014

Your confirmation of this reappointment would be greatly appreciated.

Sincerely,

Joanne M. Mahoney
County Executive

JMM:kr
Enclosure

cc: Casey Jordan, Chair, Ways & Means
Kathy Rapp, Chair, Planning & Economic Development
Lori Tarolli, Esq., Law Department
Debbie Maturo, County Legislature

11 SEP 19 PM 4:15
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

Cydney M. Johnson
111 Edwards Drive
Fayetteville, New York 13066
(315) 247-6465
Cydmajol@msn.com

Professional Experience

Blueprint Limited, Guangzhou, China June 2007-present
Senior Vice President, Sales and Marketing

- Blueprint Limited is a product development, sourcing, and marketing company built to supply retail customers with products/programs for their private label programs. Products are created for the home and tabletop categories.
- Company formed by senior executives in the industry who joined together to provide the corporate structure for producing competitive programs for retail customers.
- Created new flatware promotional programs, and started cutlery and barware product lines for retail programs.
- Coordinate supply chain and logistics with our China office for US customers.
- Work with Logistics team on duty rates, import guidelines and pricing of products for custom programs.
- Developed new brand for use by retail customers for fashion products.
- Serve customers in Europe, Asia, and North America.

Morrisville State College August 2009-present
-Assistant Professor, Small Business Management and Entrepreneurship
-Created the School of Business Advisory Group to share insights with the Dean and faculty of the school.
-Developed the Student Awards Dinner for the School of Business to recognize students' achievements and reward academic performance.

Keuka College, ASAP Program April 2009-present
Adjunct Instructor

- Instructor in the Adult Accelerated Studies program, teaching in the Business management program.

Oneida Ltd, Oneida, NY
Vice President, Consumer Sales group

January 2001-June 2007
January 2006- June 2007

- Had responsibility for the sales group that covered dinnerware, flatware and giftware/serve ware for the retail accounts in the United States and Canada.
- Volume responsibility was 105.0 million dollars.
- Supervised a team of 12 sales mgrs/account mgrs and support staff.
- Directed sales effort with key retailers such as **Wal-Mart, Target, Macys, and Kohl's**.
- Stabilized the sales team and delivered positive sales performance in the midst of a corporate Chapter 11 filing and eventual exit to private ownership of Oneida Ltd.
- Increased sales volume for the Consumer group by **+3 million dollars** in first quarter of 2007 due to key item initiative with our customers.
- Instrumental in aligning the Sales and Marketing team with the Sourcing team to realize aggressive product development and pricing structures to win key programs with retail customers.

Vice President, Marketing/Consumer Group *January 2001-Jan 2006*

- Responsible for the Consumer marketing team, 3 Marketing directors and support staff.
- Supervised the creation of product assortments and marketing plans for three main channels of the consumer business.
- Coordinated the marketing and product shift for the Consumer division to our Asian factory partners as we closed domestic factories.
- Created and increased the glass business by +2million dollars with the introduction on new product line and custom programs for key US customers.

Syracuse University, Martin J. Whitman Business School

June 1999-January 2001

Director of Development

- Responsible for alumni contact and fundraising for business school, supporting the five year capital campaign for fundraising efforts for the Whitman School of Management building.
- Revitalized the Alumni Advisory Board for the School of Management and increased participation and donations from this group by 10% in first year.

Agway Retail Services, Syracuse, NY

April 1997-June 1999

Vice President, Marketing and Purchasing

-Responsible for all marketing and buying functions for the retail division of the company, consisting of 115 corporate owned retail stores, and 25 franchise dealer stores.

Syracuse University, Syracuse, NY

January 1990-April 1997

Adjunct Professor

-Taught full time in fall and spring semesters in the Retailing program, in the College for Human Development. Taught Retailing Concepts, Organization Management, Entrepreneurship, and Sales Management.

Other Experience:

- 20 years in traditional Dept Store retailing, starting in Executive Training program, progressing to Buyer, Divisional Merchandise Mgr, to VP/General Merchandise Mgr. Worked for major Retail stores in the United States.
- Created my own business, a retail store on the Syracuse University campus, operated for 9 years, and sold business at a significant profit.
- **Adjunct instructor, Maria Regina College, Syracuse, NY.**

Education:

MBA, Syracuse University, concentration in Organizational Management, 1996.

BS, Syracuse University, Retailing major, 1977.

Affiliations and Community Service:

Board Member, Cultural Resources Trust

Board Member, Onondaga Civic Development Corporation

Board Member, Onondaga County Police Athletic League

Fundraising Team volunteer, Say Yes to Education, Syracuse, NY

Governance Council Member, Women's Fund of Central New York

Commission Member, Upstate Mandate Relief Commission, Appointed November 2008 by Onondaga County Executive.

Transition Team Section Leader for Onondaga County Executive Elect, 2007

Board of Directors Volunteer, Dunbar Neighborhood Community Center

Guest Columnist, Central NY Business Exchange Magazine

SUNY College of Environmental Science and Forestry
1 Forestry Drive, Syracuse, NY
Adjunct Faculty

2009 - present

- Serve as adjunct faculty and teach Graduate level course titled Water Resource Management which covers the major issues and regulations impacting the management of the world's water resources. Subjects covered include: natural systems in the hydrologic cycle, drinking water supplies and treatment, wastewater treatment processes, hazardous waste remediation, non-point and point source pollution, and current and future management issues including climate change, population growth and sustainability and adaptive management.

Previous Professional Responsibilities:

New York State

Department of Environmental Conservation, Region 7
Director of Public Affairs/Citizen Participation

1981 - 1998

Assigned policy and planning responsibilities in both natural resource and environmental quality programs. Worked on all of the most controversial environmental projects in the nine county Central New York Region.

Duties included technical writing, working with environmental interest groups, spokesperson to the media and representing State on regional boards and committees including the Oneida Lake Advisory Committee, the Onondaga Lake Advisory Committee, the Open Space Preservation Committee, the Ontario Dune Coalition and the Onondaga Lake Management Conference.

Developed and carried out public participation programs for the construction grants programs providing grants for wastewater treatment projects and the environmental bond act programs for a variety of environmental protection and improvement projects including remediation of brownfields and non-point pollution controls.

Prior to joining State government, she served as Assistant Director of Communications for Onondaga County in the Executive Department. In the position, she served on the County Executive's Solid Waste Management Team and wrote the Rock Cut Road Alternative Report that proposed the site for a resource recovery operation - one of the first in the nation. Sue also Chaired the County Executive's Safety Committee, served as interim Director of the County's Traffic Safety Division, conducted research into county government issues and served as liaison to the local media among a variety of other duties.

Recognition and Honors:

- Recognized by the Syracuse Commission for Women and the Mayor of Syracuse for environmental leadership - one of 6 women to receive the first "Women taking the lead to Save the Planet" Award. April 2009
- Recipient of 2008 Community Advocacy Award from Greening USA - April 2009
- Public Education Award from the New York State Water Environment Association (professional organization for wastewater professionals) - January 2001
- Conservationist of the Year from the Oneida Lake Association - May 1989
- Brigham Award for Meritorious Service from the New York Water Environment Association - Jan. 1989
- Inducted in Select Society of Sludge Shovelers, New York Water Environment Association 1993

Education:

Bachelor's Degree from Syracuse University - Geology and Political Science

Additional training and coursework completed in public participation, health risk assessments, right to know laws, conflict resolution and workplace diversity.

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Resume

Susan A. Miller

Box 541, Tully, New York 13159
Office: 315-435-2260 Home: 315-696-5910

Professional Qualifications:

Experienced well-respected environmental manager in State and local government
Recognized for her achievements in water resource management
as well as public education and involvement on current environmental issues.
Represented the County and State on numerous environmental advisory boards and committees and a leading expert in the remediation of Onondaga Lake based on long involvement with the lake beginning in 1986.
Articulate communicator on complex, technical issues to the public on routine as well as controversial projects involving environmental protection and management. Has served as guest lecturer at area colleges and universities, active speaker for Onondaga Lake Partnership Speakers' Bureau and dedicated spokesperson for state and county government on environmental concerns including wastewater treatment, lake cleanup, green infrastructure and the role of public participation.
Authored numerous technical reports and articles on variety of environmental topics and state and county programs and created and implemented innovative public education efforts.

Professional Experience:

Onondaga County

Department of Water Environment Protection, Syracuse, NY

1998 - present

Deputy Commissioner/Deputy Director/Director

Lake Improvement Project Office

- Responsible for program and project management for planning, design and construction of water quality improvement projects related to the remediation of Onondaga Lake for wastewater related issues as required under federal court order to bring into compliance with State and Federal Clean Water laws.
- Fiscal Management responsibilities with capital projects totaling over \$500 million.
- Oversight of applicable federal, state and local laws for construction projects including applicable minority/women's business enterprise requirements and goals.
- Policy and planning responsibilities to insure overall compliance with federal court order and the meeting of required milestone dates for which stipulated penalties could result.
- Have managed the court ordered program and projects for the County since the program's creation in 1998 and resulting in over 30 projects completed.
- Directed and assisted the various committees that were established in 2008 to look into alternative programs to control and reduce the impact of combined sewer overflows.
- Identified areas for green infrastructure and worked with County consultant on development of green infrastructure component for revised Amended Consent Judgment recently approved by the federal court. Served as lead for the County in technical discussions and negotiations during re-negotiations of the Consent Judgment in 2009.
- Liaison official to State and Federal government officials involved in the Amended Consent Order program including the US Environmental Protection Agency, US Army Corps of Engineers, NYS Department of Environmental Conservation and the NYS Attorney General's Office.
- Developed grants to assist in funding County projects including the first urban forestry grant received by the County for use on the City's west side. (2008) and developed and submitted multiple proposals for '09 ARRA stimulus monies resulting in receipt of federal aid for 4 of the 6 projects submitted for green infrastructure.
- Appointed Chair of the Outreach Committee for the Onondaga Lake Partnership and represent the committee on the Partnership's Executive Committee.

Publications Hunt, A., Hawkins, J., Gilligan, E., and Bhatia, S., 1998, A Comparison of the Lead Particle Content of Indoor Dust before and after a Lead Paint Abatement: A New Source of Lead Recontamination, Indoor Built Environment, Vol. 7, pp. 32-46.

Gilligan, E.D., and Clemence, S.P., 1984, Fabric and Engineering Behavior of Organic-Saturated Clays, Bull of the Association of Engineering Geologists, Vol. 21, No. 4, pp.515-529.

Gilligan, E.D., 1983, The Effect of Organic Pore Fluids on the Fabric and Geotechnical Behavior of Clays, abstract of presentation at the annual meeting of the Association of Engineering Geologists, San Diego, California, October, 1983.

Gilligan, E.D., 1983, The Effect of Organic Pore Fluids on the Fabric and Geotechnical Behavior of Clays: Doctoral Dissertation, University Microfilms Inc., pub., Ann Arbor, Michigan, 275p.

Gilligan, E.D., 1979, Computer Simulation of the Effects of Earth Materials on the Propagation of Radar Waves: Master's Thesis, Syracuse, University, Syracuse, NY 244p.

Professional Affiliations Geological Society of America
American Association of Petroleum Geologists
Association of Engineering Geologists
Sigma Xi

Registration Certified Geologist, Commonwealth of Virginia, Certificate No. 00581
Licensed Geologist, State of Florida, No. 0000944

Community Service Tn of LaFayette Environmental Management Council, 1998-present
Onondaga County Council on Environmental Health, 1997-2000
MOST Regional Science Fair, judge, 1989-2007
Community Foundation, selection committee for grant recipients, 2003

Selected Presentations “Lead Effects on Urban Development”, 1993, invited presentation for Lead Tech 93 conference, sponsored by Envotech Center of Environmental Vocational Training, Rochester, NY.

“Lead-Based Paint Abatement in Section 8, State-funded and other Residential Settings”, 1991, invited presentation for training seminar on US HUD Guidelines for Lead Abatement, sponsored by Envotech Center for Environmental Vocational Training, Rochester, NY.

“Getting the Lead Out”, 1990, invited presentation at conference on Childhood Lead Poisoning in the 90’s, NYS DOH regional conference sponsored by Onondaga County Health Dept., Syracuse, NY.

“Environmental Hazards in Urban Housing”, 1986, invited presentation at NYSARHO annual conference, sponsored by NYS Association of Renewal and Housing Officials, Buffalo, NY.

“The Effects of Organic Pore Fluids on the Fabric and Geotechnical Behavior of Clays”, 1983, presentation at annual conference of the Association of Engineering Geologists, San Diego, California.

Conference Moderator Co-moderator, Session One, First Syracuse Regional Lead Conference, SUNY Health Science Center, February, 1997, Syracuse, NY.

Kasturi, Gautam, 1998, Strength Comparison of Geosynthetic Liners: M.S. Thesis.

Chen, Yanwei, 2005, Effectiveness of Stream Restoration in Reducing Stream Bank Erosion: Ph.D. Dissertation.

Smith, Jennifer, 2007, The Use of RECPs for Minimizing Erosion and Enhancing Vegetation: Ph.D. Dissertation.

Liao, Kaixia, 2007, Dewatering of Natural Sediments Using Geotextile Tubes: Ph.D. Dissertation.

Satyamurthy, Ranjan, 2008, Dewatering of Sediments Using Geotextile Tubes: Ph.D. Dissertation.

Student Internships Supervised Compliance with SARA Title III Community Right-to-Know regulations by a local government authority, work performed by Guiomar Silva-Azevedo, public administration graduate student, Syracuse University, 1992.

Three-dimensional mapping of a proposed landfill site in northern NYS, work performed by Valerie Stoltzfus, geology undergraduate student at SUNY College at Oswego, 1993.

Philanthropy Bridge of Hope, a program to bring orphans to the US to attend summer camps and to visit with potential adoptive families. Participant and financial supporter. Received Congressional "Angels in Adoption" Award for adoption advocacy work.

Basilica of the Sacred Heart, a Roman Catholic parish established in the late 19th century. The Basilica contains religious artwork of significance to the local community. Financial benefactor.

Christian Foundation for Children and Aging. Sponsor of child in Guatemala.

Engineers Without Borders, member of Syracuse University Chapter.

International Center of Syracuse, volunteer, recently lead visiting Egyptian archaeologists on a tour of glacial features in Tully valley and Pumpkin Hollow.

Nature Conservancy, member and volunteer, recently participated in invasive plant removal at El Dorado Shores, eastern end of Lake Ontario.

Principal investigator for a Remedial Investigation and Feasibility Study (RIFS) of the East Olean Wellfield, Olean, NY (EPA NPL site). Investigation included assessment of the extent and severity of groundwater contamination, identification of potential contamination sources and computer modeling of remedial alternatives.

Project manager/principal investigator for Phase I studies of 72 NYS Superfund sites. Investigations included compilation and synthesis of previous site investigations and risk assessments using EPA Hazard Ranking System.

Project manager/principal investigator for Phase II studies of 12 NYS Superfund sites. Investigations included assessments of the severity of groundwater and surface water contamination, risk assessments, and remedial alternative evaluations.

Management Experience President and major shareholder of DOMCO, Inc., a family-held corporation that owns and leases commercial real estate.

Board member of Girls Inc. of CNY, a charitable corporation now affiliated with the national Girls Inc. and with the Syracuse area YWCA. Specifically responsible for fund raising, strategic planning, and building renovation (2004-2006).

Teaching Experience CIE 637 Advanced Soil Mechanics
CIE 500 Environmental Aspects of Engineering Geology
CIE 600 Hazardous Waste Management (substitute lectures)
GEOL101 Physical Geology
GEOL200 Historical Geology
GEOL 102 Geol of Planets/Geol Hazards/Groundwater
Ancient Life in New York State (at Rosemond Gifford Zoo)
Groundwater (for NYSDOT at Mohawk Valley CC)
Hazard Communication Program (at Syracuse Housing Authority)
SHA/SU Summer Program (a math and science enrichment program)

Thesis Committees Farber, David T., 1992, Effect of Organic Contaminants on Hydraulic Conductivity of Clay-Rich Soils: M.S. Thesis.

Marulanda, Catalina, 1996, Adsorption/Desorption Characteristics of Chlorinated Hydrocarbons on Pure Soils: M.S. Thesis.

Hawkins, Jonnette, 1997, Elimination of Lead Exposure in Public Housing Environments: An Analysis of Indoor Floor Dust before and after Lead-Based Paint Abatement: M.S. Thesis.

Dr. Eileen Dombroski Gilligan

2739 Summer Ridge Road

La Fayette, NY 13084

(315) 677-7868

egilliga@twcny.rr.com

Title	Geologist
Expertise	Environmental Geology
Academic Background	Ph. D., 1983, Geology, Syracuse University M.S., 1979, Geology, Syracuse University B.A., 1975, Geology, SUNY at Oswego
Present Positions	Consultant, Eileen D. Gilligan, Ph. D., Inc. (1985 – present) President, DOMCO, Inc. (1986 – present) Adjunct Professor, Dept. of Civil and Environmental Engineering, Syracuse University (1983-2009)
Past Positions	Geologist, Dames and Moore, (1980 – 1985) Geologist, Parratt Wolff, Inc., (summer 1979) Field Geologist, Sprague and Henwood, Inc. (summer 1978)
Technical Experience	<p>Lead coordinator for Syracuse Housing Authority, with responsibility to direct investigations of lead paint, lead particulate contamination, and lead poisoning in public housing units, assessment of field techniques and methodologies, planning remediation strategies including abatement, air quality monitoring and decontamination.</p> <p>Consultant for investigation and abatement of asbestos materials in publicly- and privately-owned rental properties. Plan and implement environmental monitoring schemes, prepare specifications for numerous abatement projects.</p> <p>Research consultant to Syracuse University for investigation of surface and subsurface PCB, PCDD, and PCDF contamination at Akwesasne Reservation, Massena, NY. Work included field sampling, analysis, and report preparation.</p> <p>Principal investigator for subsurface investigation of buried chemical waste (defoliants) at Stewart Air National Guard Base. Work involved test pits and well installations prior to construction of runway extension.</p>

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"Khazadian, Laurie"
<LKhazadian@ocwa.org>
10/21/2011 03:23 PM

To <SueStanczyk@ongov.net>
cc
bcc
Subject RE: Board Attendance

Sue,

For the term beginning January 2010 through October, 2011 the attendance for the two Board members you requested is as follows:

Eileen Gilligan - No absences. Attended 24 Board meetings

Susan Miller - Four absences. Attended 20 Board meetings

If any additional information is needed, please feel free to contact me.

Laurie

Laurie Khazadian, Manager

Human Resources/Insurance

Onondaga County Water Authority

200 Northern Concourse PO Box 4949

Syracuse, NY 13221-4949

P: 315-455-7061 F: 315-455-6649



County of Onondaga
Office of the County Executive

John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202

Phone: 315.435.3516 Fax: 315.435.8582

www.ongov.net

Joanne M. Mahoney
County Executive

Ann Rooney
Deputy County Executive, Human Services

William P. Fisher
Deputy County Executive

Matthew J. Millea
Deputy County Executive, Physical Services

October 20, 2011

Deborah Maturo, Clerk
Onondaga County Legislature
401 Montgomery Street
Syracuse, NY 13202

RE: APPROVAL OF THE ADDITIONS AND INCREASES TO THE 2012
TENTATIVE BUDGET

Pursuant to Section 605 of the Onondaga County Charter, I hereby approve the 2012
County Budget as adopted by resolution of the Onondaga County Legislature on October
11, 2011.

Sincerely,

A handwritten signature in blue ink that reads "Joanne Mahoney". The signature is written in a cursive, flowing style.

Joanne M. Mahoney
County Executive

11 OCT 20 PM 2:56

LEGISLATURE
ONONDAGA COUNTY
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Onondaga County Legislature

James M. Rhinehart
Chairman

401 Montgomery Street · Court House · Room 407 · Syracuse, New York 13202
Phone (315) 435-2070 · Fax (315) 435-8434

October 21, 2011

MEMO

TO: Casey Jordan, Chairman of Ways and Means Committee
Ways and Means Committee Members

FROM: James M. Rhinehart., Chairman

RE: Reappointments to the Onondaga County Water Authority

A handwritten signature in black ink that reads "James M. Rhinehart".

This is to advise that I am reappointing Dr. Eileen D. Gilligan and Susan A. Miller to the Onondaga County Water Authority. Resumes and attendance records are attached for your review. Dr. Gilligan and Ms. Miller's appointments will expire on July 1, 2014.

These appointments will require confirmation of the full Legislature at its November 1, 2011 Session.

Thank you for your anticipated cooperation.

cc: All Legislators

LEGISLATIVE CHAMBERS

ONONDAGA COUNTY, N.Y.

Presented By: Mrs. Ervin, Mr. Stanczyk, Mr. Laguzza, Mr. Kinne, Mr. Buckel, Mr. Masterpole, Mrs. Williams, Mr. Corbett, Mr. Lesniak, Mr. Dougherty, Mr. Meyer, Mrs. Tassone, Mrs. Rapp, Mr. Rhinehart, Mr. Holmquist, Mr. Kilmartin, Mr. Warner, Mr. Jordan, Mr. Cox

The members of the County Legislature of Onondaga County, New York, on the 1st day of November 2011, wish to present the following:

IN MEMORIAM

WHEREAS, it has pleased Almighty God to remove from this earth Tony Nesci; and

WHEREAS, Tony Nesci was born in Syracuse and resided in Liverpool with his wife, Antoinette, and they have four children and numerous grandchildren; and

WHEREAS, Tony Nesci was retired from New Process Gear where he was a member of UAW Local 624 and held many elected union positions, including Chairman of Local 624's Political and Community Action Committee; and

WHEREAS, Tony Nesci was a veteran who served in the US Army from 1959-1963, and he felt strongly that we need to show our support for our soldiers; and

WHEREAS, Tony Nesci, as a member of the UAW Veterans Committee, assisted in bringing the Vietnam Moving Wall to Onondaga Lake in 1993; and

WHEREAS, Tony Nesci was one of the Founding Fathers of the Veterans Memorial that had its opening ceremony on September 2, 1999 at the NYS Fair Grounds; the memorial was expanded in 2000 and continues to grow to pay tribute to Women in the Military, Korean War Veterans, and all NYS military; and

WHEREAS, Tony Nesci established a 9-11 Remembrance near the Veterans Memorial at the NYS Fairgrounds with a steel girder from the Twin Towers; the memorial is open 24-7, 365 days a year; and

WHEREAS, it is the desire of this Legislature to hereby acknowledge and express its gratitude to the family of Tony Nesci for the service he provided to our Veterans community and to our whole community; now, therefore be it

RESOLVED, that this Legislature does express its sincere gratitude and deep appreciation to the family of Tony Nesci for the service he provided to our Veterans community and to our whole community.

I hereby certify that the foregoing was duly noted by the
County Legislature of Onondaga County, New York.

Witness my hand and seal of said Legislature.

Clerk, County Legislature
Onondaga County, N.Y.

November 1, 2011

515

Motion Made By Mrs. Rapp

RESOLUTION NO. _____

CONFIRMING REAPPOINTMENT BY THE COUNTY EXECUTIVE TO THE BOARD OF DIRECTORS OF THE ONONDAGA CIVIC DEVELOPMENT CORPORATION

WHEREAS, Joanne M. Mahoney, Onondaga County Executive, pursuant to Resolution No. 192 - 2010, as amended by Resolution No. 472 - 2011, has duly reappointed and designated, subject to confirmation by the Onondaga County Legislature, the following individual to serve as the County Executive's appointee to the Board of Directors of the Onondaga Civic Development Corporation:

REAPPOINTMENT:

Cydney Johnson
111 Edwards Drive
Fayetteville, New York 13066-1003

TERM EXPIRES:

October 6, 2014

and

WHEREAS, it is the desire of this Legislature to confirm said reappointment; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby confirm the reappointment of the above individual to serve as the County Executive appointee to the Board of Directors to the Onondaga Civic Development Corporation.

OCDCApptResCJ.doc
lht/nlm
kam



FILED WITH CLERK
ONON. CO. LEG.
Sept 30, 2011
KMF

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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

1

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mrs. Rapp

RESOLUTION NO. 516

AMENDING THE 2011 COUNTY BUDGET TO PROVIDE THE SYRACUSE-ONONDAGA COUNTY PLANNING AGENCY WITH ADDITIONAL FUNDS BEYOND THE ESTIMATED DOLLARS APPROPRIATED IN THE 2011 BUDGET, AND AUTHORIZING THE COUNTY EXECUTIVE TO AMEND THE CONTRACT WITH THE SYRACUSE METROPOLITAN TRANSPORTATION COUNCIL (SMTC) TO IMPLEMENT THIS RESOLUTION

WHEREAS, the New York State Department of Transportation (NYSDOT) has agreements with Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to administer the Statewide transportation program for metropolitan areas; and

WHEREAS, the Syracuse Metropolitan Transportation Council (SMTC) has been designated as the organization responsible to carry out transportation planning and programming necessary to continue federal transportation funding for the Syracuse metropolitan area; and

WHEREAS, pursuant to state and federal requirements, pursuant to Resolution No. 282-2010, this Onondaga County Legislature has authorized the County of Onondaga to act as host agency for 2011 and to fund in the first instance all SMTC charges, subject to reimbursement from the NYSDOT; and

WHEREAS, the County of Onondaga has subcontracted with the Central New York Regional Planning & Development Board (CNYRPDB) for administrative services relative to the SMTC program and that applicable administrative cost of CNYRPDB shall be funded in the first instance by the County of Onondaga, subject to reimbursement from the NYSDOT; and

WHEREAS, the SMTC work program for 2011 has been expanded through the Supplemental Agreement Cover since the 2011 budget was prepared; and

WHEREAS, SMTC has projected the need for additional appropriations to complete the Work Program; now, therefore be it

RESOLVED, the County Executive is authorized to amend the SMTC contract to implement the intent of this resolution; and, be it further

RESOLVED, that the 2011 County Budget be amended as follows:

REVENUES:

CG510 Estimated Revenues	\$295,851
In Admin. Unit 10-87	
Syracuse-Onondaga County Planning Agency	
FAMIS Index #260133	
In Account 018-0267 and 018-0257	
Federal Aid SMTC	\$295,851

APPROPRIATIONS:

CG 960 Appropriations

\$295,851

In Admin. Unit 10-87

Syracuse-Onondaga County Planning Agency

FAMIS Index # 260133

In Account 570-9570 Contracted Services

\$295,851

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ONONDAGA COUNTY
LEGISLATURE

2

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mrs. Rapp

RESOLUTION NO. 517

DESIGNATING THE CENTERSTATE CORPORATION FOR ECONOMIC OPPORTUNITY AS THE AGENCY AUTHORIZED TO MAKE APPLICATION TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TO RECEIVE MATCHING FUNDS THEREFROM UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

WHEREAS, pursuant to Article 5-A of the Economic Development Law, the New York State Legislature has authorized the New York State Department of Economic Development to match funds expended by authorized tourist promotion agencies; and

WHEREAS, the CenterState Corporation for Economic Opportunity has requested designation as the agency to promote tourism in Onondaga County; and

WHEREAS, said organization is prepared to match the State funds available under the New York State Tourist Promotion Act; now, therefore be it

RESOLVED, that the CenterState Corporation for Economic Opportunity is herein designated and authorized to make application to and receive matching State funds under the New York State Tourist Promotion Act as the agency designated to promote tourism in the County of Onondaga.

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ONONDAGA COUNTY
LEGISLATURE

3

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mr. Rhinehart

RESOLUTION NO. 518

AMENDING THE 2011 ONONDAGA COUNTY BUDGET TO PROVIDE FUNDS FOR THE PAYMENT TO NEW YORK STATE FOR THE EARLY RETIREMENT INCENTIVE PROGRAM

WHEREAS, by local laws adopted dated July 6, 2010, the County authorized participation in the New York State Early Retirement Incentive Program pursuant to Chapter 105 of the Laws of 2010 (Part A) and (Part B) for eligible employees of the County of Onondaga; and

WHEREAS, the 2011 County Budget provides for \$2,646,038 in funds for the first payment of the five year estimated costs of amortizing the Early Retirement Incentive Program; and

WHEREAS, due to significant financing costs imposed by the State for amortizing the Early Retirement Program costs over five years, it is the desire of the County to make one lump sum payment in the amount of \$12,115,522 in 2011, thereby saving annual interest costs in the amount of \$1,882,944 for five years; and

WHEREAS, this additional \$9,469,483 will be comprised of \$1,482,805 in additional federal and state aid, leaving \$7,986,679 owing; and

WHEREAS, it is the desire of this Legislature to amend the County Budget to provide funds for the lump sum payment to New York State for the Early Retirement Incentive Program costs; now, therefore be it

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

RESOLVED, that the 2011 County Budget be amended and the following amounts be provided and made available:

APPROPRIATIONS:

A960 Appropriations \$7,365,151

In Admin. Unit 10-23-65-15	
County General Special Expense	
FAMIS Index #140061	
In Acct. 120-9120 Employee Benefits	-\$2,049,398

In Admin. Unit 10-23-85	
County Gen. Interfund Transfers	
FAMIS Index #140541	
In Acct. 970-6870 Trans to County Road Fund	\$821,516
In Acct. 978-6878 Trans to Library Fund	<u>\$47,849</u>
	\$869,365

In Admin. Unit 80-05-10	
Facilities Management	
FAMIS Index #470005	
In Acct. 120-9120 Employee Benefits	\$177,231

In Admin. Unit 10-13-20
Audit and Control - Accounting
FAMIS Index #102038
In Acct. 120-9120 Employee Benefits \$79,991

In Admin. Unit 10-13-30
Audit and Control - Auditing
FAMIS Index #102046
In Acct. 120-9120 Employee Benefits \$39,491

In Admin. Unit 40-15
Corrections
FAMIS Index #290015
In Acct. 120-9120 Employee Benefits \$106,970

In Admin. Unit 10-19
County Clerk
FAMIS Index #110007
In Acct. 120-9120 Employee Benefits \$20,485

In Admin. Unit 10-21
County Executive
FAMIS Index #130039
In Acct. 120-9120 Employee Benefits \$67,520

In Admin. Unit 10-25
County Legislature
FAMIS Index #130039
In Acct. 120-9120 Employee Benefits \$108,658

In Admin. Unit 10-27
Information Technology
FAMIS Index #160028
In Acct. 120-9120 Employee Benefits \$305,618

In Admin. Unit 40-31-10
District Attorney
FAMIS Index #300200
In Acct. 120-9120 Employee Benefits \$181,654

In Admin. Unit 40-34-00
Emergency Communications
FAMIS Index #305011
In Acct. 120-9120 Employee Benefits \$120,306

In Admin. Unit 40-38-00
Emergency Management
FAMIS Index #309989
In Acct. 120-9120 Employee Benefits \$105,242

In Admin. Unit 10-39-10
Finance - Treasury
FAMIS Index #200246
In Acct. 120-9120 Employee Benefits \$118,079

In Admin. Unit 10-39-15
Finance – Div. of Management and Budget
FAMIS Index #200501
In Acct. 120-9120 Employee Benefits \$71,114

In Admin. Unit 40-43
Health Department
FAMIS Index #319962
In Acct. 120-9120 Employee Benefits \$1,037,769

In Admin. Unit 40-43-51
Health – Center for Forensic Science
FAMIS Index #330308
In Acct. 120-9120 Employee Benefits \$156,037

In Admin. Unit 10-47
County Attorney
FAMIS Index #210096
In Acct. 120-9120 Employee Benefits \$139,769

In Admin. Unit 40-53-10
Mental Health Department
FAMIS Index #360420
In Acct. 120-9120 Employee Benefits \$341,900

In Admin. Unit 80-69
Parks and Recreation
FAMIS Index #510024
In Acct. 120-9120 Employee Benefits \$437,622

In Admin. Unit 10-71-10
Personnel
FAMIS Index #230128
In Acct. 120-9120 Employee Benefits \$65,753

In Admin. Unit 10-71-20
Personnel – CNY Works
FAMIS Index #230235
In Acct. 120-9120 Employee Benefits \$69,849

In Admin. Unit 40-73-20
Probation
FAMIS Index #401101
In Acct. 120-9120 Employee Benefits \$381,336

In Admin. Unit 40-73-90
Probation - Hillbrook
FAMIS Index #400200
In Acct. 120-9120 Employee Benefits \$155,696

In Admin. Unit 10-75
Division of Purchase
FAMIS Index #240028
In Acct. 120-9120 Employee Benefits \$147,264

In Admin. Unit 40-79-20
Sheriff
FAMIS Index #410001
In Acct. 120-9120 Employee Benefits \$663,213

In Admin. Unit 40-79-30
Sheriff-Custody
FAMIS Index #410027
In Acct. 120-9120 Employee Benefits \$279,322

In Admin. Unit 40-81-10
Department of Social Services
FAMIS Index #430009
In Acct. 120-9120 Employee Benefits \$3,060,839

In Admin. Unit 10-87
SOCPA
FAMIS Index #260133
In Acct. 120-9120 Employee Benefits \$77,352

In Admin. Unit 40-95
Veterans
FAMIS Index #460006
In Acct. 120-9120 Employee Benefits \$29,104

FUND BALANCE:

A599 Appropriated Fund Balance \$5,882,345

REVENUES:

A510 Estimated Revenues \$1,482,806

In Admin. Unit 10-23-65-20
County General Undistributed Personnel Expense
FAMIS Index #140376
In Acct. 057-2040 Other unclassified revenue -\$385,659

In Admin. Unit 40-53-10
Mental Health Department
FAMIS Index #360420
In Acct. 023-0490 State Aid Mental Health \$170,950

In Admin. Unit 10-71-20
Personnel – CNY Works
FAMIS Index #230235
In Acct. 036-1288 Co Svce Rev Other \$69,849

In Admin. Unit 40-73-90
Probation - Hillbrook
FAMIS Index #400200
In Acct. 025-0551 State Aid Hillbrook \$76,291

In Admin. Unit 40-81-10
Department of Social Services
FAMIS Index #430009
In Acct. 015-0185 Fed Aid Soc. Svcs \$765,210
In Acct. 025-0540 St. Aid Soc. Svcs \$765,210
\$1,530,420

In Admin. Unit 40-95
Veterans
FAMIS Index #460006
In Acct. 060-3003 Other Interdept chgs. \$20,955

APPROPRIATIONS:

D960 Appropriations \$821,516
In Admin. Unit 80-93-20
Department of Transportation- Highways Div.
FAMIS Index #534040
In Acct. 120-9120 Employee Benefits \$821,516

REVENUES:

D510 Estimated Revenues \$821,516
In Admin. Unit 80-93-20
Dept of Transportation- Highways Div.
FAMIS Index #534040
In Acct. 070-3701 Cont from Gen Fund \$821,516

APPROPRIATIONS:

CH960 Appropriations \$1,160,974
In Admin. Unit 40-49-20
Van Duyn
FAMIS Index #351677
In Acct. 120-9120 Employee Benefits \$1,160,974

FUND BALANCE:

CH599 Appropriated Fund Balance \$1,160,974

APPROPRIATIONS:

F960 Appropriations \$157,636
In Admin. Unit 80-57-00
Metropolitan Water Board
FAMIS Index #500009
In Acct. 120-9120 Employee Benefits \$157,636

FUND BALANCE:

F599 Appropriated Fund Balance \$157,636

APPROPRIATIONS:

G960 Appropriations \$589,496

In Admin. Unit 80-33-30

WEP - Consolidated Sanitary District

FAMIS Index #480020

In Acct. 120-9120 Employee Benefits \$572,409

In Admin. Unit 80-33-20

WEP Flood Control

FAMIS Index #480004

In Acct. 120-9120 Employee Benefits \$17,087

FUND BALANCE:

G599 Appropriated Fund Balance \$589,496

In Admin. Unit 80-33-30

WEP - Consolidated Sanitary District

FUND BALANCE:

G599 Appropriated Fund Balance \$589,496

In Admin. Unit 80-33-20

WEP Flood Control

APPROPRIATIONS:

L960 Appropriations \$158,749

In Admin. Unit 40-65-10

Onon. Co. Public Library

FAMIS Index #390114

In Acct. 120-9120 Employee Benefits \$47,849

In Admin. Unit 40-65-30

OCPL Syracuse Branch Libraries

FAMIS Index #390039

In Acct. 120-9120 Employee Benefits \$110,900

REVENUES:

L510 Estimated Revenues \$158,749

In Admin. Unit 40-65-10

Onon. Co. Public Library

FAMIS Index #390114

In Acct. 070-3703 Trans. to Library Fund \$47,849

FUND BALANCE:

L599 Appropriated Fund Balance \$110,900

In Admin. Unit 40-65-30

OCPL Syracuse Branch Libraries

REVENUES:

CP510 Estimated Revenues		\$85,326
In Admin. Unit 10-35-20		
Community Development		
In Acct. 013-0136		
082-3799 Tr from Project Funds	\$85,326	

APPROPRIATIONS:

CP960 Appropriations		\$85,326
In Admin. Unit 10-35-20		
Community Development		
FAMIS Index #180182		
In Acct. 120-9120 Employee Benefits	\$85,326	

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ONDAGA COUNTY
LEGISLATURE

4

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mr. Rhinehart

Waiver sent to Planning & Econ. Dev.

RESOLUTION NO. _____

5.

MEMORIALIZING THE SUPPORT OF THE ONONDAGA COUNTY LEGISLATURE FOR A VIDEO LOTTERY GAMING FACILITY IN ONONDAGA COUNTY, SUBJECT TO SATISFACTION OF VARIOUS CONDITIONS

WHEREAS, Onondaga County is in the process of negotiating a Third Amended and Restated Development Agreement for the development of a Convention Center Hotel for the Onondaga County Convention Center; and

WHEREAS, in conjunction with the development of the hotel, the developer proposes to locate a video lottery gaming facility within Onondaga County; and

WHEREAS, pursuant to New York State Tax Law, counties may authorize eligible video lottery gaming facilities within county boundaries upon the enactment of a local law; and

WHEREAS, video lottery gaming affords the opportunity to attract new visitors and create jobs for our region, thereby providing economic benefits for the county; and

WHEREAS, in order to sustain and promote growth in the travel and tourism industry in Onondaga County, it is necessary to attract a new first class convention hotel across the street from the Onondaga County Convention Center; and

WHEREAS, in accordance with State Finance Law Section 54-1, municipalities that currently host video lottery gaming facilities receive aid payments from the state within annual appropriations therefore, which payments are used to defray costs associated with a video lottery gaming facility or to reduce property taxes; and

WHEREAS, in these times of fiscal constraint, it is imperative to explore additional sources of revenue and lessen the burden on county taxpayers; and

WHEREAS, this Onondaga County Legislature seeks to memorialize its support for a video lottery gaming facility to be located in Onondaga County, contingent upon the satisfaction of certain conditions; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes its support for a video lottery gaming terminal to be located in Onondaga County, subject to satisfaction of the following conditions:

- a) The successful negotiation of a Third Amended and Restated Development Agreement providing for the development, construction and operation of a First-Class Hotel for the Onondaga County Convention Center on the County property located within the block bounded by South State Street, Madison Street, South Townsend Street and Harrison Street, Syracuse, New York, which Agreement shall among other things, eliminate provisions contained in the Second Amended and Restated Development Agreement calling for a contribution by the Onondaga County Industrial Development Agency and an equity contribution by Onondaga County; and

- b) Successful negotiation of an agreement and/or amendment to state law, if required, for Onondaga County to receive a share of the distribution of state aid payments made to municipalities that host video lottery facilities; and, be it further

RESOLVED, that the Clerk of this Onondaga County Legislature hereby is directed to transmit this resolution to the Governor and New York State Legislators representing Onondaga County, and to the Director of the New York State Division of Lottery and the New York Racing and Wagering Board.

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LIBRARY
ONONDAGA COUNTY
LEGISLATURE

5

Vote to allow
waiverNOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK	✓			Sponsor requested a waiver. Mr. Holmquist, Mr. Dougherty, Mrs. Tassone, Mr. Meyer, Mr. Warner, objected to the waiver. Vote was taken to allow waiver - Defeated. Chairman Rherhart referred the resolution to Planning Committee.
9. STANCZYK	✓		✓	
4. TASSONE		✓		
5. RAPP		✓		
7. BUCKEL	✓			
8. CORBETT	✓			
10. HOLMQUIST		✓		
11. KILMARTIN	✓			
12. COX	✓			
13. WARNER		✓		
14. JORDAN		✓		
15. KINNE	✓			
16. LAGUZZA	✓			
17. MASTERPOLE	✓			
18. WILLIAMS		✓		
19. ERVIN		✓		
2. DOUGHERTY		✓		
3. MEYER		✓		
6. MR. CHAIRMAN	✓			
TOTAL	9	9	1	Defeated - waiver not allowed

61

November 1, 2011

Motion Made By Mr. Rhinehart

RESOLUTION NO. 519

CONFIRMING REAPPOINTMENTS TO THE ONONDAGA COUNTY WATER AUTHORITY

WHEREAS, pursuant to the provisions of the Public Authorities Law and appointments heretofore made to the Onondaga County Water Authority two vacancies occur due to the expiration of the terms of Dr. Eileen Gilligan and Susan Miller; and

WHEREAS, the Chairman of the Onondaga County Legislature has designated and reappointed Eileen Gilligan and Susan Miller as members of the Onondaga County Water Authority, subject to confirmation of this Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature hereby confirms the reappointment of the following individuals to the Onondaga County Water Authority for the terms specified:

REAPPOINTMENTS:

Dr. Eileen D. Gilligan
2739 Summer Ridge Road
LaFayette, New York 13084

TERM EXPIRES:

July 1, 2014

Susan A. Miller
12 Warren Street
Tully, New York 13159

July 1, 2014

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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

6

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANGZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX			✓	
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mr. Corbett, Mrs. Tassone

RESOLUTION NO. 520

AUTHORIZING THE ACCEPTANCE OF THE SEVENTH NORTH STREET WATER MAIN FROM THE CITY OF SYRACUSE FOR AND ON BEHALF OF THE ONONDAGA COUNTY SANITARY DISTRICT; APPROVING THE CLASSIFICATION OF AN UNLISTED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA); DECLARING LEAD AGENCY STATUS; ACCEPTING THE SHORT ENVIRONMENTAL ASSESSMENT FORM; MAKING AND DECLARING A NEGATIVE DECLARATION; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AGREEMENTS

WHEREAS, on December 27, 2007, Onondaga County entered into a Consent Agreement with the New York State Department of Environmental Conservation requiring the County to mitigate sanitary sewer overflows that occur during wet weather from the Electronics Park Trunk Sewer; and

WHEREAS, pursuant to Article 11-A of the Onondaga County Administrative Code, the Acting Commissioner of Department of Water Environment Protection has heretofore recommended to this County Legislature the purchase from the City of Syracuse of a 9,625 linear foot pipe situated in the Town of Salina, County of Onondaga, State of New York being known as Tax Map ID #648.89-9999-244.400/1301 (hereinafter, "Seventh North Street Water Main") at a maximum estimated cost of \$1.00 plus reimbursement for any taxes paid by the City from the date of conveyance through the end of the calendar year; said Seventh North Street Water Main to be incorporated into the sanitary sewer overflow mitigation project for the Electronic Park Trunk Sewer and to promote the public health and welfare of the County in the area to be served by said mitigation project; and

WHEREAS, the Acting Commissioner of the Department of Water Environment Protection held a hearing on June 29, 2011 and has duly filed his Report and Recommendations dated June 30, 2011; and

WHEREAS, by resolution adopted July 5, 2011, this County Legislature called for a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York, on August 2, 2011 at 12:50 p.m.; Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and Recommendations of the Acting Commissioner of the Department of Water Environment Protection and the evidence given at said public hearing; now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of the property known as and described herein as the Seventh North Street Water Main at a maximum estimated cost of \$1.00 plus reimbursement for any taxes paid by the City from the date of conveyance through the end of the calendar year; and, be it further

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

RESOLVED, that the County Comptroller be and hereby is authorized and directed to draw a check payable to the City of Syracuse in payment thereof, said check to be delivered to the County Attorney who shall obtain proper conveyance and approve title before delivery of said check and that said sum be, and hereby is, made a charge upon the proper fund or funds; and, be it further

RESOLVED, that the County of Onondaga is hereby authorized, directed, and designated to act as the lead agency; and, be it further

RESOLVED, that as lead agency, the County Legislature hereby determines that the proposed action is a Type II Action under SEQRA with a finding of no significant impact; and, be it further

RESOLVED, that the negative declaration finding prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County; and, be it further

RESOLVED, that the County Legislature does hereby make and adopt a Negative Declaration for the project and has determined that the proposed action will not have a significant effect on the environment; and, be it further

RESOLVED, that the Onondaga County Executive, or her designee, is authorized to take action to comply with the requirements of SEQRA, including identification and circulation of the proposed findings to other involved agencies, if any, the execution of documents and filing of the same, and any other actions to implement the intent of this resolution.

Water Main reso.doc
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ONONDAGA COUNTY
LEGISLATURE

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Onondaga County Dept. of Water Environment Protection	2. PROJECT NAME Local Law Authorizing Acceptance of 7th North St Water main
3. PROJECT LOCATION: Municipality <u>Onondaga County</u> County <u>Onondaga</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>9,625 linear feet of 16" cast iron water main that extends from Electronics Parkway to Ley Creek Drive in the Town of Salina.</u>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Local Law authorizing transference of ownership of 9,625 linear feet of inactive 16" cast iron water main, associated easement and right of way from the City of Syracuse to Onondaga County.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>N/A</u> acres Ultimately <u>N/A</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: <u>Utility right of way for inactive water main.</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Onondaga County Department of Water Environment Protection</u> Date: <u>05/19/2011</u> Signature: <u><i>Michael J. Roman</i></u>	

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If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 None, inactive water line and easement ownership transfer.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 None, inactive water line and easement ownership transfer.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 None, inactive water line and easement ownership transfer.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 None, inactive water line and easement ownership transfer.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 None, inactive water line and easement ownership transfer.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 None, inactive water line and easement ownership transfer.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 None, inactive water line and easement ownership transfer.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Onondaga County Dept. of Water Environment Protection 05/19/2011

Name of Lead Agency Date

Michael J. Lannon, P.E. Acting Commissioner

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Michael J. Lannon *W. J. ...*

Signature of Responsible Officer in Lead Agency Signature of Preparer (If different from responsible officer)

7

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX			✓	
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

8.

November 1, 2011

521

Motion Made By Mr. Corbett, Mrs. Tassone

RESOLUTION NO. _____

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWN OF GEDDES TO REIMBURSE THE TOWN COSTS RELATED TO PREVENTING POTENTIAL BACKUP OF SANITARY SEWERS IN THE BRONSON ROAD AREA

WHEREAS, by Local Law No. 1 - 2011, the County adopted a Capacity Management Operations and Maintenance program; and

WHEREAS, the Town of Geddes seeks to implement a program to install backflow preventers for homes in the Bronson Road area and repair leaking plumbing connections identified during the installation of the backflow prevention valves; and

WHEREAS, the installation and repair work will reduce infiltration to the County trunk sewer from laterals of approximately eighteen homes and will address the potential for sewer back-ups into residences in that area; and

WHEREAS, the Town has requested the County to provide financial assistance to the Town to install the backflow preventers and repair the connections, at an estimated total cost of \$40,000; and

WHEREAS, reimbursement will be made in the form of a credit to be deducted from funds paid by the Town to the County for sewer maintenance; and

WHEREAS, Local Law No. 1 - 2011 provides in Sections 12(D) and 20(C) that the County Executive and County Legislature may approve reimbursement for this type of program; and

WHEREAS, it is to the mutual benefit of the Town and the County to enter into said agreement; now, therefore be it

RESOLVED, that the County Executive is authorized to enter into agreements with the Town of Geddes to provide reimbursement in an amount not to exceed a total of \$40,000.00 for use by the Town to install backflow preventers and repair leaking plumbing connections identified during the installation of the backflow prevention valves for residences in the Bronson Road area, and to implement the intent of this Resolution.

Geddes Reimbursement.doc
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MONROE COUNTY
LEGISLATURE

8

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett, Mrs. Rapp

RESOLUTION NO. 522

AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE WATER QUALITY IMPROVEMENT PROJECTS AND NONAGRICULTURAL NONPOINT SOURCE PROJECTS GRANT PROGRAM AND AMENDING THE COUNTY BUDGET TO ACCEPT THE GRANT FUNDS

WHEREAS, during wet weather events, stormwater in the sewers triggers combined sewer overflows into Onondaga Creek and Onondaga Lake, contributing to high levels of nutrients and sediment; and

WHEREAS, New York State Department of Environmental Conservation has authorized grant funds under the water quality improvement projects and nonagricultural nonpoint source projects grant program, pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects; and

WHEREAS, the Onondaga County Department of Water Environment Protection has been awarded a grant under that program in the amount of \$3,000,000; and

WHEREAS, the grant funds will be used to complete the Project known as "Greening the Civic Strip", which includes as many as fifteen (15) projects designed to capture and limit stormwater runoff that enters into the combined sewer system; and

WHEREAS, the resulting capture and limitation of stormwater runoff using "green" stormwater infrastructure will serve to reduce pollutant loadings to Onondaga Lake; and

WHEREAS, the grant terms require a 25% local match by the County, which funds have been appropriated and are available to the Department; and

RESOLVED, that the County Executive, or her successor in office, is the representative authorized to act on behalf of Onondaga County's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation and otherwise act for Onondaga County's governing body in all matters related to the Project and to State assistance; and, be it further

RESOLVED, that Onondaga County agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and, be it further

RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation and this Resolution shall take effect immediately.

WQIP grant.doc
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clm
kam



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MONDAGA COUNTY
LEGISLATURE
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9

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 523

A RESOLUTION APPROVING THE PURCHASE OF A COMBINATION SEWER CLEANER, AS WELL AS A TANKER, FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated October 4, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the purchase of a combination sewer cleaner, as well as a tanker, all as more fully set forth in the Report, at a maximum estimated cost of \$449,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:53 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the purchase of a combination sewer cleaner, as well as a tanker, for the Onondaga County Sanitary District at an estimated maximum cost of \$449,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

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ONONDAGA COUNTY
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10

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

524

Motion Made By Mr. Corbett

RESOLUTION NO. _____

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$449,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A COMBINATION SEWER CLEANER, AS WELL AS A TANKER, FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the purchase of a combination sewer cleaner, as well as a tanker, there are hereby authorized to be issued \$449,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$449,000, and the plan for the financing thereof shall consist of the issuance of the \$449,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be

determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: *Janice M. Mahoney*
County Executive, Onondaga County

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NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT
1. LESNIAK	✓		
9. STANCZYK	✓	✓	✓
4. TASSONE	✓		
5. RAPP	✓		
7. BUCKEL	✓		
8. CORBETT	✓		
10. HOLMQUIST	✓		
11. KILMARTIN	✓		
12. COX	✓		
13. WARNER	✓		
14. JORDAN	✓		
15. KINNE	✓		
16. LAGUZZA	✓		
17. MASTERPOLE	✓		
18. WILLIAMS	✓		
19. ERVIN	✓		
2. DOUGHERTY	✓		
3. MEYER	✓		
6. MR. CHAIRMAN	✓		
TOTAL	18	0	1

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 525

A RESOLUTION APPROVING THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE ELECTRONICS PARK TRUNK SEWER SYSTEM IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the construction of certain improvements to the Electronics Park Trunk Sewer System to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$10,000,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:50 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the construction of certain improvements to the Electronics Park Trunk Sewer System in and for the Onondaga County Sanitary District to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$10,000,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: James M. Mahoney
County Executive, Onondaga County

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ONONDAGA COUNTY

12

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO.: 526

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE ELECTRONICS PARK TRUNK SEWER SYSTEM IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the construction of certain improvements to the Electronics Park Trunk Sewer System to eliminate wet weather sanitary sewer overflows; including the installation of an overflow structure to the Liverpool tank and manhole structural improvements, as well as the construction of a pump station and trunk sewer improvements, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$10,000,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$10,000,000, and the plan for the financing thereof shall consist of the issuance of the \$10,000,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0

ABSENT: 1

Dated: November 1, 2011

Approved: Jeanne M. Nehoney
County Executive, Onondaga County

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13

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT
1. LESNIAK	✓		
9. STANCZYK	✓	✓	✓
4. TASSONE	✓		
5. RAPP	✓		
7. BUCKEL	✓		
8. CORBETT	✓		
10. HOLMQUIST	✓		
11. KILMARTIN	✓		
12. COX	✓		
13. WARNER	✓		
14. JORDAN	✓		
15. KINNE	✓		
16. LAGUZZA	✓		
17. MASTERPOLE	✓		
18. WILLIAMS	✓		
19. ERVIN	✓		
2. DOUGHERTY	✓		
3. MEYER	✓		
6. MR. CHAIRMAN	✓		
TOTAL	18	0	1

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 527

A RESOLUTION APPROVING VARIOUS IMPROVEMENTS AT THE METRO WWTP INCLUDING THE GRIT HANDLING OPERATIONS IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of various improvements at the Metro WWTP including the grit handling operations, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$5,600,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:51 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake various improvements at the Metro WWTP including the grit handling operations in and for the Onondaga County Sanitary District, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$5,600,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Grit app
clm/kam



11 OCT 17 PM 3:0
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

14

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett

RESOLUTION NO. 528

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,600,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS AT THE METRO WWTP INCLUDING THE GRIT HANDLING OPERATIONS IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of various improvements at the Metro WWTP including the grit handling operations, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$5,600,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$5,600,000, and the plan for the financing thereof shall consist of the issuance of the \$5,600,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations

prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Grit bond.doc
clm/kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 2:21

15

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK	✓			
9. STANCZYK	✓		✓	
4. TASSONE	✓			
5. RAPP	✓			
7. BUCKEL	✓			
8. CORBETT	✓			
10. HOLMQUIST	✓			
11. KILMARTIN	✓			
12. COX	✓			
13. WARNER	✓			
14. JORDAN	✓			
15. KINNE	✓			
16. LAGUZZA	✓			
17. MASTERPOLE	✓			
18. WILLIAMS	✓			
19. ERVIN	✓			
2. DOUGHERTY	✓			
3. MEYER	✓			
6. MR. CHAIRMAN	✓			
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett , Mr. Jordan

RESOLUTION NO. 529

A RESOLUTION APPROVING THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE OAK ORCHARD FACILITIES IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT OF THE COUNTY OF ONONDAGA, NEW YORK

WHEREAS, by Resolution No. 260 dated June 5, 1978, adopted pursuant to Section 11.82 of the Onondaga County Administrative Code, the County Legislature dissolved all existing Sanitary and Treatment Plant Districts of the County and established, as successor thereto, the Onondaga County Sanitary District effective January 1, 1979; and

WHEREAS, the Commissioner of Water Environmental Protection of said County, pursuant to the Onondaga County Administrative Code, has prepared and submitted to said County Legislature a Report dated September 28, 2011 (the "Report"), duly approved by the County Executive, recommending improvements for the Onondaga County Sewer District, consisting of the construction of certain improvements to the Oak Orchard Facilities, as well as other improvements and incidental costs and expenses, all as more fully set forth in the Report, at a maximum estimated cost of \$12,405,000; and

WHEREAS, this County Legislature duly adopted a resolution on October 11, 2011, calling a public hearing on the foregoing matter to be held in the Legislative Chambers in the County Court House, in Syracuse, New York on November 1, 2011 at 12:52 o'clock P.M., Prevailing Time; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were heard; and

WHEREAS, this County Legislature has given due consideration to the aforesaid Report and the evidence given at said public hearing; now, therefore be it

RESOLVED, by the County Legislature of the County of Onondaga, New York, as follows:

Section 1. Based upon the proceedings heretofore had and taken, it is hereby found and determined that it is necessary and in the public interest to undertake the construction of certain improvements to the Oak Orchard Facilities in and for the Onondaga County Sanitary District, as well as other improvements and incidental costs and expenses, at an estimated maximum cost of \$12,405,000, and that said improvement will be of special benefit to all of the real property included within the limits of the District.

Section 2. A certified copy of this resolution shall be recorded in the office of the County Clerk and when so recorded shall be presumptive evidence of the regularity of the determinations herein contained. The clerk of the County Legislature is hereby authorized and directed to cause a notice of such recording to be published once in the official newspaper of said County in the manner provided by law.

Section 3. This resolution shall take effect immediately.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Oak Orchard app.doc
clm/kam



RECEIVED
ONONDAGA COUNTY
LEGISLATURE
11 OCT -7 PM 2:25

16

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	18	0	1	

November 1, 2011

Motion Made By Mr. Corbett, Mr. Jordan

RESOLUTION NO. 530

BOND RESOLUTION DATED NOVEMBER 1, 2011

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$12,405,000 BONDS OF THE COUNTY OF ONONDAGA, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE OAK ORCHARD FACILITIES IN AND FOR THE ONONDAGA COUNTY SANITARY DISTRICT IN AND FOR SAID COUNTY

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Onondaga County Administrative Code, the County of Onondaga has approved the improvements described herein; and

WHEREAS, it is now desired to provide for the financing of said improvements; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Onondaga, New York, as follows:

Section 1. For the object or purpose of paying the cost of certain improvements to the Onondaga County Sewer District, consisting of the construction of certain improvements to the Oak Orchard Facilities, as well as other improvements and incidental costs and expenses, there are hereby authorized to be issued \$12,405,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid item is \$12,405,000, and the plan for the financing thereof shall consist of the issuance of the \$12,405,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Onondaga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be assessed upon the taxable real property in said Sanitary District in the manner provided by law an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Chief Fiscal Officer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Chief Fiscal Officer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the Post Standard, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

ADOPTED: AYES: 18 NAYS: 0 ABSENT: 1

Dated: November 1, 2011

Approved: Joanne M. Mahoney
County Executive, Onondaga County

Oak Orchard bond.doc
clm/kam



11 OCT -7 - 10 11
RECEIVED
ONONDAGA COUNTY
LEGISLATURE

17

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK	✓			
9. STANGZYK			✓	
4. TASSONE	✓			
5. RAPP	✓			
7. BUCKEL	✓			
8. CORBETT	✓			
10. HOLMQUIST	✓			
11. KILMARTIN	✓			
12. COX	✓			
13. WARNER	✓			
14. JORDAN	✓			
15. KINNE	✓			
16. LAGUZZA	✓			
17. MASTERPOLE	✓			
18. WILLIAMS	✓			
19. ERVIN	✓			
2. DOUGHERTY	✓			
3. MEYER	✓			
6. MR. CHAIRMAN	✓			
TOTAL	18	0	1	

917

Waive

November 1, 2011

Motion Made By Mr. Jordan

RESOLUTION NO. 531

AUTHORIZING THE SETTLEMENT OF THE ACTION FILED WITH THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ONONDAGA, BRIAN FREDERICK RADFORD V. COUNTY OF ONONDAGA

WHEREAS, on or about January 27, 2010, by Summons and Complaint, Plaintiff, Brian Frederick Radford, commenced this action against the County of Onondaga demanding payment for any claims of bodily injuries as a result of a bicycle accident on Canton Street in the County of Onondaga, New York; and

WHEREAS, Plaintiff, Brian Frederick Radford, is willing to settle against the County Defendant, upon the payment of \$75,000, including attorney fees and costs; now, therefore be it

RESOLVED, that the County Attorney is hereby authorized to settle this action in the amount of \$75,000, and the Comptroller be and hereby is authorized to draw his warrant charging it against the proper funds; and, be it further

RESOLVED, that this warrant shall be released to the County Attorney upon receipt of the proper Settlement Agreement and Stipulation of Discontinuance.

RadfordRes.doc
JWS/nlm
kam



11 NOV - 1 PM 1:21

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

A17

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				<i>Sponsor requested a waiver; no objection.</i>
9. STANCZYK				
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE		✓		
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	1	1	

aa.17.

Waiver

November 1, 2011

Motion Made By Mr. Laguzza, Mrs. Rapp,
Mr. Cox

RESOLUTION NO. 532

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER SUPPORT FOR VIDEO
LOTTERY TERMINALS WITHIN ONONDAGA COUNTY

WHEREAS, Onondaga County is debating whether to support video lottery terminals and associated gaming use within the county; and

WHEREAS, pursuant to New York State Tax Law, counties may authorize eligible video lottery gaming facilities within county boundaries upon the enactment of a local law; now, therefore be it

RESOLVED, that a meeting of the County Legislature of the County of Onondaga shall be held in the Legislative Chambers in the County Courthouse in Syracuse, New York on November 17, 2011, at 7:00 p.m. for the purpose of conducting a public hearing upon the aforesaid matter, and that the Clerk of the County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published as soon as practicable prior to the date of the public hearing in such publication and in such manner as provided by law.

Public Hearing - VLT.doc
KMB



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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

AA17

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				<i>Sponsor requested a waiver; no objection</i>
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	<i>18</i>	<i>0</i>	<i>1</i>	

waiver

17a.

November 1, 2011

Motion Made By Mrs. Ervin

RESOLUTION NO. 533

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER THE PROPOSED COUNTY SOURCE SEPARATION LAW AND CHANGES TO LOCAL LAW NO. 12 – 1989, AS AMENDED, AND LOCAL LAW NO. 5 - 2003

WHEREAS, Onondaga County is proposing to enact a new county source separation law and repealing Local Law No. 12 – 1989, as amended, and amending Local Law No. 5 - 2003; and

WHEREAS, the purpose of the proposed source separation law is (a) to encourage and facilitate the maximum recycling practicable on the part of each and every household, business, apartment complex, industry and institution within Onondaga County; (b) to establish, implement, and enforce minimum recycling-related practices and procedures to be applicable to all Waste Generators, Waste Haulers/Recyclable Collectors, and Materials Recovery Facilities/Recycling Facilities located within Onondaga County; and (c) to require onsite source separation by each and every Waste Generator within Onondaga County and to ensure that recyclable materials that are source separated are recycled properly and kept separate from solid waste; now, therefore be it

RESOLVED, that a meeting of the County Legislature of the County of Onondaga shall be held in the Legislative Chambers in the County Courthouse in Syracuse, New York on December 6, 2011, at 12:50 p.m. for the purpose of conducting a public hearing upon the aforesaid matter, and that the Clerk of the County Legislature is hereby authorized and directed to cause a notice of such public hearing to be published at least ten (10) days prior to the date of the public hearing in such publication and in such manner as provided by law.

Public Hearing - OCRRA LL.doc
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kam



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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

17a.

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK		✓		<i>Spruer requested a waiver; no objection</i>
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST		✓		
11. KILMARTIN		✓		
12. COX		✓		
13. WARNER				
14. JORDAN		✓		
15. KINNE				
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER		✓		
6. MR. CHAIRMAN				
TOTAL	12	6	1	

November 1, 2011

Motion Made By Mr. Lesniak, Mr. Warner

RESOLUTION NO. 534

AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE TOWN OF LYSANDER TO DEFRAY THE COSTS OF WASTEWATER COLLECTION IMPROVEMENTS PURSUANT TO LOCAL LAW NO.1 OF 2011

WHEREAS, the Whispering Oaks community, consisting of approximately 50 homes in the Town of Lysander near the Seneca River, is within the County sewer district but currently served by a community septic system; and

WHEREAS, that septic system was deemed by the Town and the Onondaga County Department of Health to have failed, resulting in health and safety issues to homeowners and the Seneca River; and

WHEREAS, the Town of Lysander in 2010 entered into a Consent Agreement with the NYS Department of Environmental Conservation to address the failure of this septic system consistent with the Clean Water Act and NYS Environmental Conservation Law; and

WHEREAS, Onondaga County enacted Local Law No. 1 of 2011, to ensure that expansions or additions to the Onondaga County Combined sewer district occur in a manner that provides for the most cost effective solution while also ensuring the maintenance of sufficient capacity for dry and wet weather flows at County pump stations and treatment facilities, and

WHEREAS, the project as originally proposed by the Town of Lysander in 2010 would have compromised the limited existing capacity of the Van Buren Pump Station; and

WHEREAS, working in cooperation with the County, NYS Department of Environmental Conservation, and the NYS Environmental Facilities Corporation, the Town worked to modify its project plan, thus preserving the existing capacity of the Van Buren Pump Station; and

WHEREAS, the Town has indicated that the additional costs of the modified project, minus a State of New York Environmental Protection Fund Grant, totals \$120,000; and

WHEREAS, it is the desire of this Legislature, consistent with the provisions of Local Law No 1 of 2011, to provide financial assistance toward 50% of the additional project costs associated with the project modifications; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Town of Lysander to provide financial assistance toward this public works project in an amount not to exceed \$60,000.00 from the Department of Water Environment Protection.

Whispering Oaks Resolution
kam

FILED WITH CLERK
ONONDAGA CO. LEG.
OCT 27 2011
KMF



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ONONDAGA COUNTY
LEGISLATURE
OCT 27 AM 9:45

18

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

November 1, 2011

Motion Made By Mr. Meyer, Mr. Lesniak, Mrs. Rapp, RESOLUTION NO. 535
 Mr. Dougherty, Mrs. Tassone, Mr. Corbett,
 Mr. Rhinehart, Mr. Holmquist, Mr. Warner,
 Mr. Kilmartin, Mr. Jordan

AMENDING RESOLUTION NO. 265 - 1994, AS AMENDED BY RESOLUTION NO. 4 - 1995,
 REGARDING PARTIAL PAYMENTS OF COUNTY AND TOWN REAL PROPERTY TAXES

WHEREAS, by Resolution No. 265 - 1994, as amended by Resolution No. 4 - 1995, this Legislature authorized town collection officers to accept partial payments of county and town real property taxes, special ad valorem levies, and special assessments; and

WHEREAS, in these difficult economic times, many residents of Onondaga County are finding it difficult to budget real property tax payments according to the existing schedules established in such resolutions; and

WHEREAS, when a resident is unable to make conforming payments, the municipality is negatively affected because it misses out on having cash in-hand and the resident is negatively affected because of the statutory interest and penalties accruing on the outstanding balance; and

WHEREAS, it is necessary to amend the prior resolutions so as to provide residents greater flexibility in making partial real property tax payments in amounts other than fifty percent of the total tax due for each of the three permissible installments; now, therefore be it

RESOLVED, that Resolution No. 265 - 1994, as amended by Resolution No. 4 - 1995, is hereby further amended to allow partial payments of county and town real property taxes, special ad valorem levies, and special assessments, as shall be consistent with the following:

1. County and town real property taxes, special ad valorem levies and special assessments may be paid in up to four partial payments prior to the expiration of the town's warrant on March 31 of the then current tax year.
2. The initial partial payment shall be paid not later than January 31 of the then current tax year. Interest and penalties shall be charged against the unpaid balance after such date.
3. No minimum amount is required for a partial payment, except that the final partial payment shall be in the amount of the remaining unpaid balance due and owing.
4. No partial payment shall be accepted from a property owner if there are delinquent real property taxes, special ad valorem levies, and special assessments owed on such property, unless the property owner is current on installment payments to the County pursuant to Local Law No. 7 - 1995 as may be amended from time to time; and, be it further

RESOLVED, that in all other respects, Resolution No. 265 - 94, as amended by Resolution No. 4 - 1995, shall remain in full force and effect; and, be it further

RESOLVED, that the Clerk of this Legislature is directed to file a certified copy of this resolution with the Commissioner of the New York State Office of Real Property Tax Services no later than thirty days after adoption.

Partial Payments - County Town Taxes.doc
KMB
kam



11 OCT 24 PM 2:13
LEGISLATURE
MONDAGA COUNTY

19

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK				
9. STANCZYK			✓	
4. TASSONE				
5. RAPP				
7. BUCKEL				
8. CORBETT				
10. HOLMQUIST				
11. KILMARTIN				
12. COX				
13. WARNER				
14. JORDAN				
15. KINNE			✓	
16. LAGUZZA				
17. MASTERPOLE				
18. WILLIAMS				
19. ERVIN				
2. DOUGHERTY				
3. MEYER				
6. MR. CHAIRMAN				
TOTAL	17	0	2	

NOVEMBER 1, 2011 SESSION

LOCAL LAWS

- A. A LOCAL LAW AUTHORIZING THE SALE OF COUNTY PROPERTY TO TUSCARORA GOLF CLUB, INC. (Sponsored by Mr. Rhinehart)**
- B. A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF THE DIRECTORS OF THE ONONDAGA COUNTY CONVENTION CENTER WAR MEMORIAL COMPLEX MANAGEMENT CORPORATION (Sponsored by Mrs. Rapp)**
- C. A LOCAL LAW ENACTING A NEW COUNTY SOURCE SEPARATION LAW, AND REPEALING LOCAL LAW NO. 12 – 1989, AS AMENDED BY LOCAL LAW NO. 14 – 1991 (Sponsored by Mr. Corbett)**
- D. A LOCAL LAW AMENDING LOCAL LAW NO. 5 – 2003 WHICH PROVIDED FOR THE REGULATION, COLLECTION AND DISPOSAL OF SOLID WASTE ORIGINATING IN THE COUNTY OF ONONDAGA (Sponsored by Mr. Corbett)**

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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

A.

LOCAL LAW NO. 1 - 2012

A LOCAL LAW AUTHORIZING THE SALE OF COUNTY PROPERTY TO TUSCARORA GOLF CLUB, INC.

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. The County of Onondaga is the owner of a 75' x 2,510' parcel of land, being part of Camillus Tax Map No. 025-03-11, which is a portion of the former Syracuse & Auburn Electric Railway Line that runs through property owned by Tuscarora Golf Club, Inc., as shown on the tax map for said property.

Section 2. Tuscarora Golf Club, Inc., a New York Not-For-Profit corporation, has expressed an interest in acquiring said property, measuring approximately 4.32 ± acres, for a consideration of \$13,000.00, payable in 15 annual payments of \$866.67.

Section 3. Said property is not needed for County purposes.

Section 4. The County of Onondaga is hereby authorized, directed and designated to act as the lead agency. An analysis of the potential environmental impacts, if any, has been done under the State Environmental Quality Review Act (SEQRA), and as lead agency the County hereby determines that the proposed action is an Unlisted Action under SEQRA and a Short Environmental Assessment Form has been prepared. The Short Environmental Assessment Form prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County. Onondaga County does hereby make and adopt a Negative Declaration for the project, and has determined that the proposed action will not have a significant effect on the environment.

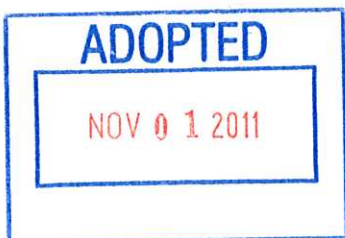
Section 5. The Onondaga County Executive, or her designee, is authorized to take such action to comply with the requirements of SEQRA, including without limitation, the execution of documents and filing of same and any other actions to implement the intent of this local law.

Section 6. The County Executive is hereby authorized to transfer to Tuscarora Golf Club, Inc., a New York Not-For-Profit corporation, said parcel of land consisting of approximately 4.32 ± acres located within the Town of Camillus, as shown on Tax Map No. 025-03-11, for a consideration of \$13,000.00, payable in 15 annual payments of \$866.67.

Section 7. The County Executive is hereby authorized to execute agreements to further the intent of this local law.

Section 8. This local law shall be filed and take effect in accordance with provisions of the Municipal Home Rule Law and is subject to a permissive referendum.

Trolley Line Sale LL.doc
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ONONDAGA COUNTY
LEGISLATURE

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Onondaga County	2. PROJECT NAME Sale of County property (Tuscarora Golf Club, Inc.)
3. PROJECT LOCATION: Municipality <u>Town of Camillus</u> County <u>Onondaga</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Tax Map. # 025-03-11. Property is located approximately 1200' northerly from the intersection of Munro Road C.R. # 206 and Howlett Hill Road C.R. # 40. Property is a parcel 75' x 2510' that extends southwesterly from where it fronts on Munro Road.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Tuscarora Golf Club, Inc. has offered to purchase the property that is the former Syracuse & Auburn Trolley Line that splits the golf course.	
7. AMOUNT OF LAND AFFECTED: Initially <u>4.32+/-</u> acres Ultimately <u>4.32+/-</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: Golf course.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>James R. Bennett, Civil Engineer 2, Onondaga County DOT</u> Date: <u>08/23/2011</u> Signature: <u><i>James R. Bennett</i></u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 The proposed action of this sale of real property will not have an adverse effect regarding the above mentioned environmental impact categories.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 The proposed action of this sale of real property will not have an adverse effect regarding the above mentioned environmental impact categories.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 The proposed action of this sale of real property will not have an adverse effect regarding the above mentioned environmental impact categories.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 The proposed action of this sale of real property will not have an adverse effect regarding the above mentioned environmental impact categories.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 The proposed action of this sale of real property will not have an adverse effect regarding the above mentioned environmental impact categories.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 There will be no cumulative, long or short term effects associated with this sale of real property.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 No adverse effects.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

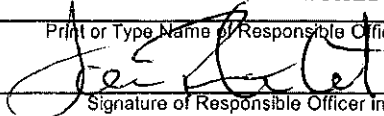
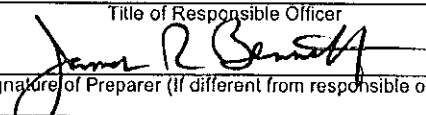
Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Onondaga County 08/23/2011

Name of Lead Agency Date
 James M. Rhinehart County Legislature Chairman

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)

CONTRACT TO PURCHASE

THIS AGREEMENT (the “**Agreement**”) is made this _____ day of _____, 2011, by and between the **COUNTY OF ONONDAGA**, with offices at 421 Montgomery Street, Syracuse, New York 13202 (the “**Seller**”); and **TUSCARORA GOLF CLUB, INC.**, a New York Not-For-Profit corporation, having an office at Howlett Hill Road, Marcellus, New York 13108; and a mailing address of P.O. Box 276, Camillus, New York 13031 (the “**Purchaser**”).

Purchaser and Seller agree as follows:

1. Agreement to Sell and Purchase; Description of Property.

Upon and subject to the terms and conditions hereinafter contained, Seller agrees to sell and convey to Purchaser, and Purchaser agrees to purchase from Seller all that certain lot, piece or parcel of land situate, lying and being Part of Military Lot 100 in the Town of Camillus, County of Onondaga, State of New York. Said property, a portion of tax map no. 025-03-11, is a 75' x 2,510'± parcel of land running through Purchaser's golf course, containing 4.32 acres, more or less.

The land, improvements exclusive and other rights and interests enumerated above and to be sold and conveyed pursuant to this Agreement are hereinafter sometimes collectively referred to as the “**Property**.”

2. Purchase Price.

The total consideration to be paid by Purchaser to Seller for the aforesaid sale shall be the sum of Thirteen Thousand Dollars (\$13,000.00) (the “**Purchase Price**”).

3. Payment of Purchase Price. The Purchase Price shall be paid in 15 annual payments of \$866.67 to be made on or before the April 1st of each year, with the initial payment due at closing.

4. Representations of Seller. Seller hereby represents to Purchaser the following:

a. Seller will transfer and convey to Purchaser, by Quit Claim Deed, title to the Property.

b. The Property is being sold “as is”, and Seller makes no representations or warranties as to the condition of the Property.

5. Environmental Issues: Purchaser agrees to defend, indemnify and hold harmless Seller from and against all claims, suits, damages, judgments and liabilities incurred solely as a result of any Hazardous Materials (as defined by the Environmental Laws) being brought on, kept, discharged or released on the Property, relative to applicable provisions of the Environmental Protection Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act, the Toxic Substances Control Act, the Clean Water

Act and all other federal, state and local laws relating in any way to the protection of the environment (collectively, the "Environmental Laws").

As of the date of closing, Purchaser hereby releases and forever discharges the Seller against and from all liabilities, obligations damages, penalties claims, costs, charges, losses, fees and expenses (including equitable damages), whether by a governmental authority, any third party or otherwise, whether in law or equity, whether known or unknown, that Purchaser had, now has, or will have, of any kind, in connection with, arising out of, or relating to, the Property.

As of the date of this closing, Purchaser hereby covenants and agrees, not to: (a) seek indemnification or contribution from the Seller; (b) initiate legal action against the Seller; or (c) implead or interplead the seller in any legal action initiated by any governmental authority, any third party or otherwise, related to the Property.

6. Survival of Representation, Warranties, Covenants and Agreements.

All representations, warranties, covenants and agreements specifically set forth in this Agreement shall survive the acceptance of the deed by Purchaser and the payment made at Closing.

7. Adjustment.

Real estate taxes levied or imposed upon the Property on the basis of the fiscal year for which assessed shall be adjusted between the parties as of midnight on the Closing Date. If at the time of Closing, the Property is affected by an assessment which is or may become payable in annual installments, and the first installment is then a lien, or has been paid, then for the purposes of this Agreement all unpaid installments shall be considered due and are to be paid by Seller at Closing.

8. The Closing.

a. The Closing of the transaction contemplated herein (the "**Closing**") shall be held on or before 30 days after the execution of this Contract by both Parties (the "**Closing Date**") at the office of the Onondaga County Attorney, John H. Mulroy Civic Center -10th Floor, 421 Montgomery Street, Syracuse, New York 13202, or at such other place as the parties may mutually agree or by mail.

b. The following deliveries shall be made by Seller at Closing: a Quit Claim Deed, in proper statutory form for recording, so as to transfer and convey to Purchaser all of Seller's right, title and interest in and to the Property. The deed will contain a covenant by Seller as required by Section 13 of the Lien Law and will be accompanied by a TP-584 Form and Real Property Transfer Form. Because Seller is exempt from the payment of the real property transfer tax, Purchaser shall pay the transfer tax.

c. Any surveys or abstracts of title deemed necessary by the Purchaser shall be obtained by Purchaser at Purchaser's expense.

9. Possession.

a. Possession of the Property shall be delivered to Purchaser on the date of Closing.

10. Conditions Precedent to Purchaser's Obligations.

The obligation of Purchaser to close on the purchase of the Property pursuant to this Agreement shall be wholly contingent, unless waived by Purchaser in writing, upon and subject to:

a. Purchaser's having received a commitment for title insurance containing only the exceptions provided herein and such other exceptions acceptable to Purchaser, in Purchaser's sole discretion;

b. If necessary, Purchaser's having obtained a commitment for financing of the Property upon terms acceptable to Purchaser, in Purchaser's sole discretion;

c. Purchaser having received all necessary consents; permits, subdivision approvals, and approvals of any sort as may be required by any municipality having jurisdiction over the subject premises;

d. No adverse changes in the physical condition (other than normal wear and tear) of the Property;

e. If deemed necessary by Purchaser and in Purchaser's sole discretion, Purchaser having obtained, at its own expense, a Phase I and, if necessary, a Phase II, environmental assessment of the Property, showing results that are satisfactory to Purchaser, in Purchaser's sole discretion. Purchaser may cancel this Agreement if, in Purchaser's sole discretion, the aforementioned assessment(s) reveals conditions not satisfactory to Purchaser.

11. Notices.

All notices required under this Agreement shall be in writing, sent by certified or registered mail, return receipt requested, postage prepaid, addressed to the party to be notified as follows:

If to seller: Martin J. Murphy, Esq.
Senior Deputy County Attorney
John H. Mulroy Civic Center - 10th Floor
421 Montgomery Street
Syracuse, New York 13202

If to Purchaser: _____

or to such other address as such party shall have specified most recently by like notice.

12. Counterparts; Captions.

This Agreement may be executed in counterparts, each of which shall be deemed an original. The captions are for convenience of reference only and shall not affect the construction to be given any of the provisions hereof.

13. Governing Law.

This Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of New York.

14. Successor and Assigns.

This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties. Purchaser may assign this Agreement to another entity.

15. Entire Agreement.

This Agreement contains the entire agreement between the parties with respect to the subject matter hereof. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first above written.

SELLER:

COUNTY OF ONONDAGA

Witness

By: _____
Joanne M. Mahoney
County Executive

BUYER:

TUSCARORA GOLF CLUB, INC.

Witness

By: _____

Local Law
A

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK	✓			
9. STANCZYK	✓	✓	✓	
4. TASSONE	✓			
5. RAPP	✓			
7. BUCKEL	✓			
8. CORBETT	✓			
10. HOLMQUIST	✓			
11. KILMARTIN	excused			1
12. COX	✓			
13. WARNER	✓			
14. JORDAN	✓			
15. KINNE	✓	✓	✓	
16. LAGUZZA	✓			
17. MASTERPOLE	excused			1
18. WILLIAMS	✓			
19. ERVIN	✓			
2. DOUGHERTY	✓			
3. MEYER	✓			
6. MR. CHAIRMAN	✓			
TOTAL	15	0	2	2 excused

B.

LOCAL LAW NO. 12 - 2011

A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF THE DIRECTORS
OF THE ONONDAGA COUNTY CONVENTION CENTER WAR MEMORIAL COMPLEX
MANAGEMENT CORPORATION

BE IT ENACTED, BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF
ONONDAGA, AS FOLLOWS:

Section 1. Findings/Purpose. Onondaga County owns the Onondaga County Convention Center/War Memorial Complex (Oncenter Complex), a facility which hosts various events, including athletics, concerts, conventions and other related business for the purpose of promoting economic development in Onondaga County and, particularly, the downtown area, including its hotels, shops, and restaurants. In order to provide for the efficient and professional operation of the Oncenter Complex, the County has entered into a Management Agreement, dated October 2007, with the Onondaga County Convention Center/War Memorial Complex Management Corporation (Corporation) for management of the Oncenter Complex, with it being the sole purpose of the Corporation to manage this county-owned facility. The Corporation's board members are elected from among a pool of candidates appointed in part by Onondaga County and serve without compensation. By Resolutions Nos. 135 -- 2010 and 208 -- 2010, this Onondaga County Legislature has approved several amendments to such agreement to support the Corporation in providing its management services to the County. To promote future civic involvement and as recognition for the valuable service provided to the County, this local law provides the Corporation's board members with defense and indemnification from lawsuits arising from actions committed by those board members within the scope of their official duties.

Section 2. (a) Onondaga County shall provide for the defense of any director of the Onondaga County Convention Center/War Memorial Complex Management Corporation (Corporation) in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the director was acting in good faith within the scope of such director's public employment or duties as shall be determined by the Onondaga County Attorney. This duty to provide a defense shall not arise in conjunction with a criminal or quasi criminal proceeding. This local law extends defense and indemnification benefits only to the Corporation's directors. An employee of the Corporation is not an employee of Onondaga County and is not covered by the provisions of this local law.

(b) The director shall be entitled to be represented by private counsel of such director's choice in any civil action or proceeding whenever the Onondaga County Attorney determines that a conflict of interest exists, or whenever a court, upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the director is entitled to be represented by counsel of the director's choice, provided, however, that the Onondaga County Attorney may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such directors be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by Onondaga County to such private counsel from time to time during the pendency of the civil action or proceeding with the approval of the Onondaga County Legislature.

(c) Any dispute with respect to representation of multiple directors by a single counsel or the amount of litigation expenses or the reasonableness of attorneys' fees shall be resolved by the court upon motion or by way of a special proceeding.

(d) Where the director delivers process and a written request for a defense to Onondaga County under Section 4 of this local law, the County shall take the necessary steps on behalf of the director to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

(e) Upon a finding by a Court of competent jurisdiction that any director engaged in acts of intentional misconduct, or that said actions subject the director to punitive or exemplary damages, or that such actions were outside the scope of employment of the director, or that the director is otherwise not entitled to defense and indemnification, then the County Attorney shall consider the initiation of an action in good faith to recover any moneys expended by the County for representation of the director by private counsel.

Section 3. (a) Onondaga County shall indemnify and save harmless the Corporation's directors in the amount of any judgment obtained against such directors in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the director was acting within the scope of the director's public employment or duties; provided further, that in the case of a settlement the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Onondaga County Legislature where required.

(b) Except as otherwise provided by law, the duty to indemnify and save harmless prescribed by this subdivision shall not arise where the injury or damage resulted from bad faith, recklessness, criminal act, or was otherwise not within the director's scope of duties for the County.

(c) Nothing in this subdivision shall authorize Onondaga County to indemnify or save harmless a director with respect to punitive or exemplary damages, fines or penalties, or money recovered from a director pursuant to Section 51 of the General Municipal Law.

(d) Upon entry of a final judgment against the director, or upon the settlement of the claim, the director shall serve a copy of such judgment or settlement, personally or by certified or registered mail within thirty days of the date of entry or settlement, upon the Onondaga County Attorney; and if not inconsistent with the provisions of this section, the amount of such judgment or settlement shall be paid by Onondaga County.

Section 4. The duty to defend or indemnify and save harmless prescribed by this section shall be conditioned upon: (i) receipt by the Onondaga County Attorney of the original of a summons, complaint, process, notice, demand, or pleading immediately upon the director being served with such document, but in no event later than 3 days thereafter, along with a written request for defense; and (ii) the full cooperation of the director in the defense of such action or proceeding and in defense of any action or proceeding against Onondaga County based upon the same act or omission, and in the prosecution of any appeal. Should the director fail or refuse to cooperate in the defense of the matter subsequent to the assumption of defense by the County, the County may withdraw its representation and duty to indemnify and/or defend upon ten days written notice to the director.

Section 5. The benefits of this section shall inure only to directors as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provision of this section be construed to affect, alter or repeal any provision of the workers' compensation law.

Section 6. This section shall not in any way affect the obligation of any claimant to give notice to Onondaga County under Section 10 of the Court of Claims Act, Section 50-e of the General Municipal Law, or any other provision of law.

Section 7. Onondaga County is authorized and empowered, but not obligated, to purchase insurance from any insurance company created by or under the laws of this state, or authorized by law to transact business in this state, against any liability imposed by the provisions of this section, or to act as a self-insurer with respect thereto.

Section 8. All payments made under the terms of this section, whether for insurance or otherwise, shall be deemed to be for a public purpose and shall be audited and paid in the same manner as other public charges.

Section 9. The provisions of this section shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

Section 10. Except as otherwise specifically provided in this section, the provisions of this section shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity to liability available to or conferred upon any unit, entity, officer or employee of Onondaga County by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

Section 11. If any provision of this local law or the application thereof to any person or circumstance be held unconstitutional or invalid in whole or in part by any court, such holding of unconstitutionality or invalidity shall in no way affect or impair any other provision of this section or the application of any such provision to any other person or circumstance.

Section 12. Resolution No. 168 - 1990, as previously amended, continues in effect unaffected by this local law.

Section 13. If the Corporation has any insurance for claims covered by this local law, the coverage provided through this local law shall be excess over such insurance, regardless of whether such insurance is collectible or designated as primary or excess.

Section 14. This local law shall take effect immediately with respect to any action of claim initiated or made on or after the date of passage of this local law. Further, this local law shall be filed pursuant to the provisions of the New York State Municipal Home Rule Law.

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Oct. 12, 2011
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LEGISLATURE
ONONDAGA COUNTY
RECEIVED

LOCAL LAW
B

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT	
1. LESNIAK	✓			
9. STANCZYK	✓		✓	
4. TASSONE	✓			
5. RAPP	✓			
7. BUCKEL	✓			
8. CORBETT	✓			
10. HOLMQUIST	✓			
11. KILMARTIN	✓			
12. COX	✓			
13. WARNER	✓			
14. JORDAN	✓			
15. KINNE			✓	
16. LAGUZZA	✓			
17. MASTERPOLE	✓			
18. WILLIAMS	✓			
19. ERVIN	✓			
2. DOUGHERTY	✓			
3. MEYER	✓			
6. MR. CHAIRMAN	✓			
TOTAL	17	0	2	

C.

LOCAL LAW NO. 2 - 2012

A LOCAL LAW ENACTING A NEW ONONDAGA COUNTY SOURCE SEPARATION LAW, AND REPEALING LOCAL LAW NO. 12-1989, AS AMENDED BY LOCAL LAW NO. 14-1991

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Legislative Findings and Purpose

This Legislature finds and determines that the Onondaga County Resource Recovery Agency (“OCRRA”) has been administering a county source separation law for over 20 years and, through this administration, has reported that the best way to ensure proper recycling of all County Recyclable Materials is to require onsite Source Separation of these materials by Waste Generators. This Legislature further finds and determines that OCRRA has ascertained that no entity is currently in the business of taking mixed streams of Solid Waste and Recyclable Waste from Waste Generators and source separating them offsite. This Legislature further finds and determines that the penalties and enforcement provisions in the prior Onondaga County Source Separation Law are outdated and need to be amended in order to deter violations of the law.

The purpose of the Onondaga County Source Separation Law is (a) to encourage and facilitate the maximum recycling practicable on the part of each and every household, business, apartment complex, industry, and institution within Onondaga County; (b) to establish, implement, and enforce minimum recycling-related practices and procedures to be applicable to all Waste Generators, Waste Haulers/Recyclable Collectors, and Materials Recovery Facilities/Recycling Facilities located within Onondaga County; and (c) to require onsite Source Separation by each and every Waste Generator within Onondaga County and to ensure that those County Recyclable Materials that are Source Separated are recycled properly and kept separate from Solid Waste.

Section 2. Definitions

For purposes of this local law, the terms listed below shall be defined as follows:

A. “County Recyclable Materials” means the following:

i. Corrugated Paper: Cardboard containers, boxes and packaging, including pizza boxes, which are cleaned of contamination by food wastes or polystyrene commonly called Styrofoam, and which have been flattened for transport;

ii. Glass: Empty, washed glass jars, bottles and containers of clear, green and amber (brown) that contained food and drink, caps removed. This term excludes ceramic, window glass, auto glass, mirror and kitchenware;

iii. Metal: All ferrous and non-ferrous metals, including: steel, aluminum and composite cans and containers (cleaned of food wastes) and empty aerosol cans that did not contain hazardous material. Scrap metal, wire, pipes, tubing, motors, sheet metal, etc. are recyclable but must be recycled through scrap dealers;

iv. Newspapers, Magazines, and Catalogues: Includes common machine finished paper made chiefly from wood pulp used for printing newspapers, as well as glossy inserts, magazines and catalogues. All must be

free of contaminants;

v. Office Paper: All bond paper, and also computer printout, stationery, photocopy and ledger paper of any color from all Waste Generators. This term excludes carbon paper, chemical transfer paper and tyvek or plastic coated envelopes;

vi. Plastics: All HDPE and PET type plastic bottles (#1 & #2), including empty, washed food, beverage, detergent, bleach and hair care containers. This term excludes all photographic film, vinyl, rigid and foam plastic materials, as well as plastics numbered 3, 4, 6, and 7 and HDPE oil bottles, as well as #1 and #2 containers that are not bottles or contained hazardous material. Also included as a recyclable, all #5 polypropylene containers, including baby bottles, cottage cheese/cream cheese containers, yogurt cups, margarine tubs, plastic ice cream containers, food storage containers, and take-out containers marked as #5 plastic;

vii. Kraft Paper: As found in brown paper bags and package wrapping;

viii. Beverage Cartons: Includes gable topped paper cartons that contained milk and juice products. Also included as a Recyclable, aseptic containers for juice, broth or soup;

ix. Paperboard: Includes paper packaging as found in cereal, cracker and tissue boxes, etc. and toilet tissue and paper towel tubes;

x. Mixed Paper: Includes discarded and bulk mail, computer paper, colored paper, envelopes, greeting cards, wrapping paper and carbonless multi-part forms. Excludes any paper coated with foil or plastic; and

xi. Soft Cover Books: Including paperback books, product manuals, and educational materials that do not have a hard cover, nor a metal or plastic spiral binding.

B. "Collection Service" means the collection, pick-up or removal of Solid Waste originating in any location within the County by a Waste Hauler pursuant to an arrangement with the Waste Generator.

C. "Curb" means that street curb immediately in front of the property from which Solid Waste and County Designated Recyclable Materials are generated or, in the absence of an actual curb, that portion of the property which is immediately adjacent to the street.

D. "Curbside Collection" means the use of collection receptacles for County Recyclable Materials, including, but not limited to, Recycling Containers for Waste Generators and the regular periodic transfer of the contents of such receptacles by a Waste Hauler/Recyclables Collector to a Materials Recovery Facility or Recycling Facility from the location of the Waste Generator.

E. "Disposal Facility" means a solid waste management facility to which solid waste is delivered for permanent disposal.

F. "Materials Recovery Facility" means any person, firm, corporation or other entity in the business of receiving and processing Recyclables into marketable commodities for sale to end markets.

G. "OCRRA" means the Onondaga County Resource Recovery Agency.

H. "Person" means any individual, firm, company, partnership or corporation or other business entity.

I. "Recyclables" means those materials defined in Section 2 above.

J. "Recyclables Collector" means any person, firm, corporation or other entity contracted with for the purpose of collecting Recyclables from Waste Generators for delivery to a Materials Recovery Facility or Recycling Facility.

K. "Recycle" means to process used materials into new products to prevent waste of potentially useful materials.

L. "Recycling Container" means the bin or other container supplied by the Onondaga County Resource Recovery Agency for use by Waste Generators. Such containers shall be used exclusively for the storage of County Recyclable Materials. Such containers shall, at all times, remain the property of the Onondaga County Resource Recovery Agency.

M. "Recycling Facility" means a public or private facility that receives Recyclables that have been separated from the waste stream for handling and resale to end markets without further processing.

N. "Recycling Receptacle" means a tote, dumpster or similar container provided by a hauler, business, apartment complex or institution for aggregating Recyclables.

O. "Recycling Services" means commercial services associated with the temporary storage, collection and transport of recyclable materials by a Waste Hauler or Recyclables Collector to a Materials Recovery Facility or Recycling Facility.

P. "Solid Waste" or "Disposable Materials" means all materials discarded as being spent, useless, worthless or in excess to the owners at the time of discard or rejection, including but not limited to garbage or refuse, but shall not include Recyclables, Yard and Garden Waste, human wastes, rendering wastes, major appliances, regulated medical waste, construction and demolition wastes, residue from incinerators or other destructive systems for processing waste, junked automobiles, pathological, toxic, explosive, liquid, radioactive material or other waste material which, under existing or future federal, state or local laws, require special handling in its collection or disposal.

Q. "Source Separation" means the segregation of County Recyclable Materials and Yard and Garden Waste from non-recyclable Solid Waste at the point of generation by Waste Generators, and the placement of County Recyclable Materials into Recycling Receptacles for collection and delivery to a Materials Recovery Facility or Recycling Facility.

R. "Waste Generator" means any individual or person (as defined herein to include any individual, firm, company, partnership or corporation or other business entity) that produces Solid Waste requiring off-site disposal. Classifications of Waste Generator are as follows:

i. Residential Waste Generator means any individual who resides in a single family residence or residential building that produces Solid Waste requiring off-site disposal.

ii. Nonresidential Waste Generator means the owner and/or operator of an Apartment Complex, a Commercial Facility, an Industrial Facility, or an Educational /Government Facility, referred to herein as Apartment Complex Waste Generator, Commercial Property Waste Generator, Industrial Facility Waste Generator and Educational/Government Waste Generator, that produces Solid Waste requiring off-site disposal.

a. "Apartment Complex" means any building containing more than two residential units.

b. "Commercial Property" means any office, retail location, warehouse or other general business setting.

c. "Industrial Facility" means a factory or manufacturing site or plant.

d. "Educational/Governmental" facility means an entity that produces Solid waste at or from a public or private educational facility or governmental building.

The term "Waste Generator" shall not include individuals or persons located in the Town or Village of Skaneateles.

R. "Waste Hauler" means any person, company, partnership or other entity engaged in the business of providing Collection Service pursuant to any contract, agreement, or other arrangement with any Waste Generator, where Solid Waste is collected for disposal at a permitted solid waste disposal or transfer facility, or a municipal department or other governmental division responsible for collection of Solid Waste from some or all Waste Generators in Onondaga County.

S. "Yard and Garden Waste" means grass clippings, leaves, brush, cuttings from shrubs, hedges and trees.

Section 3. Source Separation and Disposal

A. Every Waste Generator shall Source Separate, which means the segregation of County Recyclable Materials from non-recyclable Solid Waste at the point of generation by Waste Generators, and the placement of County Recyclable Materials into Recycling Receptacles for collection and delivery to a Materials Recovery Facility or Recycling Facility.

B. Every Waste Generator shall Source Separate Yard and Garden Waste from County Recyclables and Solid Waste, and shall dispose of Yard and Garden Waste pursuant to applicable local laws and ordinances of the pertinent town, village or city.

C. Every Waste Generator shall deliver or arrange for the delivery of County Recyclable Materials to a Recycling Facility or make source separated County Recyclable Materials available for collection by a Waste Hauler/Recyclables Collector and ultimate delivery to a Materials Recovery Facility or Recycling Facility.

D. No Waste Generator shall make Solid Waste that has not been Source Separated available for collection by a Waste Hauler, a Recyclables Collector, or a Materials Recovery Facility.

E. No Residential Waste Generator, Recyclables Collector, Materials Recovery Facility, or Waste Hauler shall dispose or attempt to dispose of County Recyclable Materials or Yard and Garden Waste as Solid Waste.

F. No Waste Generator, Recyclables Collector, Materials Recovery Facility, or Waste Hauler shall dispose or attempt to dispose of Solid Waste as County Recyclable Materials or as Yard and Garden Waste.

G. Every Waste Generator shall set out County Recyclable Materials for recycling collection in such a manner as to prevent the contamination of such County Recyclable Materials by Solid Waste.

H. No Recyclables Collector, Materials Recovery Facility or Waste Hauler shall accept Solid Waste and County Recyclable Materials that have not been Source Separated or mix Solid Waste with County Recyclable Materials after accepting same.

I. No Recyclables Collector or Waste Hauler shall deliver or attempt to deliver County Recyclable Materials mixed with Solid Waste to a Materials Recovery Facility or Recycling Facility or dispose or attempt to dispose of such mixed materials as Solid Waste.

J. Every Waste Hauler and Recyclables Collector shall separately and properly label “trash” and “Recyclables” receptacles which it provides.

K. No Materials Recovery Facility shall accept for processing or transfer Solid Waste mixed with County Recyclable Materials that has not been Source Separated or mix Solid Waste with County Recyclable Materials after accepting same.

L. Every Commercial Property and Educational/Governmental Waste Generator that sells food or drinks for onsite consumption at such facility shall provide for the onsite source separation and recycling of Glass, Metal and Plastics (as defined herein under “County Recyclable Materials”) in a manner that is readily accessible to consumers.

M. Every Apartment Complex Waste Generator shall provide recycling services for tenants, if the tenant is not required to directly arrange for such recycling services.

N. Every Residential Waste Generator residing in an Apartment Complex shall Source Separate as herein defined and place County Recyclable Materials into Recycling Containers for collection and delivery to a Materials Recovery Facility or Recycling Facility.

O. Every Waste Hauler and Recyclables Collector shall provide Recycling Services to their Waste Generator customers, unless it can be demonstrated that the Waste Generator customer has separately arranged for the transportation of Source Separated County Recycling Materials to a Materials Recovery Facility or Recycling Facility.

Section 4. Recycling Containers and Receptacles

A. Every Commercial Property Waste Generator shall provide, or require that the occupying tenants provide, an adequate number and capacity of Recycling Receptacles or Recycling Containers in sufficient number and capacity to accommodate the aggregated quantity of County Recyclable Materials.

B. Every Apartment Complex Waste Generator shall provide common area Recycling Receptacles or Recycling Containers in sufficient number and capacity to accommodate the aggregated quantity of County Recyclable Materials generated by all tenants. Recycling Receptacles shall be placed in locations at least as convenient to tenants as trash receptacles.

C. Every Commercial Property Waste Generator, Industrial Facility Waste Generator and Educational/Governmental Waste Generator shall make an adequate number of internal and external Recycling Receptacles as readily accessible as trash receptacles.

D. Every Apartment Complex Waste Generator shall ensure that all interior and exterior Recycling Containers and Recycling Receptacles are properly labeled and designated for “Recyclables”, and shall provide recycling information to the residents, including instructions that identify County Recyclable Materials the tenants must Source Separate.

E. No Residential Waste Generator shall remove a Recycling Container from the County; willfully destroy a Recycling Container; dispose of an undamaged Recycling Container other than by returning such container to the issuing municipality at a designated location; or use such Recycling Container for other than the temporary storage of County Recyclable Materials.

F. Every Residential Waste Generator who changes place of residence shall leave the Recycling Container for the subsequent occupant of the property or, in the alternative, shall return the Recycling

Container to OCRRA or the issuing municipality. Every Residential Waste Generator who does not have a Recycling Container shall obtain a Recycling Container from OCRRA or the municipality within two weeks of taking possession of said property.

Section. 5. Unauthorized Removal of Recyclables. No individual other than a Waste Hauler or Recyclables Collector shall pick over, disturb, collect, pick up, remove or cause to be collected, picked up or removed any County Recyclable Materials that have been set out for collection.

Section 6. Violation

It shall be an offense punishable as provided herein for any person, as herein defined, to fail to comply with or violate the provisions of Sections 3, 4 or 5 of this local law.

Section 7. Enforcement

This local law shall be enforced within the geographic boundaries of Onondaga County, except for the Town and Village of Skaneateles, by any law enforcement agency having jurisdiction in the County, including but not limited to the Onondaga County Sheriff and Onondaga County Deputy Sheriffs, and any special deputies duly authorized to enforce this local law.

Section 8. Penalties

A. Conviction of a Waste Generator, Waste Hauler, Recyclables Collector, Materials Recovery Facility or Recycling Facility for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall result in a written warning for a first violation. Conviction for a repeat violation shall be punishable as set forth below in Sections B, C, D, and E.

B. Conviction of a Residential Waste Generator for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of Fifteen Dollars (\$15.00) for the second violation; Thirty Dollars (\$30.00) for the third violation; Fifty Dollars (\$50.00) for the fourth violation; and One Hundred Dollars (\$100.00) for each subsequent violation.

C. Conviction of a Nonresidential Waste Generator for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of not less than \$100.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$250.00 nor more than \$1,000.00 per violation.

D. Conviction of a Waste Hauler or Recyclables Collector for failure to comply with any of the provisions of Section 3 or Section 4 of this local law shall be punishable by a fine of not less than \$250.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$500.00 nor more than \$1,000.00 per violation. Every day or instance of noncompliance shall constitute a new and separate violation of the provisions of this local law.

E. Conviction of a Materials Recovery Facility or Recycling Facility for failure to comply with any of the provisions of Section 3 or 4 of this local law shall be punishable by a fine of not less than \$250.00 and not more than \$500.00 for the second violation. Conviction of each subsequent offense shall be punishable by a fine of not less than \$500.00 nor more than \$1,000.00 per violation. Every day or instance of noncompliance shall constitute a new and separate offense, including but not limited to a separate offense for acceptance of each load of material by a Materials Recovery Facility or Recycling Facility in violation of this local law.

G. Conviction of an individual for failure to comply with the provisions of Section 5 of this local law shall be punishable by a fine of not less than \$100.00 and not more than \$500.00. Conviction of each subsequent offense within twelve months of a prior conviction for the same offense shall be punishable by a fine of not less than \$250.00 nor more than \$1,000.00 per violation.

Section 9. Repeal and Amendment

Local Law No. 12 - 1989, as amended by Local Law No. 14 - 1991, hereby is repealed, effective January 1, 2012.

Section 10. Effective Date

This local law shall take effect January 1, 2012, and shall be filed pursuant to the New York State Municipal Home Rule Law.

Section 11. Separability

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 12. SEQRA

This Onondaga County Legislature, acting as lead agency for purposes of the New York State Environmental Quality Review Act (SEQRA), has had prepared a Short Form Environmental Assessment Form, in which it was determined that the proposed project is an Unlisted Action and will not have an adverse impact upon the environment and, as a result, does hereby adopt a Negative Declaration under SEQRA.

OCRRA - source separation - DRAFT
kam
KMB

FILED WITH CLERK
ONONDAGA CO. LEG.
Oct. 17, 2011
KMB

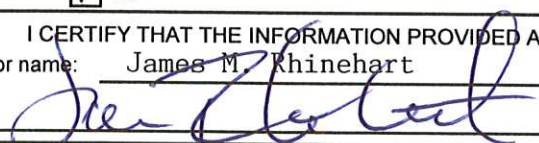
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Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Onondaga County Legislature	2. PROJECT NAME Update to Local Source Separation (Recycling) Law
3. PROJECT LOCATION: Municipality Sec 4, below County Onondaga, NY	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Law pertains to all local towns and villages within Onondaga County and the City of Syracuse, but excludes the Town and Village of Skaneateles.	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration to Local Recycling Law	
6. DESCRIBE PROJECT BRIEFLY: Update and revisions to Local Recycling Law, originally approved by County Legislature in 1989, to maximize recycling and waste reduction. Local Recycling Law is currently in place as required by GML 120-aa.	
7. AMOUNT OF LAND AFFECTED: Initially <u>N/A</u> acres Ultimately <u>N/A</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly Not applicable	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Not applicable	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Not applicable	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>James M. Rhinehart</u> Date: <u>October 20, 2011</u> Signature: 	

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If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No adverse impacts. Action will reduce solid waste generation.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No adverse impacts. Action will promote community waste reduction.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No adverse impacts.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 Action is consistent with the approved local Solid Waste Management Plan.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 None

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 None

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Onondaga County

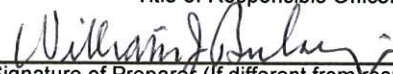
October 20, 2011

 Name of Lead Agency
 James M. Rhinehart

 Print or Type Name of Responsible Officer in Lead Agency


 Signature of Responsible Officer in Lead Agency

 Date
 Legislature Chairman

 Title of Responsible Officer


 Signature of Preparer (If different from responsible officer)
 William J. Bulsiewicz

LOCAL LAW
C

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT
1. LESNIAK	✓		
9. STANCZYK	✓	✓	✓
4. TASSONE	✓		
5. RAPP	✓		
7. BUCKEL	✓		
8. CORBETT	✓		
10. HOLMQUIST	✓		
11. KILMARTIN	✓		
12. COX	✓		
13. WARNER	✓		
14. JORDAN	✓		
15. KINNE	✓	✓	✓
16. LAGUZZA	✓		
17. MASTERPOLE	✓		
18. WILLIAMS	✓		
19. ERVIN	✓		
2. DOUGHERTY	✓		
3. MEYER	✓		
6. MR. CHAIRMAN	✓		
TOTAL	17	0	2

D,

LOCAL LAW NO. 3 - 2012

A LOCAL LAW AMENDING LOCAL LAW NO. 5 - 2003 WHICH PROVIDED FOR THE REGULATION, COLLECTION AND DISPOSAL OF SOLID WASTE ORIGINATING IN THE COUNTY OF ONONDAGA

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Local Law No. 5 - 2003 hereby is amended in Section 1 to delete the phrase “(Local Law No. 12 of 1989)” and to substitute therefore “(the Revised Source Separation Local Law adopted November 1, 2011)”.

Section 2. Local Law No. 5 - 2003 hereby is amended in Section 1 to delete the following phrase:

OCRRA has further advised the County that these sites were paid for with bonds issued by OCRRA, that the entire capacity of OCRRA’s facility was purchased from the facility manager, that all of the facilities’ capacity is exclusively dedicated to waste generated from the 33 participating municipalities in Onondaga County and that OCRRA receives the revenues from tip fees which it uses to pay on the bond debt and for the services of the facility manager.

and to substitute the following:

All of the facilities’ capacity is exclusively dedicated to waste generated from the 33 participating municipalities in Onondaga County and that OCRRA receives the revenues from tip fees which it uses to pay on the bond debt and for the services of the facility manager.

Section 3. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Sections (I), (K), (Q), (V), (W) and (AA).

Section 4. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Section (U) and substitute the following:

(U) “Person” means any individual, firm, company, partnership or corporation or other business entity.

Section 5. Local Law No. 5 - 2003 hereby is amended in Section 3 to strike Section (Z) and substitute the following:

(Z) “Solid Waste” means all materials discarded as being spent, useless, worthless or in excess to the owners at the time of discard or rejection, including but not limited to garbage or refuse, but shall not include Recyclables, Yard and Garden Waste, human wastes, rendering wastes, major appliances, regulated medical waste, construction and demolition wastes, residue from incinerators or other destructive systems for processing waste, junked automobiles, pathological, toxic, explosive, liquid, radioactive material or other waste material which, under existing or future federal, state or local laws, require special handling in its collection or disposal.

Section 6. Local Law No. 5 - 2003 hereby is amended in Section 5 to delete paragraph (A)(2), paragraph (B) and paragraph (C).

Section 7. Local Law No. 5 - 2003 hereby is amended to delete Section 7.

Section 8. Local Law No. 5 - 2003 hereby is amended in Section 9 to delete paragraphs (B), (C) and (D).

Section 9. Local Law No. 5 - 2003 hereby is amended in Section 10 to delete paragraph (E).

Section 10. In all other respects, Local Law No. 5 - 2003 shall remain in full force and effect.

Section 11. This local law shall take effect upon adoption and shall be filed pursuant to the New York State Municipal Home Rule Law.

Section 12. Separability

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 14. SEQRA

This Onondaga County Legislature, acting as lead agency for purposes of the New York State Environmental Quality Review Act (SEQRA), had prepared a Short Form Environmental Assessment Form, in which it was determined that the proposed project is an Unlisted Action and will not have an adverse impact upon the environment and, as a result, does hereby adopt a Negative Declaration under SEQRA.

OCRRRA Amending 2003 Local Law
kam



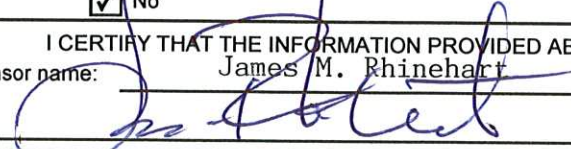
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Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Onondaga County Legislature	2. PROJECT NAME Revisions to Local Law No. 5 of 2003, Regarding Regulation, Collection and Disposal of Solid Waste
3. PROJECT LOCATION: Municipality See 4, below	County Onondaga, NY
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Law pertains to all local towns and villages within Onondaga County and the City of Syracuse, but excludes the Town and Village of Skaneateles.	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration to Local Solid Waste Disposal Law	
6. DESCRIBE PROJECT BRIEFLY: Removal of provisions relating to recycling. Such provisions are being incorporated into a separate update of the local Source Separation (Recycling) Law.	
7. AMOUNT OF LAND AFFECTED: Initially <u>N/A</u> acres Ultimately <u>N/A</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Not applicable	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Not applicable	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>James M. Rhinehart</u> Date: <u>October 20, 2011</u> Signature: 	

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If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No adverse impacts.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No adverse impacts. Action will promote community waste reduction.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No adverse impacts.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

None

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

None

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Onondaga County

October 20, 2011

Name of Lead Agency

Date

James M. Rhinehart

Legislature Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

William J. Bulsiewicz

Reset

LOCAL LAW
D

NOVEMBER 1, 2011
SESSION

LEGISLATOR	AYES	NOES	ABSENT
1. LESNIAK	✓		
9. STANCZYK	✓		✓
4. TASSONE	✓		
5. RAPP	✓		
7. BUCKEL	✓		
8. CORBETT	✓		
10. HOLMQUIST	✓		
11. KILMARTIN	✓		
12. COX	✓		
13. WARNER	✓		
14. JORDAN	✓		
15. KINNE	✓		✓
16. LAGUZZA	✓		
17. MASTERPOLE	✓		
18. WILLIAMS	✓		
19. ERVIN	✓		
2. DOUGHERTY	✓		
3. MEYER	✓		
6. MR. CHAIRMAN	✓		
TOTAL	17	0	2