



Onondaga County Legislature

JAMIE McNAMARA
Clerk

TIMOTHY T. BURTIS
Chairman

TAMMY BARBER
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
Phone: 315.435.2070 • onondagacountylegislature@ongov.net • www.ongov.net/legislature

RESOLUTION NOS. 88 - 94

OFFICE OF THE CLERK

June 4, 2024

Livestream Available: <https://www.facebook.com/OnondagaCountyLegislature>

Listed below are the resolutions presented to the County Legislature at the June Session. The meeting was held at **1:00 p.m. on Tuesday, June 4, 2024.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Ms. Abbott**
- D. SALUTE TO THE FLAG – **Mr. Romeo**
- E. PREVIOUS SESSION MINUTES APPROVED
- F. PRESENTATION OF COMMUNICATIONS
 1. **Gold Seal:**
 - a. Recognize and Honor the Passing of Trailblazer Marjorie Day Carter who was the First Black Teacher in the Syracuse City School District (Sponsored by Ms. Hernandez)
 - b. Recognize and Honor Onondaga Community College’s Bryn Whitman on Her National Junior College Athletic Association Championship in Women’s Discus (Sponsored by Mr. McCarron)
 - c. Recognize and Honor the Onondaga Community College Women’s Lacrosse Team for Winning the National Junior College Athletic Association Championship (Sponsored by Mr. McCarron)
 - d. Recognize and Honor the Syracuse University Women’s Rowing Team for Winning the 2024 ACC Championship (Sponsored by Mr. Burtis)
 2. **Communications:**
 - a. 4.30.24 – Letter from County Executive Ryan McMahon – RE: Appointment to the Onondaga County Fire Advisory Board (Dennis M. Smith)
 3. **Public Comment:**
 - a. Public comment period had 0 speakers

G. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District 6)

6th DISTRICT – MS. ABBOTT, ENVIRONMENTAL PROTECTION

1. **No. 88** Authorizing Advance Step Hiring and Placements (*11-6 Ryan, Harvey, Bush, Brown, Hernandez, Meaker*)
2. **PULLED** Personnel Resolution

10th DISTRICT – MR. OLSON, PUBLIC SAFETY

3. **No. 89** Confirming Appointment to the Onondaga County Fire Advisory Board (Dennis M. Smith) (*17-0*)

12th DISTRICT – MR. KNAPP, PLANNING & ECONOMIC DEVELOPMENT

4. **No. 90** Calling for a Public Hearing on the Proposed Inclusion of Viable Agricultural Lands Within Certified Agricultural Districts Pursuant to Section 303-B of the New York State Agriculture and Markets Law (July 2, 2024 at 12:50 p.m.) (17-0)
5. **No. 91** Calling for a Public Hearing on the Modification of Agricultural District No. 4, County of Onondaga, Towns of Dewitt, Fabius, and Pompey, and Towns of LaFayette, Onondaga, and Tully (East of I-81) (July 2, 2024 at 12:55 p.m.) (17-0)
6. **No. 92** Amending the 2024 Onondaga County Budget to Accept Grant Funds from New York State Empire State Development for the Preparation of the Central New York Regional Market Revitalization Strategy (\$100,000) (17-0)

4th DISTRICT – MS. GUNNIP, WAYS & MEANS

7. **No. 93** Adoption of the Annual Budget for Onondaga Community College for the Fiscal Year September 1, 2024, to August 31, 2025, and Authorizing the County Executive to Enter into Contracts with Other Governmental Units in Which Appropriations and Revenues are Approved by the Adoption of the 2025 Budget (\$10,072,000) (17-0)
8. **No. 94** Standard Work Day and Reporting Resolution (17-0)

LOCAL LAW

- a. **PASSED** A Local Law Providing for the Distribution of Surplus from the Sale of Tax Delinquent Property (17-0)

- H. UNFINISHED BUSINESS
- I. ANNOUNCEMENTS FROM THE CHAIR
- J. ADJOURNMENT

Respectfully submitted,



JAMIE McNAMARA, Clerk
Onondaga County Legislature

**JUNE 4, 2024
SESSION**

ROLL CALL

LEGISLATOR	PRESENT:	ABSENT:	
1. MAY	✓		<p align="center"><i>Chairman Burtis called the meeting to order at 1:13 p.m.</i></p>
2. MEAKER	✓		
4. GUNNIP	✓		
5. CODY	✓		
6. ABBOTT	✓		
7. ROMEO	✓		
8. RYAN	✓		
9. HARVEY	✓		
10. OLSON	✓		
11. McCARRON	✓		
12. KNAPP	✓		
13. BUSH	✓		
14. KELLY	✓		
15. BROWN	✓		
16. GARLAND	✓		
17. HERNANDEZ	✓		
3. BURTIS	✓		
TOTAL:	17	0	

LEGISLATURE CHAMBERS

ONONDAGA COUNTY, N.Y.

Presented By: Legislator Nodesia R. Hernandez

The above-named member of the County Legislature of Onondaga County, New York, on the 4th day of June 2024, wishes to:

RECOGNIZE AND HONOR THE PASSING OF TRAILBLAZER MARJORIE DAY CARTER WHO WAS THE FIRST BLACK TEACHER IN THE SYRACUSE CITY SCHOOL DISTRICT

WHEREAS, Marjorie Day Carter was born and raised in Syracuse, New York, attended Madison Elementary School, and graduated from Central High School; and

WHEREAS, in 1950, Ms. Carter graduated from Cortland State Teachers College and was the first black teacher hired by Syracuse City Schools educating first and second grade students at Charles Andrews School on the East Side of the city; and

WHEREAS, Ms. Carter was in the position of Instructional Specialist during most of her career, which involved educating teachers and advocating for the interests of those who teach; and

WHEREAS, in 1972, Marjorie Day Carter became the first black woman to be named president of the Syracuse Teacher's Association, and she later served as a delegate for the National Education Association traveling to China and Lesotho in Africa to bring those countries new ideas in education; and

WHEREAS, Ms. Carter served on countless boards devoting her time to her community, and received many honors including the Exemplary Service Award from the Everson Museum, the Parents of Public Schools Lifetime Achievement Award, the Post Standard Woman of Achievement Award, the Lifetime Achievement Award by the Century Club, the SUNY Cortland Distinguished Alumni Award, and the Association of Black Educators' Distinguished Service Award; and

WHEREAS, Marjorie Day Carter worked hard to provide the best education possible for her students, and, in her honor, SUNY Cortland awards a Marjorie Day Carter Scholarship annually to a student committed to teaching in an urban setting; now, therefore be it

RESOLVED, that Legislator Nodesia R. Hernandez and all the members of the Onondaga County Legislature, do hereby recognize and honor the passing of trailblazer Marjorie Day Carter who was the first black teacher in the Syracuse City School District.

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.

LEGISLATURE CHAMBERS

ONONDAGA COUNTY, N.Y.

Presented By: Legislator Richard McCarron

The above-named member of the County Legislature of Onondaga County, New York, on the 4th day of June 2024, wishes to:

RECOGNIZE AND HONOR ONONDAGA COMMUNITY COLLEGE'S BRYN WHITMAN ON HER NATIONAL JUNIOR COLLEGE ATHLETIC ASSOCIATION CHAMPIONSHIP IN WOMEN'S DISCUS

WHEREAS, Onondaga Community College's Bryn Whitman is the National Junior College Athletic Association (NJCAA) National Champion in Women's Discus for the second straight year; and

WHEREAS, the OCC sophomore had a throw of 40.21 meters, nearly 6 meters better than the closest competitor, at the NJCAA Division III Outdoor Track & Field Championships; and

WHEREAS, Bryn Whitman improved on her throw of 37.11, which won her the national championship last year; and

WHEREAS, Bryn felt nervous being the returning champion, which added extra pressure, but knowing how hard she had worked gave her the confidence to know she would succeed; and

WHEREAS, Bryn hopes she can inspire other track athletes to realize that they can push themselves individually and achieve greatness in the sport at the same time; and

WHEREAS, Ms. Whitman also pushed herself in the classroom, studying graphic design the past two years at OCC before graduating Summa Cum Laude in May; and

WHEREAS, Ms. Whitman will continue her studies and discus throwing in the fall at SUNY Cortland; now, therefore be it

RESOLVED, that Legislator Richard McCarron, and all members of the Onondaga County Legislature, do hereby recognize and honor Onondaga Community College's Bryn Whitman on her National Junior College Athletic Association Championship in Women's Discus.

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.

LEGISLATURE CHAMBERS

ONONDAGA COUNTY, N.Y.

Presented By: Legislator Richard McCarron

The above-named member of the County Legislature of Onondaga County, New York, on the 4th day of June 2024, wishes to:

RECOGNIZE AND HONOR THE ONONDAGA COMMUNITY COLLEGE WOMEN'S LACROSSE TEAM FOR WINNING THE NATIONAL JUNIOR COLLEGE ATHLETIC ASSOCIATION CHAMPIONSHIP

WHEREAS, the 2023-2024 Onondaga Community College Women's Lacrosse team are National Junior College Athletic Association (NJCAA) Champions for the third time in program history; and

WHEREAS, in the championship game of the 2024 NJCAA Women's Lacrosse Invitational, the Lazars defeated Monroe Community College from Rochester by a score of 19 to 4; and

WHEREAS, the team took an early lead after 8 goals in the first period of play, added five more in the second period, and six in the second half; and

WHEREAS, the National Championship follows a perfect 12-and-0 season for the Lazars; and

WHEREAS, 19 young women are part of the OCC team, most from Onondaga County and the surrounding counties; and

WHEREAS, player Olivia Lockwood was named Offensive MVP, while Goalie Madison Manno was named Defensive MVP; and

WHEREAS, the team's Head Coach, Erik Mattox, was named Coach of the Tournament; now, therefore be it

RESOLVED, that Legislator Richard McCarron, and all members of the Onondaga County Legislature, do hereby recognize and honor the Onondaga Community College Women's Lacrosse team for winning the National Junior College Athletic Association Championship.

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.

LEGISLATURE CHAMBERS

ONONDAGA COUNTY, N.Y.

Presented By: Chairman Timothy T. Burtis

The above-named member of the County Legislature of Onondaga County, New York, on the 4th day of June 2024, wishes to:

RECOGNIZE AND HONOR THE SYRACUSE UNIVERSITY WOMEN'S ROWING TEAM FOR WINNING THE 2024 ACC CHAMPIONSHIP

WHEREAS, the 2023-2024 Syracuse University Women's Rowing team won the 2024 Atlantic Coast Conference (ACC) Rowing Championship for the first time in program history; and

WHEREAS, SU was tied with Virginia after the final race and won the league title by virtue of having won the Varsity Eight race; and

WHEREAS, SU's Varsity Eight also won ACC Crew of the Year after breaking the Championship record (6:09.814), while SU's Second Varsity Eight posted a Championship record, breaking the previous record set by the Orange in 2017; and

WHEREAS, more than 50 women are part of SU's Women's Rowing team, including two from Onondaga County, one from Baldwinsville and one from Manlius; and

WHEREAS, the team's Head Coach, Luke McGee, was named ACC Coach of the Year for the second year in a row; and

WHEREAS, the Coach credits the title on teamwork and says his student-athletes push each other every day toward their team goals and to test themselves against the best in the country; and

WHEREAS, by winning the ACC Championship, the SU team was automatically qualified to row at the 2024 NCAA Rowing Championship where they finished 11th, marking the second-best national championship performance in program history; now therefore be it

RESOLVED, that Chairman Timothy T. Burtis, and all members of the Onondaga County Legislature, do hereby recognize and honor the Syracuse University Women's Rowing team for a great season and for winning the 2024 ACC Championship.

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.



County of Onondaga
Office of the County Executive

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J. Ryan McMahon II
County Executive

Ann Rooney
Deputy County Executive, Human Services

Brian J. Donnelly
Deputy County Executive

Mary Beth Primo
Deputy County Executive, Physical Services

April 30, 2024

TO THE HONORABLE MEMBERS OF THE ONONDAGA COUNTY LEGISLATURE:

Pursuant to Section 1903 of the Onondaga County Charter, and Article III, Section 3.13 of the County Administrative Code, I have appointed, subject to confirmation of the County Legislature, the following individual to serve as a member of the Onondaga County Fire Advisory Board.

APPOINTMENT:

Dennis M. Smith
7993 Route 20
Manlius, NY 13104

TERM EXPIRES:

December 31, 2026

Your confirmation of this appointment would be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ryan McMahon, II", is written over a light blue horizontal line.

J. Ryan McMahon, II
County Executive

cc: Mark Olson, Public Safety Committee
Ben Yaus, Law Department
Jamie McNamara, County Legislature
Dan Wears, Commissioner, Emergency Management

Dennis Michael Smith

Firefighter, paramedic, EMT and seasoned professional in emergency response management.

Contact

7993 Route 20
Manlius, New York 13104
315.439.1295
dm10smith@aol.com

Education

SUNY Morrisville
Morrisville, NY
Agricultural Engineering Degree

Onondaga Community College
Syracuse, NY
Completed coursework on
Fire Protection.

Key Skills

Emergency Response Management
Budget Planning
Communication
Problem-solving

Objective

To serve on the Onondaga County Fire Advisory Board and to share my fifty years of experience in the fire service as well as my extensive work experience in emergency response management with National Grid. I feel strongly that I can work as a part of a coherent team with the rest of the Fire Advisory Board for the betterment of the fire service in Onondaga County.

Experience

1975-Present

Firefighter/Paramedic/EMT • Pompey Hill Fire Department

Joined the fire service in order to serve my community. In the last fifty years, I have moved up the ranks, serving as Rescue Lieutenant, Rescue Captain, Paramedic for (20 years), Assistant Chief (20 years) and Fire Chief (14 years). I am active today as an EMT/ Assistant Chief.

1991-2018

Manager of Fleet Equipment • National Grid

Worked on the Emergency Restoration Team to arrange equipment and vehicles for storm response, including working with other agencies to acquire large equipment when needed. Supervised a team of 120 mechanics and operators

1988-1991

Firefighter • Nine Mile One Nuclear Plant

Provided emergency and fire response within the nuclear plant.

2006-2012

Hunter Safety Instructor • New York State

Assisted students in developing the skills and knowledge of hunter safety to new hunters entering the sport.

Leadership

Successfully led teams in all types of emergency management, including fire, medical and storm response situations.

References

Available upon request.

June 4, 2024

Motion Made By Ms. Abbott

RESOLUTION NO. 88

AUTHORIZING ADVANCE STEP HIRING AND PLACEMENTS

WHEREAS, due to recruitment challenges associated with salary for managerial and supervisory positions within the Department of Water Environment Protection, and in order to attract and retain requisite qualified talent, authorization to advance step hire is necessary; now, therefore be it

RESOLVED, that the Department of Water Environment Protection is hereby given authorization, for recruiting purposes, for a one-time advance step hire for the positions listed below, which authorization is effective for any such position from the date hereof until first filled:

Water Environment Protection (WEP) (Admin Unit 3330)

Authorize advanced step hire for Deputy Commissioner of Regulatory Programs (L109572) - Grade 37, up to Step 20 (\$135,848)

Authorize advanced step hire for Industrial Pretreatment Director (L109604) - Grade 36, up to Step 14 (\$115,110)

Authorize advanced step hire for Management Engineer (L109564) - Grade 36, up to Step 15 (\$116,532)

Authorize advanced step hire for Collection System Director (L109581) - Grade 36, up to Step 15 (\$116,532)

Authorize advanced step hire for Sewer Maintenance Superintendent (L105681) - Grade 36, up to Step 7 (\$105,632)

Authorize advanced step hire for I/E Superintendent (L105492) - Grade 36, up to Step 18 (\$120,902)

Authorize grade change and advanced step hire for Process Control Director (L109575) - Grade 36, up to Step 7 (\$105,632)

and, be it further

RESOLVED, that the following advanced step placement be and hereby is authorized, effective the first full pay period after June 4, 2024:

Water Environment Protection (WEP) (Admin Unit 3330)

Place the incumbent Director of Asset Management (L109584) - Grade 36, at Step 15 (\$116,532)

and, be it further

RESOLVED, that the Commissioner of Personnel is authorized to make any administrative corrections as may be reasonably needed to effectuate the intent of this resolution.

ADOPTED 6/4/2024



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A blue ink signature of the Clerk, County Legislature.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

**Motion to Refer
to Committee**

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	1
8. RYAN	✓				<p><i>Mr. Meaker moved to refer this item to committee. Seconded by Mr. Brown.</i></p> <p><i>Chairman Burtis stated the item would be referred to the Ways & Means Committee.</i></p> <p><i>A vote was taken on the motion to refer to committee.</i></p> <p><i>Motion failed.</i></p>
1. MAY		✓			
6. ABBOTT		✓			
7. ROMEO		✓			
9. HARVEY	✓				
10. OLSON		✓			
11. MCCARRON		✓			
12. KNAPP		✓			
13. BUSH	✓				
14. KELLY		✓			
15. BROWN	✓				
16. GARLAND	✓				
17. HERNANDEZ	✓				
2. MEAKER	✓				
4. GUNNIP		✓			
5. CODY		✓			
3. BURTIS		✓			
TOTAL:	7	10	0	0	

**JUNE 4, 2024
SESSION**

No. 88

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	1
8. RYAN		✓			
1. MAY	✓				
6. ABBOTT	✓				
7. ROMEO	✓				
9. HARVEY		✓			
10. OLSON	✓				
11. MCCARRON	✓				
12. KNAPP	✓				
13. BUSH		✓			
14. KELLY	✓				
15. BROWN		✓			
16. GARLAND	✓				
17. HERNANDEZ		✓			
2. MEAKER		✓			
4. GUNNIP	✓				
5. CODY	✓				
3. BURTIS	✓				
TOTAL:	11	6	0	0	

June 4, 2024

PULLED

Motion Made By Ms. Abbott

RESOLUTION NO. _____

PERSONNEL RESOLUTION

WHEREAS, it is necessary for the County to provide for various changes to personnel; now, therefore be it

RESOLVED, that the following personnel change be and hereby is authorized, effective the first full pay period after June 4, 2024:

Water Environment Protection (WEP) (Admin Unit 3330)

Create and fund Deputy Commissioner of Administrative Services (Water Environment Protection) at Grade 37 (\$105,022 - \$139,224);

and, be it further

RESOLVED, that the Department of Water Environment Protection is hereby given authorization for a one-time advance-step hire into the Deputy Commissioner of Administrative Services (Water Environment Protection) position up to Step 12, which authorization is effective from the date hereof until said position is first filled;

and, be it further

RESOLVED, that the Commissioner of Personnel is authorized to make any administrative corrections as may be reasonably needed to effectuate the intent of this resolution.

**JUNE 4, 2024
SESSION**

Pulled

LEGISLATORS

AYES:

NOES:

ABSENT:

EXCUSED:

2

Ms. Abbott pulled the resolution.

8. RYAN

1. MAY

6. ABBOTT

7. ROMEO

9. HARVEY

10. OLSON

11. MCCARRON

12. KNAPP

13. BUSH

14. KELLY

15. BROWN

16. GARLAND

17. HERNANDEZ

2. MEAKER

4. GUNNIP

5. CODY

3. BURTIS

TOTAL:

0

0

0

0

June 4, 2024

Motion Made By Mr. Olson, Mr. Knapp

RESOLUTION NO. 89

CONFIRMING APPOINTMENT TO THE ONONDAGA COUNTY FIRE ADVISORY BOARD

WHEREAS, J. Ryan McMahon, II, Onondaga County Executive, has appointed and designated the following individual to serve as a member of the Onondaga County Fire Advisory Board, consistent with the Section 1903 of the Onondaga County Charter and Sections 3.12 and 3.13 of the Onondaga County Administrative Code:

APPOINTMENT:

Dennis M. Smith
7993 Route 20
Manlius, New York 13104

TERM EXPIRES:

December 31, 2026

WHEREAS, such appointment is subject to confirmation by the Onondaga County Legislature; now, therefore be it

RESOLVED, that the Onondaga County Legislature does confirm the appointment of the above individual to serve as a member of the Onondaga County Fire Advisory Board for the term specified above or until subsequent action by the County Executive.

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A handwritten signature in blue ink, appearing to be "J. McMahon", is written over a horizontal line.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 89

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	3
8. RYAN					<i>Mr. Knapp requested to be added as a cosponsor.</i>
1. MAY					
6. ABBOTT					
7. ROMEO					
9. HARVEY					
10. OLSON					
11. MCCARRON					
12. KNAPP					
13. BUSH					
14. KELLY					
15. BROWN					
16. GARLAND					
17. HERNANDEZ					
2. MEAKER					
4. GUNNIP					
5. CODY					
3. BURTIS					
TOTAL:	17	0	0	0	

June 4, 2024

Motion Made By Mr. Knapp, Mr. Bush

RESOLUTION NO. 90

CALLING FOR A PUBLIC HEARING ON THE PROPOSED INCLUSION OF VIABLE AGRICULTURAL LANDS WITHIN CERTIFIED AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-B OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides land owners with a thirty-day period to submit requests for the inclusion of predominantly viable agricultural lands within certified agricultural districts; and

WHEREAS, pursuant to Onondaga County Legislature Resolution No. 71-2004, that thirty-day period began January 1, 2024 and ended January 30, 2024; and

WHEREAS, the owner of the following properties filed a request for inclusion of predominantly viable agricultural land within certified agricultural districts:

2024 ADDITION REQUESTS				
DISTRICT	MUNICIPALITY	OWNER	PARCEL	GIS ACRES*
3	ELBRIDGE	JOSEPH M. MOORE	038.-02-08.1	4.97
3	ELBRIDGE (Village)	JOSEPH M. MOORE	022.1.-02-07.0	2.37
GRAND TOTAL				7.34
* Geographic Information System (GIS) calculated data, not Real Property Services (RPS) data.				

and

WHEREAS, the Onondaga County Agricultural and Farmland Protection Board has reviewed such requests and determined that such property would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, Section 303-b of the Agriculture and Markets Law requires a hearing upon notice concerning the request for inclusion of such parcels within the certified agricultural district, and it is the desire of this Legislature to call such hearing; now, therefore be it

RESOLVED, that pursuant to Section 303-b of New York State Agricultural and Markets Law, a public hearing on the above requests for recommendations on the inclusion of predominantly viable agricultural lands within certified agricultural districts shall be held at the Onondaga County Court House, County Legislative Chambers, 4th Floor, 401 Montgomery Street, Syracuse, New York on July 2, 2024 at 12:50 p.m.; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to cause publication of such hearing in accordance with the provisions of Article 25AA of the New York State Agriculture and Markets Law.

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 90

LEGISLATORS

AYES:

NOES:

ABSENT:

EXCUSED:

4

8. RYAN

1. MAY

6. ABBOTT

7. ROMEO

9. HARVEY

10. OLSON

11. MCCARRON

12. KNAPP

13. BUSH

14. KELLY

15. BROWN

16. GARLAND

17. HERNANDEZ

2. MEAKER

4. GUNNIP

5. CODY

3. BURTIS

TOTAL:

17

0

0

0

June 4, 2024

Motion Made By Mr. Knapp

RESOLUTION NO. 91

CALLING FOR A PUBLIC HEARING ON THE MODIFICATION OF AGRICULTURAL DISTRICT NO. 4, COUNTY OF ONONDAGA, TOWNS OF DEWITT, FABIUS, AND POMPEY, AND TOWNS OF LAFAYETTE, ONONDAGA, AND TULLY (EAST OF I-81)

WHEREAS, pursuant to Section 303-a of Article 25AA of the New York State Agriculture and Markets Law, this Onondaga County Legislature adopted Resolution No. 134-2023 calling for publication of the notice of the eight-year review of Agricultural District No. 4 in the Towns of DeWitt, Fabius, and Pompey, and the Towns of La Fayette, Onondaga, and Tully (east of I-81); and

WHEREAS, a notice of review for Agricultural District No. 4 was mailed to involved and affected agencies, municipalities, and landowners by the Onondaga Department of Planning and the Onondaga County Legislature; and

WHEREAS, the owners of the following properties filed requests to modify Agricultural District No. 4:

ADDITION REQUESTS			
MUNICIPALITY	OWNER	TAX ID	GIS ACRES*
Fabius (Village)	Herlihy Kevin J	101.-02-11.0	9.10
Fabius (Village) Total			9.10
La Fayette	Ellys Acres Farm LLC	006.-01-18.2	1.29
La Fayette	Ellys Acres Farm LLC	006.-01-18.5	7.45
La Fayette	Ellys Acres Farm LLC	006.-01-18.7	8.11
La Fayette	Ellys Acres Farm LLC/Kenny Griffin	007.-02-23.0	5.50
La Fayette	Nurse Albert V	011.-02-25.1	2.02
La Fayette Total			24.36
GRAND TOTAL			33.46
* Geographic Information System (GIS) calculated data, not Real Property Services (RPS) data.			

REMOVAL REQUESTS			
MUNICIPALITY	OWNER	TAX ID	GIS ACRES*
Fabius	Aidun Meredith	106.-01-21.0	2.45
Fabius	County Of Onondaga	112.-02-13.0	6.44
Fabius	Crockett Peter J	124.-02-14.0	0.45
Fabius	Elter Thomas A	107.-04-01.0	0.94
Fabius	Ianuzi Stephen D	111.-02-10.0	0.68
Fabius	Jones Douglas M	109.-02-10.0	1.06
Fabius	Kowachik Michael J	118.-04-07.7	2.17
Fabius	Love Camp 355 LLC	104.-03-19.0	0.14
Fabius	Love Camp 355 LLC	105.-01-01.1	25.23
Fabius	Love Camp 355 LLC	105.-01-01.2	0.16
Fabius	Morford Anne	104.-03-18.0	0.14
Fabius	O'Reilly John R	124.-02-02.0	9.41

Fabius	Penoyer Robert H	111.-01-01.0	0.42
Fabius Total			49.69
Pompey	Baniewicz Richard R	013.-01-05.0	0.47
Pompey	Bargabos Dan E	004.-03-14.1	12.52
Pompey	Bargabos Dan E	004.-03-74.1	1.67
Pompey	Bargabos Dan E	005.-01-11.2	42.36
Pompey	Beasley Dr Kenneth	004.-22-23.0	1.08
Pompey	County Of Onondaga	027.-02-10.0	0.02
Pompey	DeHaas George	004.-03-58.3	1.09
Pompey	Pompey Community Church Inc	021.-02-07.3	5.00
Pompey	Ross Jennifer L	004.-18-07.0	2.07
Pompey	Ward Sarah A	015.-03-06.0	1.76
Pompey Total			68.04
Tully	Shaw Ronald J	108.-03-06.6	22.79
Tully Total			22.79
Grand Total			140.52
* Geographic Information System (GIS) calculated data, not Real Property Services (RPS) data.			

and

WHEREAS, as part of that review, the County Agriculture and Farmland Protection Board has prepared a report in accordance with the provisions of Article 25AA, including a recommendation to modify Agricultural District No. 4; and

WHEREAS, as part of the review process, Article 25AA requires the County to hold a public hearing concerning the review of Agricultural District No. 4; now, therefore be it

RESOLVED, that pursuant to Article 25-AA of the New York State Agriculture and Markets Law, a public hearing on the above requested modifications and recommendation of continuation of Agricultural District No. 4 shall be held at the Onondaga County Court House, 401 Montgomery St., Syracuse, New York on Tuesday, July 2, 2024 at 12:55 p.m.; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to provide notice of such hearing in accordance with the provisions of Article 25AA of the New York State Agriculture and Markets Law.

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 91

LEGISLATORS

AYES:

NOES:

ABSENT:

EXCUSED:

5

8. RYAN

1. MAY

6. ABBOTT

7. ROMEO

9. HARVEY

10. OLSON

11. MCCARRON

12. KNAPP

13. BUSH

14. KELLY

15. BROWN

16. GARLAND

17. HERNANDEZ

2. MEAKER

4. GUNNIP

5. CODY

3. BURTIS

TOTAL:

17

0

0

0

June 4, 2024

Motion Made By Mr. Knapp

RESOLUTION NO. 92

AMENDING THE 2024 ONONDAGA COUNTY BUDGET TO ACCEPT GRANT FUNDS FROM
NEW YORK STATE EMPIRE STATE DEVELOPMENT FOR THE PREPARATION OF THE
CENTRAL NEW YORK REGIONAL MARKET REVITALIZATION STRATEGY

WHEREAS, the Central New York Regional Market Authority was established in 1935 and operates the physical campus and operations of the Central New York Regional Market (Market) in the City of Syracuse; and

WHEREAS, the Market is a venue for both wholesale and retail food operations, and is the largest year-round retail farmers market operating on the East Coast, with weekend crowds exceeding 20,000 visitors per day, and serving as a longstanding cultural and community asset; and

WHEREAS, as many of the Market's historic buildings and infrastructure enter their 85th year, the physical conditions of the Market are deteriorating and facilities are in need of repair and maintenance; and

WHEREAS, in an effort to support the Market as a center for regional agricultural economic activity, its role in the local food system and its value to local tourism, culture, and the community, Onondaga County and New York State Empire State Development (ESD) are providing funding to complete the Central New York Regional Market Revitalization Strategy to address both the physical needs of the physical campus and articulate a self-sustaining management strategy to guide capital investments and future Market operations; and

WHEREAS, Onondaga County is receiving \$100,000 in funding from ESD to prepare the Strategy document to stimulate and facilitate needed revitalization efforts; Onondaga County is also dedicating approximately \$225,000 in matching funds towards the effort, utilizing previously authorized funds dedicated to implementation of the Plan Onondaga comprehensive plan; and

WHEREAS, the Department of Planning will manage the planning process, and will solicit bids from qualified firms to prepare the Revitalization Strategy document, in partnership with the Central New York Regional Market Authority; now, therefore be it

RESOLVED, that the Onondaga County Legislature hereby accepts the \$100,000 in ESD grant funds and authorizes the County Executive to execute agreements and such other documents as may be reasonably necessary to implement the intent of this resolution; and, be it further

RESOLVED, that the 2024 County budget be amended as follows:

REVENUES:

In Admin Unit 8700000000

Planning Department

Speed Type #260157

Project 791086

Comp Plan Implementation – Regional Market

In Acct. 590026

St Aid – Other Econ Assist

\$100,000

APPROPRIATIONS:

In Admin Unit 8700000000

Planning Department

Speed Type #260157

Project 791086

Comp Plan Implementation – Regional Market

In Acct. 657000

Contractual Services

\$100,000

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 92

LEGISLATORS

AYES:

NOES:

ABSENT:

EXCUSED:

6

8. RYAN

1. MAY

6. ABBOTT

7. ROMEO

9. HARVEY

10. OLSON

11. MCCARRON

12. KNAPP

13. BUSH

14. KELLY

15. BROWN

16. GARLAND

17. HERNANDEZ

2. MEAKER

4. GUNNIP

5. CODY

3. BURTIS

TOTAL:

17

0

0

0

June 4, 2024

Motion Made By Ms. Gunnip, Ms. Cody, Mr. Ryan,
Mr. Meaker, Ms. Abbott, Mr. Romeo, Ms. Harvey,
Mr. Olson, Mr. McCarron, Mr. Knapp, Mr. Bush,
Mr. Brown, Mr. Garland, Ms. Hernandez,

RESOLUTION NO. 93

ADOPTION OF ANNUAL BUDGET FOR ONONDAGA COMMUNITY COLLEGE FOR THE FISCAL
YEAR SEPTEMBER 1, 2024, TO AUGUST 31, 2025, AND AUTHORIZING THE COUNTY
EXECUTIVE TO ENTER INTO CONTRACTS WITH OTHER GOVERNMENTAL UNITS IN WHICH
APPROPRIATIONS AND REVENUES ARE APPROVED BY THE ADOPTION OF THE 2025
BUDGET

WHEREAS, pursuant to Section 6304 of the Education Law, as amended by Chapter 631 of the Laws of 1965 and pursuant to Article VI of the Onondaga County Charter, the Ways and Means Committee has reviewed the tentative proposed Onondaga Community College Budget for the fiscal year September 1, 2024, to August 31, 2025, having held a public hearing upon such tentative proposed budget on May 28, 2024, pursuant to Resolution No. 86-2024, adopted on May 7, 2024, and all persons desiring to be heard were heard at such public hearing; and

WHEREAS, the total Tentative Community College Budget presented to this Legislature was in the estimated amount of \$64,258,898 required for Community College Operating Fund purposes. From this estimated total of \$64,258,989 for the Community College Operating Fund was deducted the amount of \$54,186,989 estimated as revenues, leaving a net budget for the Community College Operating Fund subject to tax levy of \$10,072,000 (Tentative Local Sponsor's Contribution). The total amount estimated for grants to be received by the Community College in 2024-2025 is \$5,600,000; now, therefore be it

RESOLVED, that said 2024-2025 Tentative Community College Budget heretofore prepared and submitted by the County Executive and subsequently reviewed by the Ways and Means Committee as hereinafter set forth, be and the same hereby is adopted for 2024-2025 with no changes; and, be it further

RESOLVED, that the Adopted Operating Budget for Onondaga Community College for the fiscal year September 1, 2024, through August 31, 2025, in the amount of \$64,258,989 with the County financial assistance of \$10,072,000 be and hereby is approved; and, be it further

RESOLVED, that the estimated grant activity in the Community College's 2024-2025 Annual Budget is \$5,600,000; and, be it further

RESOLVED, that expenditures from this budget be made by the Board of Trustees of Onondaga Community College pursuant to the provisions of Resolution No. 111 - 1970 by this County Legislature and that such expenditures be subject to the terms and conditions of such appropriations and to such regulations regarding the custody, deposit, audit and payment thereof as this County Legislature may deem proper; and, be it further

RESOLVED, that the sum of \$10,072,000 be included in the 2025 Annual County Budget in Appropriation Account 668750 Transfer to Community College Fund. Such sum represents the Local Sponsor's (County of Onondaga) contribution to the Community College, and therefore the sum shall be subject to tax levy for Community College purposes and is hereby made a part of the tax levy for the County of Onondaga for the fiscal year January 1, 2025, to December 31, 2025; and, be it further

RESOLVED, that this resolution evidences authorization for the execution of agreements and such other documents as may be reasonably necessary with other units of government involving items for which appropriations or revenues have been approved by adoption of this 2024-2025 Onondaga Community College Budget.

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A handwritten signature in blue ink, consisting of a stylized initial 'J' followed by a horizontal line.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 93

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	7
8. RYAN					<i>Mr. Ryan, Mr. Meaker, Ms. Abbott, Mr. Romeo, Ms. Harvey, Mr. Olson, Mr. McCarron, Mr. Knapp, Mr. Bush, Mr. Brown, Mr. Garland and Ms. Hernandez requested to be added as cosponsors.</i>
1. MAY					
6. ABBOTT					
7. ROMEO					
9. HARVEY					
10. OLSON					
11. MCCARRON					
12. KNAPP					
13. BUSH					
14. KELLY					
15. BROWN					
16. GARLAND					
17. HERNANDEZ					
2. MEAKER					
4. GUNNIP					
5. CODY					
3. BURTIS					
TOTAL:	17	0	0	0	

June 4, 2024

Motion Made By Ms. Gunnip

RESOLUTION NO. 94

STANDARD WORK DAY AND REPORTING RESOLUTION

WHEREAS, the County of Onondaga hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Legislature:

L Name	F Name	MI	Title	*Term Begins/Ends	Standard Work Day (hrs/day)	Days/Month (based on Record of Activities)	Tier 1	No record of activities completed
ELECTED								
Abbott	Julie	R	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	23.19		
Brown	Maurice	R	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	24.11		
Burtis	Timothy	T	Chairman County Legislature	Jan. 1, 2024 - Dec. 31, 2025	6	23.25		
Bush, Jr.	Ken	L	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	22.87		
Cody	Debra	J	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	22.77		
Garland	Charles	E	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6			✓
Harvey	Palmer	L	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	22.02		
Hernandez	Nodesia	R	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	22.5		
Kelly	Cody	M	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	21.94		
Knapp	David	H	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	23.05		
May	Brian	F	Floor Leader County Legislature	Jan. 1, 2024 - Dec. 31, 2025	6	22		
Masterpole	Martin	D	Comptroller	Jan. 1, 2024 - Dec. 31, 2027	7	22		
McMahon, II	John	R	County Executive	Jan. 1, 2024 - Dec. 31, 2027	7	31.90		
Meaker	Kevin	J	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	26.58		

Olson	Mark	A	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6	21.72		
Romeo	Daniel	F	County Legislator	Jan. 1, 2024 - Dec. 31, 2025	6			✓
Ryan	Christopher	J	Floor Leader County Legislature	Jan. 1, 2024 - Dec. 31, 2025	6	22.06		
APPOINTED								
Barber	Tamara	L	Deputy Clerk County Legislature	Jan. 1, 2024 - Dec. 31, 2025	7	22		
Beebe	James	E	Legislative Analyst	Jan. 1, 2024 - Dec. 31, 2025	7	22.19		
Conroy	James	D	Chief of Staff – Comptroller	Jan. 1, 2024 - Dec. 31, 2027	7	21.67		
Czarny	Dustin	M	Comm of Elections	Jan. 1, 2023 - Dec. 31, 2024	7	25.4		
DeSantis	John	N	Legislative Aide	Jan. 1, 2024 - Dec. 31, 2025	7	21.82		
Donnelly	Brian	J	Deputy County Executive	Jan. 1, 2024 - Dec. 31, 2027	7	29.08		
Durr	Robert	A	County Attorney	Jan. 1, 2024 - Dec. 31, 2027	7	26.29		
Graf	Sarah		Admin Officer	Jan. 1, 2024 - Dec. 31, 2027	7	21.9		
Harris	Isabelle	M	Director of Strategic Initiatives	Jan. 1, 2024 - Dec. 31, 2027	7	26.21		
Kaminski	Deborah	A	Assistant Clerk County Legislature	Jan. 1, 2024 - Dec. 31, 2025	7	22.02		
Kilmartin	Patrick	M	Assistant County Attorney 2	Jan. 1, 2024 - Dec. 31, 2027	7	25.14		
Lesniak	Darcie	L	Director, Legislative Budget Review	Jan. 1, 2024 - Dec. 31, 2025	7	24.29		
Lowery	Nancy		Director of Intergov. Relations	Jan. 1, 2024 - Dec. 31, 2027	7	24.51		
McNamara	Jamie	M	Clerk County Legislature	Jan. 1, 2024 - Dec. 31, 2025	7	23.68		

Mignano	Michelle		Deputy Comm of Health	Jan. 1, 2024 - Dec. 31, 2027	7			✓
Payne	Gerald		Director, Emergency Mgt. - Fire	Jan. 1, 2024 - Dec. 31, 2027	7	24.74		
Primo	Mary	B	Deputy Co. Exec. Physical Serv.	Jan. 1, 2024 - Dec. 31, 2027	7	22.92		
Reidy	Christopher		Director of Security	Jan. 1, 2024 - Dec. 31, 2027	7	23		
Rooney	Ann		Dep Co Exec Human Services	Jan. 1, 2024 - Dec. 31, 2027	7	21.67		
Sardo	Michele	L	Comm of Elections	Jan. 1, 2023 - Dec. 31, 2024	7	22.48		
Sayles	Justin	T	Exec Comm Director	Jan. 1, 2024 - Dec. 31, 2027	7	23.39		
Skahen	Martin		Director of Community Development	Jan. 1, 2024 - Dec. 31, 2027	7	22.21		
Stanczyk	Susan		Chief of Staff - County Executive	Jan. 1, 2024 - Dec. 31, 2027	7	31.52		
VanBeveren	Jeffrey	J	Director, Emergency Medical Svcs	Jan. 1, 2024 - Dec. 31, 2027	7	21.76		
Wears	Daniel	H	Comm of Emergency Management	Jan. 1, 2024 - Dec. 31, 2027	7	24.45		

RESOLVED, that, pursuant to the requirements of 2 NYCRR 315.4, the Clerk of this Legislature is hereby directed to cause a copy of this resolution to be publicly posted for at least 30 days after adoption and, thereafter, to transmit this resolution and a supporting affidavit of posting to be filed with the New York State Office of the Comptroller within 15 days after the 30 day public posting period ends.

*Reflects the term of the Elected or Appointed Official making the appointment

ADOPTED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A handwritten signature in blue ink, likely belonging to the Clerk of the County Legislature.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

No. 94

LEGISLATORS

AYES:

NOES:

ABSENT:

EXCUSED:

8

8. RYAN

1. MAY

6. ABBOTT

7. ROMEO

9. HARVEY

10. OLSON

11. MCCARRON

12. KNAPP

13. BUSH

14. KELLY

15. BROWN

16. GARLAND

17. HERNANDEZ

2. MEAKER

4. GUNNIP

5. CODY

3. BURTIS

TOTAL:

17

0

0

0

LOCAL LAW NO. ____, 2024

A LOCAL LAW PROVIDING FOR THE DISTRIBUTION OF SURPLUS FROM THE SALE OF TAX DELINQUENT PROPERTY

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

Section 1. Purpose and Intent. This local law is enacted pursuant to and in accordance with Part BB of the New York State 2024-2025 Budget, Senate Bill No. S.8305 and Assembly Bill No. A.8805, to provide a mechanism for former owners and other parties whose interests were extinguished by the foreclosure of a delinquent real property tax lien to claim a surplus in the manner provided by title 6 of article 11 of the Real Property Tax Law. This local law and the mechanisms set forth herein are in addition and supplemental to the Onondaga County Tax Act, Chapter 690 of the Laws of 1937, as amended (“Onondaga County Tax Act”).

Section 2. Definitions.

In this local law:

“Charges” or “legal charges” means:

- (a) the cost of the mailing or service of notices required or authorized by this local law and/or the Onondaga County Tax Act;
- (b) the cost of publication of notices required or authorized by this local law and/or the Onondaga County Tax Act;
- (c) the amount of any interest and penalties imposed by law;
- (d) the cost of recording or filing legal documents required or authorized by this local law and/or the Onondaga County Tax Act;
- (e) the cost of appraising a parcel for the purpose of determining the existence and amount of any surplus pursuant to Section 3 of this local law;
- (f) the reasonable and necessary cost of any search of the public record required or authorized to satisfy the notice requirements of this this local law and/or the Onondaga County Tax Act, and other reasonable and necessary expenses incurred by the County of Onondaga in connection with a proceeding to foreclose a tax lien, including but not limited to administrative, auction and reasonable attorney fees and/or costs associated with the foreclosure process; provided, that: (i) a charge of up to either two hundred fifty dollars (\$250.00) per parcel, or two percent (2%) of the sum of the taxes, interest and penalties due on the parcel, whichever is greater, shall be deemed reasonable and necessary to cover the combined costs of such searches and the other reasonable and necessary costs and expenses delineated in this paragraph, and such an amount may be charged without substantiation, even if salaried employees of the County of Onondaga performed some or all of such services; and (ii) the County of Onondaga may charge a greater amount with respect to one or more parcels upon demonstration to the satisfaction of the court having jurisdiction that such greater amount was reasonable and necessary; and

(g) the amount owed to the County of Onondaga by virtue of a judgment lien, a mortgage lien, or any other lien held by the County of Onondaga that is not a delinquent tax lien.

Charges shall be deemed a part of the delinquent tax for purposes of redemption and determination of surplus.

“Former homeowner” means a person or persons who lost title to and/or ownership of residential property due to a tax foreclosure.

“Public sale” means a sale resulting from a public auction conducted in accordance with the provisions of the Onondaga County Tax Act and Resolution No. 71 - 1967.

“Surplus” means the net gain, if any, realized by the County of Onondaga upon the sale of tax-foreclosed property, as determined herein. Where no such gain was realized, no surplus shall be attributable to that sale.

“Tax-foreclosed property” means a parcel for which a deed has been recorded to foreclose a real property tax lien pursuant to the provisions of the Onondaga County Tax Act.

Section 3. Determination of Existence and Amount of Surplus.

1. (a) Within forty-five (45) days after the sale of tax-foreclosed property, the Chief Fiscal Officer shall determine whether a surplus is attributable to such sale and if so, the amount thereof. Subject to the provisions of subdivision two of this Section 3, such determination shall be made by ascertaining the sum of the total amount of taxes due plus interest, penalties and other charges as defined by Section 2 of this local law, and subtracting such sum from whichever of the following is applicable:

(i) where the sale was a public sale, the amount to be so subtracted shall be the amount paid for the property;

(ii) where the sale was not a public sale, the amount to be so subtracted shall be either (A) the full value of the property as shown on the most recent tax roll, (B) if available, an appraisal prepared by a licensed New York state appraiser that establishes the full value of the property as of the date of the transfer of title, or (C) the full value of the property as of the date of the transfer of title as determined by such other valuation method as the Chief Fiscal Officer reasonably determines will result in just compensation to the former owner and other parties whose interests were extinguished by the foreclosure.

(b) For purposes of this subdivision, where the Chief Fiscal Officer has been notified that the County of Onondaga intends to retain tax-foreclosed property for a public use, the property shall be deemed to have been sold on the date that the Chief Fiscal Officer was so notified, and the Chief Fiscal Officer shall determine the existence and amount of a surplus relative to such property in the manner provided by subparagraph (ii) of paragraph (a) of this subdivision.

2. Notwithstanding the provisions of subdivision one of this Section 3, when the County of Onondaga has sold or conveyed tax-foreclosed property to a land bank, a housing development agency or another public entity, and such sale or conveyance was not the result of a public sale, or when the County of Onondaga has determined to retain tax-foreclosed property for a public use, no surplus shall be payable if all of the following conditions are satisfied:

- (a) prior to such sale, conveyance or determination, the property had been offered for sale at two
 - (2) separate public auctions conducted at least three (3) months apart from one another;
 - (b) both auctions had been conducted in full compliance with the provisions of the Onondaga County Tax Act and Resolution No. 71 - 1967;
 - (c) the minimum acceptable bid at each auction had been set at an amount no greater than the sum of the taxes due plus interest, penalties and other charges; and
 - (d) no qualifying bids were received for the property at either auction.
3. (a) If the Chief Fiscal Officer determines that no surplus is attributable to the sale, the Chief Fiscal Officer shall submit a report to the court describing the circumstances of the sale, stating that no surplus was attributable to the sale and demonstrating how the Chief Fiscal Officer reached that conclusion.
- (b) If the Chief Fiscal Officer determines that a surplus is attributable to the sale, the Chief Fiscal Officer shall submit a report to the court describing the circumstances of the sale, stating that a surplus was attributable to the sale, and demonstrating how the amount of the surplus was determined. Such surplus shall be paid to the court therewith. Within ten (10) days of submitting such report, the Chief Fiscal Officer shall notify the former property owner that a surplus was attributable to the sale of such property, that such surplus has been paid into court, and that the court will notify the interested parties of the procedure to be followed in order to make a claim for a share of the surplus.
- (c) Where the Chief Fiscal Officer's determination of surplus is based upon his/her estimate of the property's value, the Chief Fiscal Officer's report to the court shall set forth an explanation of how this estimate was made, including the evidence upon which it was based.
4. Upon approval by the court of the Chief Fiscal Officer's report, the County of Onondaga shall have no further responsibilities in relation to the parcel or any surplus attributable thereto, except to the extent the court directs otherwise pursuant to Section 4 of this local law.

Section 4. Claims for Surplus.

1. Any person who had any right, title, interest, claim, lien or equity of redemption in or upon a parcel immediately prior to the parcel becoming tax-foreclosed property may file a claim with the court having jurisdiction for a share of any surplus resulting from the sale of such property. Such claims shall be administered and adjudicated, and such surplus shall be distributed, in the same manner as in an action to foreclose a mortgage pursuant to article thirteen of the Real Property Actions and Proceedings Law, subject to the provisions of this Section 4.
2. (a) Where the property was sold by a public sale, the amount paid for the property shall be accepted as the full value of the property. No party may maintain a claim for surplus or any other claim or action against the County of Onondaga on the basis that the amount paid for the property did not fairly represent the property's value.
- (b) Where the property was sold by other than a public sale, a claimant may make a motion, upon notice to the Chief Fiscal Officer, for the surplus to be recalculated on the basis that the property's full value on the date of the sale was substantially higher than the value used to measure the surplus pursuant to subparagraph (ii) of paragraph (a) of subdivision one of Section 3

of this local law. If the court or its referee finds that a preponderance of the evidence supports the claimant's position, the court may direct the Chief Fiscal Officer to recalculate the surplus based upon the property's value as determined by the court or referee. The court may further direct the Chief Fiscal Officer to pay the difference into court to be distributed as required by this Section 4.

3. Where the court has appointed a referee to preside over the proceedings pursuant to subdivision two of section thirteen hundred sixty-one of the Real Property Actions and Proceedings Law, it shall not be necessary for such referee to make a report of such proceedings; nor shall it be necessary for the court to confirm by order or otherwise such proceedings.

4. In the case of residential property, if at the time of the confirmation of the report of sale, no former homeowner has filed a claim for surplus, and there are surplus proceeds that remain to be distributed, the proceeding shall remain open for at least three (3) years from the confirmation of the report of sale, or for such longer period as the court may direct. If a former homeowner should file a claim for surplus during such period, the court shall proceed as if it had been timely filed.

5. At the conclusion of such proceedings, any surplus funds that have not been claimed shall be deemed abandoned but shall be paid to the County of Onondaga, not to the state comptroller, and shall be used by the County of Onondaga to reduce its tax levy.

6. To the extent the provisions of article thirteen of the Real Property Actions and Proceedings Law are inconsistent with the provisions of this local law, the provisions of this local law shall govern.

Section 5. Administration of Surplus in Connection with Tax Lien Sales.

Real property tax liens owned by third parties, including those tax liens sold pursuant to the Onondaga County Tax Act, shall only be enforced in the manner described in this Section 5:

1. Upon written application and the surrender of the tax lien certificate of sale, a treasurer's deed may be issued vesting in the tax lien certificate holder an absolute estate in fee pursuant to and in accordance with the Onondaga County Tax Act, subject to all claims the County of Onondaga or state may have thereon for taxes, liens or encumbrances, if (a) a New York state licensed real estate appraiser conducts an appraisal of the property prior to the issuance of the deed to establish the property's fair market value and (b) the property's appraised value does not exceed the outstanding amount due to the tax lien holder. The County of Onondaga shall levy the cost of conducting the appraisal as a lien upon the property to be collected along with any other pending taxes, liens, or encumbrances; or

2. Notwithstanding any other law to the contrary, after the applicable redemption period has elapsed, a conveyance of the property so sold to the owner of a tax sale certificate issued in accordance with the Onondaga County Tax Act may occur pursuant to the Onondaga County Tax Act and Sections 2, 3, and 4 of this local law.

3. Notwithstanding any other law to the contrary, when a tax lien has been sold to a third party, the lienholder shall send a homeowner warning notice in the manner provided by section eleven hundred forty-four of Real Property Tax Law at least one hundred eighty (180) days prior to making application for a treasurer's deed, as the case may be.

Section 6. Effect on Prior Legislation.

The Onondaga County Tax Act, Chapter 690 of the Laws of 1937, as amended, Resolution No. 71 - 1967, and any additional local law or resolution regarding the sale of tax delinquent property by Onondaga County shall remain in full force and effect, as supplemented by the provisions contained herein.

Section 7. Partial Invalidity.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 8. Effective Date.

This local law shall take effect immediately and shall be filed consistent with the provisions of the New York State Municipal Home Rule Law.

PASSED 6/4/24



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 4th day of June 2024.

A handwritten signature in blue ink, appearing to be "Jm", followed by a horizontal line extending to the right.

Clerk, County Legislature

**JUNE 4, 2024
SESSION**

Passed

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	Local Law A
8. RYAN	✓				<p align="center"><i>The meeting was adjourned at 1:56 p.m.</i></p>
1. MAY	✓				
6. ABBOTT	✓				
7. ROMEO	✓				
9. HARVEY	✓				
10. OLSON	✓				
11. MCCARRON	✓				
12. KNAPP	✓				
13. BUSH	✓				
14. KELLY	✓				
15. BROWN	✓				
16. GARLAND	✓				
17. HERNANDEZ	✓				
2. MEAKER	✓				
4. GUNNIP	✓				
5. CODY	✓				
3. BURTIS	✓				
TOTAL:	17	0	0	0	