



Onondaga County Legislature

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WAYS & MEANS COMMITTEE MINUTES – MAY 28, 2024 **COLLEEN A. GUNNIP, CHAIR**

MEMBERS PRESENT: Mr. May, Ms. Abbott, Mr. Romeo, Mr. Ryan, Mr. Knapp, Mr. Garland
ALSO ATTENDING: Chairman Burtis, Mr. Olson, Mr. McCarron; also see attached

Chair Gunnip called the meeting to order at 10:38 a.m., and the previous meeting's minutes were approved.

1. EMERGENCY MANAGEMENT:

- a. Confirming Appointment to the Onondaga County Fire Advisory Board (Dennis M. Smith)**
(Sponsored by Mr. Olson)

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

2. PLANNING DEPARTMENT: Megan Costa, Assistant Director/Planning Services

- a. 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)** (Sponsored by Mr. Knapp)

PURPOSE: *The purpose of this resolution is to accept funds from and enter into contract with NYS Empire State Development for the preparation of the CNY Regional Market Revitalization Strategy.*

OBJECTIVE/ WORK PLAN: *The CNY Regional Market Authority, established in 1935, operates the physical campus and operations of the CNY Regional Market located on Park Street in the City of Syracuse. The Market is the largest year-round retail farmers market operating on the East Coast, and is a longstanding cultural and community asset.*

Age and deferred maintenance have taken a toll on the market facilities, which are in need of repair and revitalization. Important building spaces are in disrepair, underground and above-ground infrastructure is in need of much overdue modernization and maintenance, and the limitations inherent to existing structures is creating challenges for tenants and vendors, particularly for the long-term wholesale operations on site.

The Authority has recently begun a campaign to solicit public funding to address the physical deterioration of the Market property and buildings, with estimated \$90m in identified improvements. As a State Authority, the Regional Market is often not eligible to apply for typical public funding mechanisms for such work. And tenant rents and other revenue streams barely cover day-to-day Market operations.

In an effort to support this regional asset, Empire State Development has dedicated grant funds to stimulate needed revitalization activity. And in support of the County's recently adopted Plan Onondaga comprehensive plan and Onondaga County Agriculture & Farmland Protection Plan goals, Onondaga County has made surplus funds available for the advancement of developing a strategic master plan for the operation.

This Revitalization Plan is being developed to articulate the role the CNY Regional Market facilities are to play in the community, in the region, and as a critical component of the local food system – both today and for future generations. The plan will examine how the facilities serve the public, its vendors and tenants, and assess current conditions. It will also

explore what physical changes are necessary to best meet ongoing maintenance challenges and future programmatic needs and opportunities.

In addition to a physical assessment of the Market structures, the planning process will also include an analysis of the fiscal and operational sustainability of the Market Authority in achieving its mission. This strategic plan is intended to set forth a clear course for public and private investment into the market operation, show investors and funding agencies the Market has a vision and plan which will reduce uncertainties for investment, and provide for a thriving and self-sustaining future for this unique, regional asset.

FUNDING SOURCE: *NYS Empire State Development – Urban Community and Development Program Strategic Planning Grant (\$100,000)*

- Regional Market approached state and local partners to talk about their physical conditions and ask for support
- Market around since 1935; physical deterioration despite efforts to make improvements
- Started community campaign to garner support
- Identified \$11-\$30M in immediate emergency need, with overall vision of \$90M for full scale revitalization
- As a state authority under NYS Ag and Markets, they are not eligible for grants typically offered to gov't and nonprofit
- Solidified in news and by NYS Comptroller's audit that the Market's financial condition is stressed
- Great asset to community, ag sector, local food sector, tourism, the County and surrounding counties
- Prior to financially supporting the Market, it is critical to have real plan for Market Authority for fiscal solvency and create path forward that maximizes public funding put into the facility
- County approach to partner with Authority and prepare CNY Market Revitalization Plan
 - Will look at buildings and infrastructure needs, financial picture, operations, management, revenue streams
 - Financial and operations plan more so than a capital plan
 - Second phase is envisioning what the Regional Market should be, and what it might look like
 - New programming opportunities
 - Revenue opportunities
 - Adaptive reuse of buildings
 - How it serves wholesale and retail tenants
 - Better offerings for community at large
- Ask to enter into contract to accept \$100,000 in funding from Empire State Development under their Urban Community and Development Program Strategic Planning Grant – towards prelim planning effort
- Dept. of Planning will pair it with ~\$225,000 from ag related PlanOn implementation funding
- Hoping to release RFP in days to qualified firms
- Project will be managed by Department of Planning

Questions/Comments from the committee

- Onondaga County has vision of what the Market could be, values what it is with 1,000s of people every year and has taken the lead to be the catalyst of what is needed there to keep this asset going

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

- Confident the direction the County is taking is a good one and will wait to see what the RFP says; looking at bigger picture that Regional Market is successful
- Clarify the role of the County, vs. the Market Authority, in ensuring the Market does not fall into this state again
- Will the County have a seat at the table?
 - County Executive's office has been meeting with the Market Authority on a regular basis
 - Will be seat at table for Onondaga County
 - Will work hand in hand with the Market's Board of Directors to create this plan
 - Board understands the County has no "skin in the game" until County is satisfied with study and direction forward
- How will those stipulations be met? Will there be approvals, or only a seat?
 - There will be 2 more seats added to the Board of Directors from County Executive

- Will those two people ensure the plan is satisfied?
 - Yes
- When the RFP is awarded, how long before having the new strategy and plan done?
 - Looking to get RFP out immediately
 - Estimated 12 month timeframe start to finish, but there is urgency to this; will expedite as soon as can

A vote was taken on the item. ***Passed unanimously; MOTION CARRIED.***

3. WATER ENVIRONMENT PROTECTION: Shannon Harty, Commissioner
a. Authorizing Advance Step Hiring and Placements (*Sponsored by Ms. Abbott*)

Purpose: *There are eight (8) critical management positions with the Onondaga County Department of Water Environment Protection (WEP) that need to be filled to ensure proper oversight of various programs and program personnel. Vacancies in these positions are impacting Department processes including regulatory programs associated with industrial discharge permits, treatment plant and sewer capacity evaluations to support community development, oversight and management of pump station maintenance and implementation of vital capital improvement projects. WEP has been unsuccessful in recruiting and hiring highly skilled, and experienced candidates for these positions due to more competitive opportunities in the private sector. WEP is seeking legislative authorization for one-time advanced step hiring and placement for the following management positions to ensure that we can attract and retain qualified personnel to continue to rebuild and grow WEP's technical services.*

- *Authorize advanced step hire for Deputy Commissioner of Regulatory Programs (LI09572) - Grade 37, up to Step 20 (\$135,848) - This Deputy position is responsible for oversight of all regulatory programs – process control (oversees plant capacity management and expansion), collection systems programs (oversees new sewer service requests, capacity management, sewer expansion, I/I abatement), industrial wastewater discharge permit programs, the environmental laboratory and plumbing control. In addition, this position is vital to oversee the regulatory issues related to supporting Micron and community-wide development. The position requires strong regulatory compliance and municipal experience, and preference for PE though not mandatory.*
- *Authorize advanced step hire for Industrial Pretreatment Director (LI09604) - Grade 36, up to Step 14 (\$115,110) - This position is responsible for the management of WEP's EPA required industrial pretreatment and source control programs, which include the 35 permitted industrial wastewater customers in the CSD, the waste hauler program for septage, grease and other waste disposed at Metro, the mercury minimization program and the upcoming PFAS control program. This position will be instrumental in developing the new pretreatment program to support MicronNY.*
- *Authorize advanced step hire for Management Engineer (LI09564) - Grade 36, up to Step 15 (\$116,532) - This position is responsible for the management oversight of WEP's \$485M CIP implementation, and particularly WWTP expansion and upgrade projects. Candidates must be licensed Professional Engineers and have experience designing and managing sewer infrastructure capital investments.*
- *Authorize advanced step hire for Collection System Director (LI09581) - Grade 36, up to Step 15 (\$116,532) - This position is responsible for the management oversight of the collection system capacity management programs, including new service requests/capacity assurance letter, sewer investigation studies, management of I/I abatement efforts, CSO system improvements, and miscellaneous flow metering programs. Candidates must be licensed Professional Engineers and have relevant experience in sewer capacity programs.*
- *Authorize advanced step hire for Sewer Maintenance Superintendent (LI05681) - Grade 36, up to Step 7 (\$105,632) – This position is responsible for management and oversight of the 177 Pump Stations located throughout the CSD, and the 3 large regional treatment facilities (Clinton, Midland, Harbor Brook) located in the City of Syracuse. This position requires the same skill set and experience as our WWTP Maintenance Superintendent – strong mechanical maintenance of industrial equipment. This position is critical for ensuring collection system functions to support community development.*

- *Authorize advanced step hire for I/E Superintendent (L105492) - Grade 36, up to Step 18 (\$120,902) - This position is responsible for management and oversight of all electrical and instrumentation systems throughout the CSD facilities – including the 6 WWTPs, the 177 pump stations, the 3 RTFs, and all office building spaces. This position is responsible for oversight of all high voltage electrical infrastructure, communication systems (fiber, cellular, phones), SCADA systems necessary for remote monitoring and operation of all process equipment. This position requires significant relevant industrial experience and supervisory oversight of electrical personnel with a strong competency in staff development as this group is undergoing significant hiring/onboarding.*
- *Authorize grade change and advanced step hire for Process Control Director (L109575) - Grade 36, up to Step 7 (\$105,632) - This position is responsible for oversight of the optimization and regulatory reporting for all 6 WWTPs. In addition, the position will be required to build a new WWTP capacity management/process oversight program to support community development and evaluate future plant expansions. The position must be a licensed WWTP operator.*
- *Place the incumbent Director of Asset Management (L109584) - Grade 36, at Step 15 (\$116,532) - This position is responsible for the management and oversight of WEP's Maximo computerized maintenance management system (CMMS), which is the database that is used to inventory all the individual assets/equipment at each of the 6 WWTPs, 170+ pump stations and the 5 RTFs. The Director also oversees all the inventory/purchasing of spare parts and equipment needed to support maintenance and repair and must develop and ensure compliance with processes and procedures for Work Orders and asset condition assessment. The position is critical for data collection needed to support WEP's capital investment planning. The position requires a Professional Engineering license with at least 10-15 years' experience.*

Summary: *WEP is experiencing recruitment and retention challenges due to salaries for various managerial positions. To attract and retain qualified talent, WEP is seeking one-time authorizations to advance step hire for those positions.*

Fiscal Impact: *Appointments authorized by this resolution will be funded within the existing 2024 101 budget. There is no fiscal impact to the 2024 Operating Budget.*

- 8 management positions in WEP that are currently vacant and have been recruiting for last 2 years
 - Unsuccessful at attracting and obtaining candidate for positions based on current hiring
 - Authorized to approve up to Step 3 in Management Plan
 - Asking for authorization to go up in advance steps and higher salaries
 - Not all are the same steps, but steps based on what the competition is in private sector (i.e. skills, opportunities)
- Capital Programs (2 vacancies)
 - Impacting ability to get CIP projects
 - Management Engineer position to be filled
 - Position is overseeing Project Managers
 - Ensuring project RFPs are going out, keeping engineers working, bringing projects back to Legislature for construction funding, and getting out on the street for construction
 - Lot of duties are currently going to Deputy Commissioner currently administering CIP
- Operations Division
 - Within organizational structure: Commissioner → Deputy Commissioners → Directors or Superintendents
 - Under Deputy Commissioner of Core Functions or Operations are Superintendent titles
 - Oversees majority of department and staff
 - One vacant currently, and another will be vacant
 - Pump Station Maintenance Superintendent
 - Created 2 years ago to facilitate growth of pump station maintenance team
 - Need more mechanical maintenance people
 - Instrumentation and Electrical (I/E) Superintendent
 - Oversees all I/E maintenance workers - keeping systems powered up, keeping control systems going
 - Did get advanced step authorization for current candidate, but this person is getting ready to retire
 - Need to move quickly to advertise and backfill the position
- Regulatory Programs – remaining 4 positions are most critical for future of community
 - Vacant in division
 - Missing Deputy Commissioner – person left to private sector
 - Industrial Pretreatment Director – oversees industrial permits (including issuing to Micron)

- Collection System Director – overseeing 2,000 miles of collection systems (person recently left to private sector)
- Process Control Director – oversees the treatment plants, capacities, managing what the community will need, how the plant is operating
- Critical positions for the functions of current day and helping develop and manage plans for future
- Filling management will be critical for establishing new processes and procedures, and onboarding additional vacancies
- Filling management drives vision and sets up policies and procedures

Questions/Comments from the committee:

- Are these all Grades or Steps? Where are they going from and going to?
 - Grade 36 Step 1 salary is \$95,791; seeking authorization to potentially offer up to a certain step
 - Positions requiring a professional engineering license, seeking authorization to go up to step 15
 - Gives authorization to go up to an additional \$20,000
 - Grade 37 starts at \$105,000
- Cognizant that in some instances, the County will have to offer additional pay for attracting people, but sometimes rank and file will come up with negotiations
 - Important to look at pay structure and where union salaries are versus management; how they interact
 - Some issues include getting Union staff to take these positions
 - Grade 15 in Union are making \$99,000 at top step
 - It is not as straightforward as a 20% raise; it is a whole career path and planning; looking at salaries in structure
- Elaborate on the position that WEP was going to move someone into internally, but would have been a pay cut
 - Preference to have internal candidates take management positions
 - Have strong internal candidate for Process Control Director, who is currently a Union employee
 - To go up to management position – looking at going from hourly (eligible for overtime) to a salary management position, would not equate to a pay increase for the additional responsibilities
 - It is not salary to salary, but hourly vs salary and the difference in benefits; trying to understand details
- Of the 8 positions, how many is WEP trying to recruit from within?
 - Particularly on operations side, preference to continue internal promotion into superintendents
 - Want those positions to be internal candidates, because they understand work order systems, ordering, process
 - Operational Superintendent promotion from Union; WWTP Mechanical Maintenance employee was internal
 - Did get advance steps to promote those people to move into the positions
 - Sewer Maintenance Superintendent was also an internal Union promotion with advanced step
 - Regulatory programs – do not necessarily have skills in-house to promote from within; have to compete in public
- How many are regulatory vs operations positions (step increases)?
 - 4 Regulatory positions; 2 on Operations
 - Do not have internal candidates for those positions
- Legislative body has been supportive of different plan iterations Ms. Harty, Commissioner of WEP has brought forward
- WEP has been a reactive department; hope to be closer to cracking the code of recruiting and retaining employees
- Using salary savings for this is a fix; there has to be a budget and revenue for it in the subsequent year
- In WEP, can tax for increase in the rate; direct way to solve, but would like a solution for future asks
- Does WEP have the organizational chart of their management that was requested at the last meeting?
 - Had computer issues, but will get it over to the Legislature as soon as possible
- Are there three deputies now?
 - Yes
- If WEP advance steps the Deputy of Regulatory Programs, how does that affect the other two deputies?
 - This would put that Deputy just under the other 2, who have been there longer

- Currently there is one person getting an increase that is not filling a vacancy, correct?
 - Yes, Director of Asset Management
- Is there one person retiring?
 - Yes, I/E Superintendent currently filled, but retiring this summer
- Came up with a total of 41 MC positions; if there are any vacancies WEP does not foresee using, then the Legislature should remove them to clean up the roster
- Were any of these eight positions created as part of the original plan, or are these existing positions?
 - Currently have 409 total roster positions; 34 MC; 375 CSEA
- Are all 34 MC positions filled?
 - No, 11 vacant – not distinguishing between funded or unfunded
 - 78 CSEA positions are vacant
 - Total of 54 funded vacant actively recruiting for
 - Started workforce development in 2021
 - Initial to restore funding and get people back to WEP
 - Got into the issues of the department in 2022 and realized WEP would be bringing in new people and did not have management structure to oversee and develop the processes and procedures to onboard people
 - Created Director of Asset Management, Industrial Pretreatment Director, Collection Systems Director and Process Control Director
 - Industrial Pretreatment and Process Control Directors are almost identical to positions department had 10 years ago
 - Department went through period of not being able to fill management positions, which were then abolished
 - Trying to bring back old management titles to oversee the processes and procedures
- If there are some titles WEP is not using, should look at unfunding or abolishing them
 - Correct, this is something WEP is doing
 - What is the right size staff – want to make sure adding right people with right skills and tools to work efficiently
- Management Engineer at 36 and Sewer Maintenance Engineer at Grade 35 both have same credentials, so how does WEP justify this?
 - Do not have similar credentials
 - Sewer Maintenance Engineer does not require professional engineering license and will report to Management Engineer that does require a professional engineering license
- In Environmental Protection, WEP mentioned losing people to Micron; has WEP lost any engineers to Mircon?
 - No, have not lost anyone to Micron; lost employees and potential candidates to other private sector opportunities
- Does WEP feel they will be able to recruit candidates? Will this be enough, or should the County consider using a private sector engineer?
 - Have several candidates to fill probably half of the positions; confident to have good candidate started this summer
 - Some goes back to second resolution about strengthening HR functions and building admin team
 - Struggle with recruiting, hiring and onboarding; do not think they are at a point of needing private recruiter
 - Look at process of onboarding, and how to spend first 6 months getting a new person acclimated
 - Feedback from exit interviews is the large size of WEP, as well as pushing employees into work too soon
 - Want to focus on getting candidates and having a good process to integrate and retain
 - WEP has a lot to offer as County department from quality of life perspective
- Government benefits can sometimes outweigh what people can make in private sector
- Does the County see this as setting a precedent with other departments (who may have professional engineers not at this grade/step), and will the Legislature see those other departments looking for the same increases?
 - Finance
 - These increases will not be an automatic increase in WEP's budget the following year, but will look at roster when preparing 2025 budget to look at positions that do not fit; use funding from those for the higher salaries

- Always look at County roster to identify issues of moving positions, and how it will impact management structure and pay scale
- Will look at for remainder of year to understand the potential impacts with these changes and others
- Will look at MC schedule to see if they are competitive
- Have to continue to be current and look at salary structure to ensure qualified people fill the roles
- Personnel
 - Doing analysis of MC schedule for use by County Executive and CFO
 - MC schedule runs from Grade 22-44, across 22 steps
 - Looking at what makes the most sense

A motion was made by Ms. Abbott, seconded by Mr. Garland, to approve this item. Ayes: 6 Noes: 1 (Ryan); MOTION CARRIED.

b. Personnel Resolution *(Sponsored by Ms. Abbott)*

Purpose: *The Onondaga County Department of Water Environment Protection (WEP) is seeking legislative authorization for the creation and funding of a Deputy Commissioner of Administrative Services (WEP). This Deputy Commissioner position will be responsible for the oversight of administrative personnel and human resource processes for the Department – including Employee and Labor Relations (ie. Workplace policies/procedures, complaint and disciplinary investigations and discipline, payroll, employee record keeping), Workforce Development (ie. Recruitment, Hiring, Onboarding, Workplace Safety, Training, and staff development) and Public Communication and Outreach. Executive management of these functions is crucial for aligning organizational goals with talent strategies, ensuring optimal utilization of resources, and fostering employee growth and engagement. The Deputy Commissioner will be responsible for advancing WEP’s Workforce Redevelopment strategy and cultivating a culture of innovation, retention, and adaptability. Effective leadership in this area will also safeguard against legal compliance issues and promote diversity and inclusion, further bolstering Department productivity and reputation.*

Authorization of appointment up to Step 12 will allow WEP to provide a competitive job offer and salary to attract and retain optimum talent in this competitive job market.

Summary: *A Deputy Commissioner of Administrative Services is needed to provide executive oversight of human resource functions and ensure a cohesive Workforce Redevelopment program throughout the entire department.*

Fiscal Impact: *Appointment authorized by this resolution will be funded within the existing 2024 101 budget. There is no fiscal impact to the 2024 Operating Budget.*

- Create 4th Deputy Commissioner position to oversee administrative functions
- Old organization structure had an Administrative Director position at grade 34 or 35
 - Responsible for overseeing everything from HR perspective
 - Financials, vehicles, safety, training, personnel, payroll
- Recruiting and hiring 10-12 people/year, but now looking at close to 200 personnel movements yearly
 - Promotions, internal promotion with backfill, retirees
- Team needs to help with onboarding, recruiting, hiring, and training
- Lot of new staff in department and different positions being asked to do things they may not have the skills to do
- Looking at workload, became clear over last 3 years, that WEP needs a better management structure
- Deputy will drive that vision and develop the workload program

Questions/Comments from the committee:

- WEP has a Personnel Officer (filled), a Training Officer (filled), an Employee Relations Officer (filled), a vacant Director of Personnel and Labor Relations, and a vacant Director of Workforce Development
- WEP has 8 MC positions and is now asking to create a Deputy Commissioner in charge of all of them
 - Yes
- Can any of the positions be abolished?
 - No, will be filling them all

- WEP is an industrial department with various divisions including mechanical maintenance, WWTP, licensed operators, industrial and electrical, safety and technical training required
- Quite a bit of staff development with safety and training that needs to be administered
- Director of Employee Relations – quite a bit of work with staff working across the County
- Administering workforce with policies and procedures
- Making sure policies and procedures pushed into employee handbook, trained and reviewed on regular basis

REQUEST: More information on what each of the MC titles roles are

- Yes, can send that
- Sounds like there is more management than what is needed
 - Biggest thing hearing from new employees or exit interviews is: no handbook, policies and procedures are not clear
 - No robust training program to cover different things
 - Need management to create policies, creating training programs, implement them and carry them out
 - Ensure management is meeting and supporting other divisions
 - Particularly Operations Team – need administrative support to stay safe and current with skill sets
- If WEP does a Grade 37, Step 12 for this position, how does that line up with the other three deputies?
 - Keep them lower, since the other 3 deputies are required to be professional engineers due to work overseeing
 - Grade 37, Step 12 is less than the other deputies

Chair Gunnip stated there would not be a vote taken on this item.

4. ONONDAGA COMMUNITY COLLEGE:

- a. 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)**

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

5. COUNTY LEGISLATURE:

- a. Standard Work Day and Reporting Resolution**

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

- 6. FINANCE:** Steve Morgan, Chief Fiscal Officer; Donald Weber, Real Property Tax Director; Ben Yaus, First Chief Deputy County Attorney

- a. INFORMATIONAL: A Local Law Providing for the Distribution of Surplus from the Sale of Tax Delinquent Property**

Mr. Morgan presented the following information:

- Local law pertains to how the county handles proceeds from property tax auctions
- Last May, US Supreme Court decision
 - Delinquent tax homeowner in Minnesota (Tyler v. Hennepin County)
 - Property foreclosed on for delinquent property taxes and auctioned at public auction for more than what taxes, penalties and interest were owed on the property
 - Law at the time in that state, as well as others, was that the local municipality (County) was allowed to retain dollars
 - Under Takings Clause of 5th Amendment of Constitution, US Supreme Court ruled it was unconstitutional for municipalities to do this, which is now law of the land
- State Legislature
 - Looked at bills during last session, and the County along with NYSAC advocated against the bills, because they

- went well beyond the court case
- i.e. One proposal was that any property that had age, veterans or disabled exemption could not be foreclosed on
 - Questioned how that would work with those people never having to pay taxes, and what happens if they pass away? Does it continue with their heirs?
- Able to push back and state had moratorium legislation (not signed by Governor)
- County did not have auction because there was not a process in place to abide by the US Supreme Court decision
- State budget passed this year included a law addressing this
- Governor’s proposal included a law the County and NYSAC were supportive of
- Lot of advocacy working with local delegation and NYSAC to ensure County’s best interest at hand
- Law does allow for administrative costs – either a standard amount or County identifies specific costs with limit
- There is time, money and effort to get to point of auctioning a home
- Going forward, if an auctioned property has proceeds exceeding delinquent taxes, penalties, interest and allowable admin costs, there now has to be a process to return money to previous property owner or lien holders
- County local law is adopting the state law
- Biggest win is the court will handle the access proceeds
- A report will be prepared and sent to the court after an auction, and the court will be the arbiter of funds
- Previous property owner(s) or lien holder(s) will petition court to pursue the funds

Questions/Comments from the committee:

- Is the administrative fee in the local law?
 - County can do greater of 2% of everything owed on top of penalties and interest, or \$250
 - Part of state law, which this is adopting (will comply with state law)
- How much financial impact will there be?
 - None, since the County knew it would impact revenue in Finance budget
 - For 2024 budget, took out potential dollars
 - Amount varied greatly over the years between losing money on properties and having excess proceeds
 - County makes town, villages and school districts whole
 - County does everything possible to avoid auctioning homes - takes 3 years for a home to go to auction
- What is the total revenue loss from the budget?
 - Varied over years and estimated amount; could be \$200,000 - \$600,000
 - 2023 was maybe \$600,000 or \$700,000; can get specific number
- What is the administrative cost?
 - County will get penalties and interest as always
 - On top of that, the County can charge up to 2% of total due, or \$250; whichever is greater
 - On small parcels that owe \$1,000, County can charge \$250
 - If the County can substantiate that there was a greater cost (i.e. Shoppingtown Mall), can charge more
- Is this a new revenue?
 - No, the County was able to keep all the money, so it is still a decrease
 - Any excess would go to previous homeowner(s) or lien holder(s); previously none went to them

Mr. Yaus presented the following information:

- Title 6 of Article 11 under Real Property Tax Act; definitions from statute
- Legal charges are:
 - Cost of mailing, filings, interest, penalties, appraisal (if applicable), and \$250 or 2% or can justify a higher rate when surplus taken to court
 - Auction fees charge \$360
 - Do not want to lose money on auction; can see if more is justified using prior resolution setting \$360
- Public sale is the County’s auction
 - If auction, do not need to do appraisal; auction value is appraised value and cannot be challenged
 - Surplus is calculated off the auction value
 - If no surplus, County has to report to court no surplus

- For every parcel with surplus after taxes, fees, penalties and interest
 - Will prepare report to court
 - Notify owners (~40 properties/year max)
 - Once notify the court, County has no further role
 - No challenge on surplus number when there is an auction
 - No suites against County, unless court directs otherwise
 - Becomes mortgage proceeding in court with priority of lien holders
 - County Law Dept. does not have to determine priorities of liens; court will do that as they always had
- If County sells direct, will need appraisal and can work into sale price
- If County does non-public auction – ability for owner to challenge appraisal
- Auction best way – preserved auction model and added court surplus distribution proceeding
- Met with Chief Administrative Judge to ensure they were aware
- November will be testing grounds
- Section 5 on tax lien sales
 - County buys up tax lien sales, but it is in Tax Act – brought over section on how County does tax lien sales
 - If County went back to that system, would need to establish appraised value
- Notice requirements (not in law)
 - Worked on getting homeowner notice
 - Certain language in every tax bill – had added to models
 - 4 month delinquency/pre-auction notice goes out this week or next
 - Had to get New Homeowner Rights document attached
 - It including 12 most common languages and links to the notice in each language; complied with law
- Once the money is with the court, the owner/lien holders have 3 years to claim it; if not claimed, will go back to county
- Did not hold 2023 auction – no surplus to distribute
- NYS said owners had to file Article 78 within 4 months of sale from Supreme Court decision to claim surplus
- Finance
 - Concept of Owner’s Bill of Rights drifted into final state law
 - Complying with the law including additional noticing and links to credit advisory services
 - Tax bills have to comply as well

Questions/Comments from the committee:

- Will the NYS Supreme Court will be handling these?
 - Law
 - Yes
- The County has had effective programs for first homebuyers through Community Development (CD) and Housing Development Fund Corporation (HDFC), where the County would take properties off the auction and hand the properties over to CD or HDFC to fix up and sell at a discounted rate; is there is a way to be able to do this?
 - Finance
 - Have to use appraisal
 - Law
 - i.e. if the County auctions 3 times at tax value and does not get minimum bid; County would need to do appraisal
 - Finance
 - If appraisal is not above the delinquent taxes, interest and penalties, then the County would pay that difference
 - Different calculus going forward
 - City set up their own law before NYS passed law, because all of their properties go to the Land Bank
 - City will have to get the properties appraised and set aside money to pay any situation where the appraisal is higher than delinquent taxes, penalties and interest are
- Will the County notify homeowners after the auction that they have the opportunity to apply?
 - Law
 - Yes, it is on the County to notify the parties post-auction that there is a surplus in court (within 45 days)
 - Court will then notify them on how they make a claim for the deposited funds

- Is the notice mailed or sent certified mail with record of them receiving it?
 - Law
 - Does not specify, but would follow the same way currently doing it; some certified
 - Finance
 - Do not know, but if required to be certified, will do it; or if there is an issue with the regular mail service

- Will there be an auction this fall?
 - Finance:
 - Yes

- Throughout the law it says residential homes, but what about other non-residential properties?
 - Law:
 - Taken right from the statute
 - Under surplus procedure it says anyone that has right, title, interest – under Section 4 it is broader language

- Are all properties covered under Section 4?
 - Law
 - It is across the board – residential or business property owners get surplus
 - Statute geared (i.e.) notices more towards residential owners
 - Finance
 - Law applies to all properties

The meeting was adjourned at 12:04 p.m.

Respectfully submitted,



JAMIE McNAMARA, Clerk
Onondaga County Legislature

ATTENDANCE

COMMITTEE: WAYS & MEANS COMMITTEE

DATE: MAY 28, 2024

NAME (Please Print)	DEPARTMENT/AGENCY
<i>Joe Tobin</i>	<i>OCC</i>
<i>Paul Moody</i>	<i>OCC</i>
<i>Dan Wears</i>	<i>EM</i>
<i>Darcie Lesniak</i>	<i>Leg</i>
<i>SHANNON HARTY</i>	<i>CCDWEP</i>
<i>Megan Costa</i>	<i>Planning</i>
<i>Carl Hummel</i>	<i>Personnel</i>
<i>Steve Morgan</i>	<i>CFO</i>
<i>Jim Beebe</i>	<i>Leg.</i>
<i>John DeSantis</i>	<i>Leg.</i>
<i>Joe Frateschi</i>	<i>Leg.</i>
<i>Ben Yaus</i>	<i>Law</i>
<i>Brian Donnelly</i>	<i>CE</i>
<i>Isabelle Harris</i>	<i>CE</i>
<i>Nancy Lawry</i>	<i>CE</i>