



# Onondaga County Legislature

**DEBORAH L. MATURO**  
Clerk

**J. RYAN McMAHON, II**  
Chairman

**KATHERINE FRENCH**  
Deputy Clerk

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## **WAYS AND MEANS COMMITTEE MINUTES** **September 12, 2014** **DAVID KNAPP, CHAIRMAN**

**MEMBERS PRESENT:** Mr. Kilmartin, Mr. Holmquist, Mr. May, Mrs. Ervin,\*Ms. Williams

**MEMBERS ABSENT:** Mr. Jordan

**ALSO PRESENT:** Chairman McMahan, *see also attached list*

Chairman Knapp called the meeting to order at 8:55 a.m.

***A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin, to waive the reading of minutes of proceedings from the previous session. MOTION CARRIED. A motion was made by Mr. May, seconded by Mrs. Ervin, to approve the minutes of proceedings from the previous session. MOTION CARRIED.***

Chairman Knapp referenced a recent business trip to Louisville, Kentucky. It is a thriving city with a downtown medical complex, and has a six-lane highway down middle of it. He asked Louisville residents what they thought of the highway, and they answered that they love it. Most of the highway is built up from the ground, with a very short viaduct; it is similar to Rt. 690. He referenced the comparison to the Route 81 issue, and pointed out that it can be done.

Mr. Fisher introduced Susan Mitchell, the new director of OCPL.

### **1. SHERIFF: Chief Esteban Gonzalez** **a. 2014 Transfer Resolution-Police/Civil (\$111,024)**

Chief Gonzalez noted that Chief Dick Carbery couldn't be present today, as he had an out of town death in the family. He thanked the Public Safety Committee, and the leadership of Legislator May. They were given clear direction; the Sheriff's team worked well with Chairman May, and feels there are some good end results.

Item 1a and 1b are for utilities, supplies, maintenance, etc. – basic costs for the 4<sup>th</sup> quarter in order to do business. It is the bare minimum. Chairman Knapp asked if this zeros out contingency. Mr. Morgan said "no", explaining that the supplies and overtime are not. In answer to Chairman Knapp, there is equipment associated with the vehicles in the supply line. Mr. May said that we do not need to procure it until we have the cars.

Mr. May said that since we have started the contingency process, what is seen here today is what we have been working toward. This is a simple, digestible report, which shows what is needed to finish out the year. Including, as importantly, how we think it will finish in those accounts. Some things were left in contingency for now; it is the opinion of leadership to have a really clear picture before the money is moved. The things sitting in there, are not in any way at risk; they are budgeted. He is pleased with the data received; there was unanimous votes on all three of these items at Public Safety Committee.

Chief Gonzalez referred to overtime. At the Public Safety Committee meeting he explained that the police side it not responsible for the brunt of it – the custody side is. The female population was up on Monday, and since then, it has gone up further. Since we are on the cusp of the weekend, he is looking to see what happens after court today and hopefully will not have to transfer any more out. There are currently 17 in Oneida. Every cell in the female unit is full; there are no open cells; there is overflow in some other areas. In answer to Chairman Knapp, Chief Gonzalez said that Jamesville is also full. Commissioner Cowin is called every morning – they figure out who Jamesville can take, if they need to call the State, and if they need to board out.

Mr. May said that there has been expressed concern by the Public Safety Committee that the mental health unit is on hold. The mental health unit is the key to capacity, as things exist today. As long as that is the case, other counties will be ringing the till. Hopefully there are things that can continue to move forward, but until such time where there may be change in leadership at the Sheriff's Dept., we may be sitting idle and incurring those bills. Mr. Holmquist said that meanwhile the problem gets worse. In answer to Chairman Knapp, Chief Gonzalez said that it cost \$90/day per person to send them out. The cost is now over \$36,000. Mr. May said that there is also transportation costs. Chief Gonzalez agreed, but said that they send the least heavy transportation cost individuals – send the sentenced. The Jamesville females are sent out, as opposed to the Justice Center females -- as they would have to go back and forth so the attorneys can have contact with them. No deputies are assigned to Oneida; they watch our inmates. The cost to watch inmates is approximately \$170/day; even if inmates were taken in from the Feds, \$102.50, we would still lose money.

***A motion was made by Mr. May, seconded by Mr. Kilmartin, to approve item 1a. Passed unanimously; MOTION CARRIED.***

**b. 2014 Transfer Resolution-Sheriff Custody (\$198,355)**

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

**c. 2014 Vehicle Transfer Resolution-Police/Civil (\$224,764)**

Chief Gonzalez:

- This is the bare minimum, had asked for a significantly larger number of cars than this
- Broke it down to completely, unusable cars; which resulted in 8 cars.
- Custody vehicles were taken out of the equation
- 8 cars for Police side – 3 patrol, 5 CID
- Cost included to equip them
- This is literally a safety issue – these 8 cars are were based on a report shown to the legislature 2.5 months ago, which showed the damage to the vehicles; civilians are transported as well as perpetrators

Mr. May said that has presented in April or May, there were a number of cars requested to be replaced. He asked if the 8 to be replaced, were in services, but beyond repair – clearly a safety issue. On the basis of that presentation, and on the basis of what we know, we worked together to identify and single out those 8 cars for replacement. This is not in any way saying, these are the only cars they will get in 2014. This is in direct response to a known, safety, operational issue. He feels we have to be more pragmatic with how any capital equipment is replaced in the county, but in particular with the Sheriff's Department. This was passed unanimously at the Public Safety Committee.

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

**2. MANAGEMENT & BUDGET: Steve Morgan, CFO**

**a. Amending the 2014 County Budget to Accept NYS Department of Labor Funds for the Onondaga County Division of Management and Budget-Insurance Services, and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$13,741)**

- Health and safety specialized training - contracting out and provided to various county staff--i.e. hazardous waste operations handling, respiratory protection, fall protection, etc.
- Recurring grant – will be folded into the 2015 budget

Chairman Knapp asked if it is certain that the county would get this every year. Mr. Morgan said that they are pretty sure, but if the county doesn't get it, then the money won't be spent.

***A motion was made by Mr. Kilmartin, seconded by Mr. May to approve this time. Passed unanimously; MOTION CARRIED.***

**3. PERSONNEL: Peter Troiano, Commissioner**

**a. Accepting and Approving Contract Between the County of Onondaga and the Onondaga Sheriffs Captains Association**

- There is a tentative agreement with the 7 member Deputy Sheriff Captains labor organization
- 5-year contract
- Wage adjustments: 2.5% - 2012, 2.75% - 2013, 0 - 2014, 2% - 2015, 2% - 2016
- Health benefit changes negotiated as part of the package
- Total cost approx. \$175,000

Mr. Kilmartin asked what the \$175,000 covers. Mr. Troiano said that this covers the across the board wage increases that were negotiated and a longevity premium, which starts next year. A longevity premium is a unique feature predominantly to public safety labor agreements, which provides extra compensation when members have reached various benchmarks in their career, usually length of service. One was ordered in the interest arbitration with OCSPA for deputy sheriff's, sergeants, and lieutenants. This unit doesn't have one – in order to maintain competitive benefits with what is in the rank and file, this provision was negotiated on top of it. It is unique to the county, as it is not in our labor agreements and hasn't been for quite some time. In answer to Mr. Kilmartin, it is included in the \$175,000.

Mr. Troiano said that he didn't net out the value of the health benefit concessions in the contract. Their contribution to health benefits will increase to 15%, up from 11.5%; will rise to 20% in 2016. They have agreed to a new plan design, which will take place next year when other units are lined up. It doesn't make sense from an efficiency standpoint to put it place for seven members. There will be some cost growth.

In answer to Mr. May, Mr. Troiano said that there will be retroactivity in play for the first two years of the settlement, which is included in the \$175,000. Mr. Morgan said that the retro piece is approximately \$8,000, and believes it can be absorbed in the current year's budget.

Mr. Kilmartin asked if the terms of the salary percentages is consistent with OCSPA and other union associations. Mr. Troiano said that the first two years mirror OCSPA. There aren't negotiated settlement for any of the units going forward – this is the first one. There is not a lot of comparative data out there yet for police settlements. The ones that there are, tend to be along this line.

In answer to Chairman Knapp, Mr. Troiano said that this was a negotiated settlement without the assistance of a mediator or fact finding award from interest arbitration.

***A motion as made by Mrs. Ervin, seconded by Mr. May, to approve this time. Passed unanimously; MOTION CARRIED.***

**4. TRANSPORTATION: Brian Donnelly, Commissioner**

**a. Authorizing the Acquisition of Certain Easements from Fingerlakes Railroad to Allow for Installation of Signal Poles as Part of the Project Known as "Township 5" in the Town of Camillus (Sponsored by Mr. McMahon)**

Chairman Knapp noted the loss of an "icon in the southern towns". John Palladino was a very long-time Highway Superintendent in Pompey and passed away earlier this week. He retired several years ago; was into consolidation and working with other towns before it was "cool". He could just as easily be in a ditch with a shovel, as on the phone with a contractor. He was a great man and will be missed. Mr. Donnelly echoed Chairman Knapp's comments; he had a great relationship with Mr. Palladino. He worked very cooperatively with the DOT.

Mr. Donnelly:

- Easements associated with the Township 5 Project, Town of Camillus; Cameron Group, Developer
- 4 signal poles that need to go on land by Fingerlakes Railroad
- Cameron Group is paying for the easements; ultimately the easements will be owned by Onondaga County
- Easements have to be accepted by Onondaga County

Chairman Knapp clarified that there are no funds involved. Mr. Donnelly agreed; there is no cost to the County; approximately 1,000 square feet for all 4 signal poles. The purpose of the permanent easement is to give the County rights to access the poles in the future if any maintenance has to be done.

***A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin, to approve this item. Passed unanimously; MOTION CARRIED.***

**5. ONONDAGA COUNTY RESOURCE RECOVERY AGENCY:**

**a. Confirming Appointment to the Onondaga County Resource Recovery Agency (Mary Beth Primo)**

Mr. Fisher said OCRRA is an important board. It is not a department of the county, but it is intimately involved with different departments that Ms. Primo administers. The County Executive feels that the position, as with Mr. Millea, equips her very well to serve on the board.

***A motion was made by Mr. Kilmartin to approve this item.***

Mr. Holmquist asked if this resolution is to fill out the term of Mr. Millea. Mr. Fisher indicated that it is. Mrs. Stanczyk said that it fills the rest of Mr. Millea's term, expiring Jan. 1, 2014, and fills the second term, expiring in December 31, 2017.

Mr. Holmquist questioned if the committee should be appointing for 2 terms, or if it is appropriate to fill the current term and then do another appointment for the next term. Chairman Knapp said that he looks at it like it's a term plus 3 months. Mr. Fisher said that the continuity is important; iterations they are doing now will not be resolved in 3 months. Mr. Holmquist said he is not sure what other appointments are expiring at the end of this year; feels we could fill the term and reappoint her in January. Mr. Fisher said his office can send over a list of the board positions, their authority and terms. Mr. Holmquist said if there are others to appoint, the committee would have to vote on them; feels it is precedent setting. Mr. Fisher said that if someone learns the ropes and invests time, they would like to know that it won't go away at the end of the year so that someone else comes in and has to learn the ropes. Mr. Holmquist said that he is not suggesting that; he just questions if it is appropriate to appoint for this term and then do another term in advance; questions if it is precedent setting if the other board members aren't treated the same way.

\*Ms. Williams arrived at the meeting.

Chairman Knapp feels that OCRRA is a significant operation of the county; a total, separate autonomous entity. The only little bit of control/influences is by choosing some of the board members. Feels it is important that the Deputy County Executive for county facilities to be on that board. There are a lot of shared responsibilities that go along with their operations and the County's.

Mr. Kilmartin said that the circumstances here are little unique – there is only a 3 monthly window; there are critical issues they are trying to advance and are fluid. The combination of those two things makes him comfortable to go forward with a short-term advancement of the appointment and the full term thereafter.

Mr. May said that it is not just facilities; it is the whole scope of responsibilities that the position has – it is environmental, WEP, etc.

Mr. Holmquist is not suggesting that he disagrees with any of the comments.

***Mrs. Ervin seconded the motion. AYES: 5 (Knapp, May, Kilmartin, Williams, Ervin); NOES: 0; ABSTENTIONS: 1 (Holmquist). MOTION CARRIED.***

**6. PURCHASE: Revenue Contract Report – No items.**

Onondaga County  
Executive Department  
Division of Purchase  
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JOANNE M. MAHONEY  
County Executive

SEAN P. CARROLL  
Director

TO: David Knapp, Chairman, Ways and Means  
Committee Members, Ways and Means

FROM: Sean Carroll, Director

DATE: September 12, 2014

SUBJECT: Reporting Requirements under 2010-241 and 2010-242, Revenue Contracts

There are no other new updates for Revenue Contracts.

7. **LAW:** Kathleen Dougherty, Senior Deputy County Attorney  
 a. **Settlement of Claim**

**A motion was made by Mr. May to enter into executive session to discuss litigation strategies for the case of Thoreck vs. Onondaga County. Ms. Ervin seconded the motion. Passed unanimously; MOTION CARRIED.**

**A motion was made by Mr. Kilmartin, seconded by Mrs. May, to leave executive session and enter regular session. Passed unanimously; MOTION CARRIED.**

Chairman Knapp noted for the record that no votes were taken during executive session.

A resolution was introduced entitled **Authorizing the Settlement of the Action Filed with the Supreme Court of the State of New York, County of Onondaga, Donna M. Thoreck, Individually and as the Guardian of the Person and Property of M. Joseph Thoreck vs. County of Onondaga, Onondaga County Justice Center, Kevin E. Walsh, Onondaga County Sheriff’s Department, James Greenwald, MD, Mary Buckhocet, RN, Tricia Wittkowski, MSW, L. McBile, MSW “John/Jane Doe” #1 Through John/Jane Doe #20**

**A motion was made by Ms. Williams, seconded by Mr. Kilmartin, to approve the resolution. Passed unanimously; MOTION CARRIED.**

The meeting was adjourned at 10:00 a.m.

Respectfully submitted,

*Deborah L. Maturo*

DEBORAH L. MATURO, Clerk  
 Onondaga County Legislature

ATTENDANCE

COMMITTEE: *Ways and Means*

DATE: *9/12/14*

NAME	DEPARTMENT/AGENCY
PLEASE PRINT	
<i>Brian Donnelly</i>	<i>DOT</i>
<i>Jim Rinella</i>	<i>ocso</i>
<i>Esteban Borzatez</i>	<i>ocso</i>
<i>Jen Fricano</i>	<i>Fin Oper.</i>
<i>Jim Mattaney</i>	<i>County Leg</i>
<i>Kelly Beyer</i>	<i>Leg</i>
<i>Seda Cant</i>	<i>Legis.</i>
<i>Bill Kinne</i>	<i>LEG</i>
<i>Martha Christians</i>	<i>DMF</i>
<i>Sue Stanczyk</i>	<i>Leg</i>