



# Onondaga County Legislature

JAMIE McNAMARA  
Clerk

JAMES J. ROWLEY  
Chairman

TAMMY BARBER  
Deputy Clerk

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## WAYS & MEANS COMMITTEE REVIEW OF THE 2024 TENTATIVE BUDGET BUDGET REVIEW DAY 4 – SEPTEMBER 20, 2023 BRIAN F. MAY, CHAIR

**MEMBERS PRESENT:** Mr. Ryan, Mr. Burtis, Ms. Abbott, \*Mr. Knapp, Mr. Kinne, Mrs. Ervin  
**ALSO ATTENDING:** Chairman Rowley, Ms. Gunnip, Ms. Cody, Dr. Chase, Mr. McCarron, Mr. Bush, Mr. Garland; also please see attached

Chair May called the meeting to order at 9:09 a.m.

**COMPTROLLER:** (3-4) Marty Masterpole, Comptroller

Martin D. Masterpole  
Comptroller

William M. Ryan  
Chief of Staff

September 15, 2023

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Philip M. Britt  
Deputy Comptroller/Accounting

Peter J. Headd  
Deputy Comptroller/Audit

Honorable Members of the County Legislature:

Below is our written statement regarding the 2024 Executive Budget.

#### 2023 Initiatives & Accomplishments

- Continue elimination of cabinets and paper records via scanning all possible records into the PeopleSoft financial system.
- Working with IT and outside vendor to digitize payroll records.
- Continue to automate various PeopleSoft tasks including financial reporting in collaboration with County IT and Financial Operations.
- Use PeopleSoft to streamline the posting of Social Services activity to the County's financial system.

#### 2023 Budget Review

- Salaries will be under budget as we had vacancies throughout the year.
- We expect to meet our 2023 budget.
- Under Transfer to Grant expenditure in the 2023 Budget there is \$75,000. This is for the digitization project of payroll records and microfiche.

#### 2024 Budget Overview

- In the salaries line we are asking to create an Executive Assistant position for a promotion. If we can get this position, we will unfund the Information Aide. We are also asking for just the positions of Accountant I and Auditor III for flexibility in possible promotions.
- Maintenance, Utilities and Rent increase of \$2,000 due to additional copiers/scanners.

- Professional Services include CSI monies of \$7,500 OPEB Valuation of \$11,500 and \$13,000 for review and additional professional training. The 2024 budget includes an additional ask of \$7,500 for CSI monies.
- All Other Expenses - \$53,000 in Financial Statement Audit \$47,000 in Single Audit Fee \$15,000 in GASB 87 Leases reporting as well as \$10,000 in new IT GASB requirement. \$11,000 in indirect cost plan services and \$20,000 in fees for business forms and digitization etc.

Sincerely,



Martin Masterpole  
Comptroller

- Add Executive Assistant
  - Promotion for person that has been in the dept. for over 20 years; lowest paid in office and work is outstanding
  - Unfunding Information Aide, but current person in Data Equipment Operator position
- Add Auditor III and Accountant I
  - Both additional requests; no additional money; can work within 101
  - To bring in most qualified people, an Auditor I needs accounting degree
    - Went to Lemoyne College to recruit Auditor 1 and no one applied; Lemoyne has 100% placement
    - Do not want to change specs of the position to get someone underqualified
    - If a person has an accounting degree, they're landing a position with salary higher than county can provide
  - Have 2 people not working fulltime, but positions funded at fulltime level, so have money in 101 line
  - Only asking for roster positions; no additional money
- Doing Room Occupancy Tax (ROT) audits
  - Identifying underreported ROT – room rates up
  - i.e. Room rate at the Hotel Syracuse for the Syracuse/Clemson game is \$600/night
  - Rate up to 7%

#### Questions/Comments from the committee:

- What is underreported ROT?
  - Hotels self-report, then Comptrollers does a ROT audit
  - i.e. Hotel states they had 100 guests at \$100/night and certain amount tax exempt (military, government)
  - Hotels are self-reporting rooms and rates
  - Get to 25% of hotels each year; every 4 years will reach all hotels
  - Do an audit and identify what the hotels have underreported
    - In discussion with the hotels with what was found, and the hotels either agree or disagree
    - 9 out of 10 times in agreement
  - It is reported to Finance Department, who is responsible for the collection
- Explain employee benefits (\$140,000)
  - Finance:
    - One main pressure on budget overall is benefits at ~\$9M in general fund
    - Will see throughout most budgets an increase in benefits line
    - Number comes from Finance, not individual departments
    - Went through full analysis of fringe benefit increase including Medicare Advantage, active plan going up, pharmaceuticals going up, retirement going up, etc.
- Administration gave the Legislature a seat at the table when going over the plans the first time when the county went to Medicare Advantage
  - Finance:
    - Hope is to pivot and save money from what is projected, but do not know that right now
    - Have other partners the administration is working with

- In order to go to bid and find another provider, how long will it take?
  - Finance:
    - When current provider came back with renewal rate, administration surprised by level of increase
    - Wanted to work with the current provider to reduce rate, as 60% was not expected
    - Even at the proposed rate, it is still lower than what the county was paying ~4 years ago
    - County entered into unwritten agreement with city and Syracuse City School District to pool purchasing power to buy this product (did this twice)
    - Second time is when United came in and gave basement pricing
    - With proposed increase from United, it is still lower than before, but still pressure on the budget
    - Had call with partners to get everyone in agreement with how to proceed
    - Had consultant see if other providers would have an interest in taking the business (without a formal process)
    - Clock is ticking with open enrollment; plans have to be in place by a certain time
  - Personnel:
    - There are federal requirements on notification for Medicare by mid-October
    - Have to figure this out by beginning of October, if the county wants to make a move; working hard on it
- Asking for additional roster position; are all existing roster positions funded?
  - No; have 25 bodies, 26 funded positions, and 1 is the Auditor I
  - Assuming granted Auditor 3, will defund Auditor I and fund Auditor 3, and will use salary savings from others
- Looking for an unfunded roster position; can the Legislature take the Auditor 1?
  - Comptroller:
    - Yes, have 34 roster positions
    - Can have the Auditor I, Account Clerk I, Account Clerk II
    - These are positions that will not be filled at the current salaries; will send a list
    - Nice to have flexibility in roster positions with funded or unfunded to meet people’s qualifications
    - Data Equipment Operator and Account Clerk I and II will not be filled again
  - Finance:
    - Manage budgets by money, so there are positions out there that will not be filled, do not have money to fill
    - In a lot of cases, positions are for flexibility and ability to fill position because difficult to fill others
    - Finance oversees all filling of positions, except for elected officials
    - All based on money – i.e. A department can have 1,000 authorized positions, but only money for half, so they can only fill half
- Is there still the ability to fill unfunded positions?
  - Finance:
    - It is all controlled by the money
    - i.e. If a department is looking to fill a position with a “u” (unfunded), they would need to find a funded vacant position to fund it; then change the status of each (f = funded or u)
    - (f) and (u) does not determine the ability to fill authorized positions; the requirement is if there is enough money

**PERSONNEL:** (3-86) Carl Hummel, Commissioner; Anne-Marie Donohue, Director of Payroll Operations

## ONONDAGA COUNTY – PERSONNEL DEPARTMENT

### 2024 EXECUTIVE BUDGET WRITTEN STATEMENT

#### SECTION 1:

##### 2023 INITIATIVES & ACCOMPLISHMENTS

The Personnel Department can list the following as accomplishments in 2023 along with maintaining required and mandated service levels to all departments and agencies in Onondaga County in the face of staffing constraints and new and emerging human resource challenges in the wake of the global pandemic:

Accomplishments:

- Participated in the New York State Civil Service HELP (Hiring Emergency Limited Placement) Program by submitting Resolutions to the New York State Civil Service Commission for fifteen (15) titles to be included in the program, all of which have been approved.
- The Employee Health and Safety Program, as a part of its administration of the Public Access Defibrillation (PAD) program, purchased and installed twenty-three (23) Automated External Defibrillators (AEDs) in the Civic Center, KOB, and outlying County buildings.
- Negotiated and settled a contract with the Civil Service Employees Association (CSEA) for the period of January 1, 2023, to December 31, 2026.
- Revised the County’s FMLA policy to allow employees to reserve five (5) accrued leave days and five (5) sick leave days so that they are not required to exhaust all paid leave while on FMLA, thereby affording employees the ability to take paid time off after the expiration of their FMLA leave.
- Continued the Payroll Consolidation project by assuming payroll processing duties in 2023 for the Departments of Social Services – Economic Security and Information Technology, as well as the Parks Department to be completed in the 4th quarter of 2023.
- Updated the County Reasonable Suspicion guidelines and conducted Reasonable Suspicion Trainings for County supervisors with forty (40) supervisors attending and receiving certification. Also, contracted with a vendor to perform on-site 24/7 testing upon request.
- Utilized dedicated funds made available under the current health benefits contract with Excellus Blue Cross Blue Shield to provide wellness services to county employees.
- Provided, in conjunction with the Department of Information Technology and the Comptroller’s Office, Employee Self-Service capabilities within the PeopleSoft HCM system for electronic pay advices for employees with direct deposit, and annual electronic W2’s.

#### Initiatives:

- Continue project to provide for additional Employee Self Service capabilities within the PeopleSoft HCM system.
- Continue the Payroll Consolidation project initiated in 2021.
- Coordinate with current vendor (eGov), which provides a civil service administration platform, on changes and enhancements to their system expected to increase efficiency and productivity of the Division of Civil Service Administration.
- Implement, in conjunction with the Department of Information Technology, an online Customer Relationship Management (CRM) system to better respond to Civil Service inquiries in a timely manner.

#### 2023 BUDGET REVIEW

The department is projected to be within budget for 2023.

#### SECTION 2:

#### 2024 BUDGET OVERVIEW

The 2024 budget includes standard salary and wage increases consistent with the baseline budgeting approach, and the funding of an Executive Assistant position to provide confidential support services to the Division of Employee Relations. It also includes increased cost in, supplies & materials due to inflation and contract escalators.

#### SECTION 3:

#### 2024 STRATEGIC PRIORITIES

The Personnel Department lists the following as Strategic Priorities for 2024:

- Payroll Consolidation Project – The Personnel Department and its Division of Payroll Operations will continue its multi-year project to consolidate, under the Division of Payroll Operations, payroll functions that are dispersed throughout the various county departments (similar to the recent consolidation of Financial Operations under the Finance Department). The Division of Payroll Operations in the Personnel Department is presently evaluating which departments will be consolidated in 2024.

- Employee Self Service – Having completed of the initial phase of the Employee Self Service project for the PeopleSoft HCM system (electronic pay advices and W2's), the project will focus in 2024 on allowing employees to personally edit demographic information and W-4 data within the PeopleSoft HCM system on a “real time” basis without the need to involve payroll clerks, as well as assessing the ability to provide mobile access to the Employee Self Service portal of the PeopleSoft HCM system.
- Leveraging Electronic/Web-based Systems to Increase Efficiency and Service – The Personnel Department will leverage the upcoming modifications/enhancements to its Civil Service Administration platform (eGov to Neogov conversion), the implementation of a Customer Relationship Management (CRM) platform, and electronic records retention products to enhance efficiency and service. Additionally, the department will be working with the Department of Information Technology and the PeopleSoft HCM Oversight Committee to develop electronic workflows for certain regular business processes that are currently manual (ex. P-100's, VRR's).
- Overall funded going up 1 position – Executive Assistant
  - Unfunded on roster for few years – looking to re-fund position
  - Will be support staff for Division of Employee Relations – used to have support staff as Typist position (represented)
  - Amount of activity in Employee Relations has significantly increased the last few years:
    - ADA requests
    - Grievance activity
    - Harassment complaints
    - FMLA processing (taken away from departments to ensure federal requirement applied efficiently)
  - Management Confidential position, as the work is confidential in nature
    - Not comfortable with it being a represented position
- Personnel activity is changes in baseline payroll staff with consolidation project; resolved double encumbrances
- Recreating promotional track with Personnel Technician – Tech I, Tech II, Tech III and Director
- Net 1 new funded position
- HELP (Hiring Emergency Limited Placement) program through NYS
  - County able to hire employees into traditionally competitive positions, but in noncompetitive status
  - After 1 year, the employees will move into the competitive position
  - Can hire people without taking testing for certain positions approved by the state
  - Legislature authorized 126 total positions; moved 41 into positions with another 41 with paperwork in process
  - Next few weeks, will have filled 2/3 of positions authorized; continuing to try to hire more
  - Discussing with Health Department the possibility of adding more positions to HELP program
- Working on trying to provide training for county staff
  - Supervisory training
  - First Aid and CPR training
  - State mandated sexual harassment training and workplace violence training – computer based
  - Goal to turn Personnel Department into modern HR department, which includes constantly training workforce
- eGov to Neogov transition for Personnel
  - Recruiting, onboarding and training – making it seamless
  - Will be like Indeed – someone can look at a job, upload resume and information
  - All electronic including going into the training
  - Will take years, but is exciting for department

### **Questions/Comments from the committee?**

- What department hired 41 people?
  - Across multiple departments as part of HELP program
  - Created titles, and requirement from NYS was creating same title already existing in civil service competitive class with HELP program after it
  - New title is non-competitive and the person would not take a test; can hire directly
  - Have about 15 titles
  - (i.e.) Caseworkers
    - There is Caseworker and Caseworker HELP Program
    - Anyone provisional and awaiting next exam were moved to the “HELP” title
    - If person successfully completes a year in the title, they are automatically moved into a permanent competitive class Caseworker position

- Anyone hired from the outside can go into the positions
  - Employment Counselor, Income Maintenance Worker, Caseworker, Nutritionist, Sanitarian, etc.
  - Across all positions created, Personnel has hired 41 out of the 126 positions
  - Another 41 people are currently provisional in process
  - There will be 82, exactly 2/3 of the way to filling all positions
- Is there a timeframe for the titles?
  - For each title, year is based on the date the NYS Civil Service Commission authorizes the title into HELP program
  - Most titles were authorized in July – for 1 year from that date, those titles exist and the county can fill the positions
  - Even after the year when the titles go away, HELP employees can move to competitive titles without taking exam
  - Employees are permanent at that time, but still subject to their probationary period
  - Most titles will expire next July (2024); remainder of the titles were approved last week and will have 1 year
- Is there any indication the program will go away?
  - No indication the program will be extended or made permanent; assumption this will be it
  - State will evaluate effectiveness of program over time to see if it helps with hiring emergency
  - State might extend, but too early to say
- It would behoove the state to extend it as it has been successful for the county, correct?
  - Yes, it would behoove them if the current labor market paradigm stays the same
  - Not getting test takers
  - i.e. 5 years ago there would be 400 people for Caseworker exam; now 40; Sheriff's Office having same issue

\*Mr. Knapp arrived at the meeting.

- National labor rate historically at 66%, now it is 62% - translates to millions of people exiting labor market
  - Until people come back to labor market, it will not change; do not see it happening that quickly by next year
  - State will have to take serious look at extending this program
- The decision to hire provisionally and not test is a state action; is there a sunset on it this year? The state would have to reintroduce it in the upcoming session to continue it with additional action, correct?
  - Believe so yes; state would have to take additional action
  - If NYS does not take action, program ends next year when the 1 year from Commission approval of position ends
  - Once it ends, Personnel will come back to Legislature with another resolution to abolish the HELP Program positions, as required
- Please explain more about payroll consolidation
  - 1/3 – 1/2 of county payroll operations are now under Personnel Department
  - Started 3 years ago and hoping to complete in couple years
  - All payrolls are different
    - 9 different union contracts, training and cross training staff
    - Different schedules with 12 hour, 10 hour and 8 hour
- What contracts are coming up in 2024?
  - NYSNA (Nurses) and DSBA ending this year
  - CSEA Corrections and CSEA Correction Captain
  - 4 contracts coming up
  - NYSNA and DSBA sent engagement letters; not sure of status of the others, but assume will get it soon

**DISTRICT ATTORNEY:** (3-50) Joe Coolican, First Chief Assistant District Attorney; Barry Weiss, Administrative Officer

*Dear Chairman Rowley & Chairman May & Members of the County Legislature,*

*Thanks to all of you and the County Executive and his team, I believe we have overcome the recruitment and retention issue that First Chief Joe Coolican addressed at last year's budget session and the salary structure change that*

went into effect this past June. I can report that we have had no one leave because of salary issues in the past five months and have had several former assistant district attorneys return. In addition, we increased the number of law clerks for the summer and this has already resulted in an increase in applicants for the year ahead. All of this is a credit to almost all of you for addressing the issue and implementing those improvements in a timely and efficient manner which will help public safety in the county.

Over the past two decades New York State has always looked to our office to implement new initiatives such as diversionary courts, cold case task forces, dealing with repeat offenders and the State has managed to fund them to some extent. Unfortunately, the NYS Legislators' best thoughts did not translate to more dollars. Literally overnight this has changed. Our Gun Involved Violence Elimination Award greatly increased this year. The GIVE Award now covers \$1,133,402 in ADA and Investigator's salaries and benefits. In just the past month, this office has been notified of an increase in state appropriations to our Aid to Prosecution Grant. Since the inception of these funds, this office has never received more than \$277,000 annually for the past decade. This money has gone to fund ADA salaries. We have been notified that we have been awarded \$1,599,247 this year. As much as these funds could continue to fund salaries, it is our intention to use \$1.2 million to "reimagine" how we prosecute in Onondaga County. My plan is to use the money not just for salaries or equipment now, but to analyze and study how we can do business better and implement more efficient practices and procedures to deal with the enormous Discovery demands burdening our prosecutors. While Onondaga County has not been notified of our Discovery grant award, we have been told to expect an increase similar to the other awards.

We are all too familiar with the continued public health and public safety opioid crises. America will lose over 100,000 citizens this year as this drug continues to flow through our Southern border. Adding one investigator to solely review and develop ways to address overdose deaths will not drastically change the trajectory of this crisis in this community, but using the opioid settlement funding and coordinating with other entities that also received these funds is a continued acknowledgement by the county that we need the necessary resources in this community to implement effective approaches in the next year. Already many barriers to communication have been eliminated with a consistent person from the District Attorney's Office managing the conversations.

The above three items are all based on the elements of state, county and local governments and police working together. However, we continue in this community and the other 61 counties to feel the remnants of the bail, raise the age, and discovery changes of 2020. Children committing crimes under the direction of older individuals because they know there are no consequences is not because of anything this body has decided, but we are all paying for the failed legislation of the State of New York. For over three decades this office adopted a policy of open file discovery and not seeking "nominal" bail for non-violent indigent offenders. We also currently have eight diversionary courts to deal with juvenile offenders. Prior to 2020, a juvenile arrested in Onondaga County had a 95% chance of escaping the system with no criminal record at all. The NYS Legislature in its wisdom decided all this needed reform and now we in Onondaga and in the 61 other counties are paying the price. We recently sent an offender to Jamesville after his 28<sup>th</sup> petit larceny arrest (that is not a typo). Connie Tuori is dead because a judge felt obligated to release her soon to be killer with no bail despite her fifth pending felony arrest. Neighborhoods all over Onondaga County are being ravaged by car thefts as adult gang members recruit juveniles to steal cars knowing there will be zero consequences. If we are to welcome MICRON and all the workers attendant to the 81 Project into this community, it is my priority to see that these employees enter a safe environment

Despite the absurd demands placed on my staff by the new DISCOVERY laws, we are on pace in 2023 to have a record high conviction rate at the trial level. As of the writing of this letter, we have seen 21 trials go to verdict with an incredible 19 of those defendants being convicted (in one of the acquittals, the defense attorney is under investigation for suborning perjury). My staff continues to handle all the Town and Village Justice Courts bringing millions in fine revenue into their respective treasuries. We handle 24 hour requests for police assistance. We handle arraignments on weekends, we respond to every suspicious death in the county and we do all this often without compensation. With the assigned counsel rates now at \$158 an hour (one could work 30 hours a week and have a take home salary of \$225,000 with four weeks of vacation), I assure you that the County is getting a huge bargain with the incredible staff I have put together.

*I would like to thank all of you for your continued support of this office and your foresight to fund us as needed to keep Onondaga County as safe as it can possibly be.*

Very truly yours,

*William J. Fitzpatrick*

WILLIAM J. FITZPATRICK  
DISTRICT ATTORNEY

- Salary increase put into effect June 1<sup>st</sup> had desired result
  - Went from under 30 ADAs to 35/36
  - Waiting on Bar results of 6 – took exam in July, and will have results in October; hoping to add 6 more ADAs
  - Record amount of third year law school interns this summer
  - Every single intern applied to the DA’s office upon graduation; cannot think of another year having that result
- Department of Criminal Justice Services has greatly increased DA’s award amounts this year
  - Gun Involved Violence Elimination Award
    - Now funds 8 ADA positions
    - 7 are 85% funded including benefits; 1 is 80% funded
    - Also funds senior management – some of the most expensive salaries are being funded almost 85%
    - Chief II position, 3 Senior ADAs, 2 ADA IIIs, and lower level positions
    - \$1.1M grant
  - Aid to Prosecution Grant – last year received ~\$270,000; it has been increased this year to ~\$1.527M
  - Discovery Grant – expect it to reflect similar increase
  - Want to use this opportunity to reimagine and remake the District Attorney’s Office DA office
    - There are providers out there that can automate DA’s Office to greater extent with either a better use of the current system or other commercial systems
    - Want to work with Finance to use portion of the windfall to look at either hiring a Consultant or having a vendor come in to look at how the DA’s Office does things, and also find ways to do things better moving forward
- Gun crime in Syracuse is down from last 2 years
- Homicides are up – 16 city YTD
  - Through gun violence elimination, use evidence based programs to target and attack it
- Currently lot of media attention on juvenile crime
  - Wish there was more DA’s Office could do to help, but there is not; result of Raise the Age
  - i.e. If kids steal cars or commit commercial burglaries at 16 or 17, the cases go to Family Court, DA’s Office cannot do anything to stop it
  - DA’s Office and other public safety departments all struggling to come up with evidence based strategies to battle what they have been seeing in the community
- Raise the Age (RTA)
  - Few years ago, if someone was up to age of 18 and committed crime, the person came to criminal court
  - It was handled by DA’s Office (NYS has youthful offender status – did not mean felony or misdemeanor conviction)
  - It put 16 and 17 years olds in position to get in front of a Judge, who would supervise them; on adult court probation
  - Since RTA, those 16 and 17 year olds will have their cases go to Family Court, unless they meet one of the following
    - Displays a gun, causes significant injury or commits enumerated sexual offenses
  - There is a Youth Part and Judge, who determines who goes to Family Court and who stays in adult court
  - The only other way to keep a 16 or 17 year old in adult court, is to show extraordinary circumstances
    - Youth Court Judges hold that to a very high standard
  - i.e. 16 or 17 year old caught with loaded firearm in city of Syracuse, town or village – the gun case will be transferred to Family Court; same with rampant car thefts
  - Doing everything possible when a 16 or 17 year old is arrested with a gun to indict and keep in adult court
    - To date not successful

#### **Questions/Comments from the committee:**

- What type of technology is the DA’s Office looking at, and are there examples?
  - Currently use Prosecutor’s Case Management System - transition in 2019/2020
    - How to track cases and manage cases
    - Can log on at any time on a phone to find out information on a case



- Biggest challenge is delivering discovery in timely manner (CPL 245 new discovery statute)
  - Have to get evidence in digital form and turn over in certain time frame
  - Have to provide a Certificate of Compliance
  - i.e. For every civilian mentioned in a police report, DA's Office has to run rap sheet and report every criminal conviction any witness potentially had
  - Have to do the same thing for any alleged police misconduct files
  - Tremendous time consuming activity
- Want to integrate case management system with digital electronic management system
- i.e. Someone can have caseload of 200 felony cases, which 100 are indicted
  - Person is focused on whatever cases are in front of them
  - Sometimes they are not aware of after discovered evidence ("X")
  - If law enforcement does not notify the DA's Office, then (worst case) on the eve of trial, ADA finds out they do not have "X"
  - Certificate of Compliance can then be challenged, and case can be subject to dismissal for speedy trial purposes
- There are better systems out there that automatically track evidence, make it easier to communicate with law enforcement agencies, and turn it over to defense in a timely manner
  
- Please elaborate on the 2023 record high conviction rate at trial level with 21 trials going to verdict and 19 convicted
  - Best numbers in memory for last 20 years
  - Developed new systems to trial prep
    - When ADA comes in before trial, sits with District Attorney and every available ADA
    - Also have retired County Court Judge Steve Dougherty on staff
  
- Syracuse.com reported car stolen/crashed on Midland Ave.; kids charged with unauthorized use of a vehicle
  - Ongoing frustration in DA's office
  - In order to charge Grand Larceny, have to show intent to permanently deprive owner of the vehicle, otherwise it is unauthorized use of a motor vehicle – misdemeanor (child can be released to parent with appearance ticket)
  - Vast majority of the cases are people under 18 years old – not an offense that can be prosecuted, even if it is criminal mischief for damage
  
- Is there any data on cases that may have been dismissed due to new discovery rules?
  - NYS website records all statistics – Onondaga County dismissal rates very low based on discovery violations
  
- Has the courts backlog cleared since the pandemic?
  - It has not been; still have backlog
  - Yesterday County Court Judges met and will be bringing in 5<sup>th</sup> judge from another county to clear up backlog
  - There is a limited number of ADAs to try the cases; preparing for trial can consume 3 weeks
  - Office of Court Administration is working on solutions to help the backlog
  
- Any trends in courts or justice system concerning marijuana cases? Are there more people in court for driving under the influence?
  - Do not have numbers
  - Changed definition of marijuana couple years ago to match federal definition
  - Onondaga County lacks forensic testing equipment to meet standard – talked to lab, who is understaffed
  - State legalized marijuana; resource management issue
  
- Is there any opportunity with STOP DWI?
  - Potentially; can look into it

Chair May recessed the meeting at 10:13 a.m. The meeting reconvened at 10:29 a.m.

**SHERIFF:** (4-43) Sheriff Tobias Shelley; Chief Melissa Berlinski

*Sheriff's Office Budget Requests for 2024 Budget*

**Automotive Equipment**

We are requesting an additional \$860,000 to purchase vehicles to replace those that are unserviceable. This request also results in additional incremental increase needed in our Supplies line and our Maintenance, Utilities and Rents line.

The \$325,000 in our Executive Budget will allow us to purchase 7 patrol vehicles. For 2024, we need to purchase 12 additional replacement vehicles for Patrol, Transport, Civil, Criminal Investigations, and the Correction Department. These necessary vehicles result in the request for an additional \$860,000 for a total Automotive Equipment budget of \$1,185,000. Further information on our budget is available on the attachment provided.

**2024 Executive Budget Vehicle Replacement Plan**

Department	Priority Requested	Details	VIN	Replacing	Miles/Hours	Amount
D79 Sheriff's Office	1	Ford PI Police Package	3523	2017 Ford PI	193,737	\$44,000.00
	2	Ford PI Police Package	3505	2016 Ford PI	191,692	\$44,000.00
	3	Ford PI Police Package	3458	2016 Ford PI	188,544	\$44,000.00
	4	Ford PI Police Package	3460	2016 Ford PI	183,699	\$44,000.00
	5	Ford PI Police Package	3510	2016 Ford PI	182,975	\$44,000.00
	6	Ford PI Police Package	3513	2016 Ford PI	180,636	\$44,000.00
	7	Ford PI Police Package	3500	2016 Ford PI	180,636	\$44,000.00
	8	Ford PI Police Package	3457	2016 Ford PI	176,618	\$17,000.00
<b>D79 Sheriff's Office</b>					<b>Total</b>	<b>\$325,000.00</b>
D79 Sheriff's Office Grants	9	Ford PI Police Package	3457	2016 Ford PI	176,618	\$27,000.00
	10	Ford PI Police Package	3450	2016 Ford PI	176,610	\$44,000.00
	11	Ford PI Police Package	3502	2016 Ford PI	173,585	\$39,000.00
<b>D79 Sheriff's Office Grants</b>					<b>Total</b>	<b>\$110,000.00</b>
<b>D79 Sheriff's Office All Funds</b>					<b>Total</b>	<b>\$435,000.00</b>

**2024 Sheriff's Requested Budget Vehicle Replacement Plan**

Department	Priority Requested	Details	Replacing	Miles/Hours	Amount	
D79 Sheriff's Office	1	Ford PI Police Package	2017 Ford PI	193,737	\$44,000.00	
	2	Ford PI Police Package	2016 Ford PI	191,692	\$44,000.00	
	3	Ford PI Police Package	2016 Ford PI	188,544	\$44,000.00	
	4	Ford PI Police Package	2016 Ford PI	183,699	\$44,000.00	
	5	Ford PI Police Package	2016 Ford PI	182,975	\$44,000.00	
	6	Ford PI Police Package	2016 Ford PI	180,636	\$44,000.00	
	7	Ford PI Police Package	2016 Ford PI	180,000	\$44,000.00	
	8	Ford PI Police Package	2016 Ford PI	176,618	\$44,000.00	
	12	Ford PI Police Package	2016 Ford PI	173,162	\$44,000.00	
	13	Ford PI Police Package	2018 Ford PI	170,344	\$44,000.00	
	14	Ford PI Police Package	2016 Ford PI	166,112	\$44,000.00	
	15	Ford PI Police Package	2016 Ford PI	166,062	\$44,000.00	
	16	Ford PI Police Package	2018 Ford PI	164,123	\$44,000.00	
	17	Ford PI Police Package	2016 Ford PI	161,428	\$44,000.00	
	18	Ford PI Police Package	2018 Ford PI	161,396	\$44,000.00	
	19	Ford PI Police Package	2016 Ford PI	157,650	\$44,000.00	
	<b>D79 Sheriff's Office</b>				<b>Total</b>	<b>\$704,000.00</b>

<b>D79 Sheriff's Office Grants</b>					\$44,000.00
	9 Ford PI	Police Package	2016 Ford PI	176,618	
	10 Ford PI	Police Package	2016 Ford PI	176,610	\$44,000.00
	11 Ford PI	Police Package	2016 Ford PI	173,585	\$44,000.00
<b>D79 Sheriff's Office Grants</b>				<b>Total</b>	<b>\$132,000.00</b>
<b>D79 Sheriff's Office All Funds</b>				<b>Total</b>	<b>\$836,000.00</b>

***Supplies and Materials (Maintenance, Utilities, Rents.)***

*We would need an increase in our Supplies and Materials budget line, as well as an increase in the Maintenance, Utilities, Rents budget line to coincide with any Automotive Equipment budget increase.*

***Salaries***

*We had asked and received an additional 2 Police Sergeants, which allows us to maintain our ability to meet the changing needs of the community we serve.*

*We had also asked for an increase in Grade and Step for our incumbent Records Compliance Manager. We have provided an attachment with our justification for requesting the upgrade, which we feel is needed for the duties that are now required of that title.*

*In regard to our 103 Salary line, we received an additional SRO, this position will be 100% reimbursed as part of a contract with the Fabius-Pompey School District. Regarding the 2024 SPO hourly pay rate, we asked for and received an increase to \$40/hr. In discussions with all three school districts involved in the SRO program, as well as DSS the increase was agreed upon. This increase of \$135,514 to that budget line would be offset by reimbursements from the school districts and DSS*

***Travel and Training (additional information on file with Clerk)***

*We are requesting an additional \$50,000 for the purpose of implementing a Brazilian Jiu Jitsu based law enforcement specific physical training program. The goal of this program is the provide training to academy recruits in the area of defensive tactics. This program has been implemented in locations across the country as well as our main law enforcement partner, Syracuse Police Department. This curriculum will train deputies with the skills necessary to carry out their duties, will likely result in reduced injuries to deputies and suspects and will also lessen civil liability for Onondaga County. This specific curriculum will remain up to date on the ever changing case laws, best practices and community expectations of law enforcement. In addition to having a higher level of training for deputies and a lower level of civil liability this program will provide a comprehensive study on the effectiveness of the program which will allow for an independent evaluation of its effectiveness.*

***Capital Project Plans***

*Plans have been submitted for future purchase of a new helicopter. Our current airship is nearing 25 years of service and maintenance costs, as well as communication and operational equipment upgrades are proving to be costly and quite possibly unable to keep up with our current needs.*

***Sheriff's 2024 Budget Fleet Justification***

*OCSO in 2022 had a total of 202 calls for service per day and in 2023 OCSO services 238 calls per day thus a 17.8% increase in just one year. Of the 238 calls they are spread over all hours of the day and all locations within the 806 square miles of Onondaga County.*

*The calls can range from murders, robbery, sexual assault, domestic incidents, 911 calls all the way to injured animals or disabled vehicles. Due to staffing, call volume and a spirit of fiscal responsibility there are post cars that are not only responsible but are also the primary first responder in areas that are over 100 sq miles.*

*In 2023 our fleet has 7 vehicles that have been deemed unserviceable, due to accidents and maintenance issues. Currently we also have 9 vehicles down with long term repair times, which range from transmission and engine issues to body repair from accidents.*

*The remainder of the fleet includes 39 vehicles with over 120,000 miles (see list)*

*This office is dedicated to the protection of life and property and the responsible and efficient usage of public funds. We are dedicated to the responsible usage of county vehicles and the proper management of this valuable resource however with an aging fleet of patrol vehicle we ask for an increase in the vehicle budget so the deputies responding to these calls can respond in an appropriate, timely and safe manner in vehicles that we count on to respond to calls where lives are often at stake.*

<b>Model Year</b>	<b>Make and Model</b>	<b>Mileage</b>
2015	CHEVROLET IMPALA	120326
2013	CHEVROLET CAPRICE	121198
2015	CHEVROLET IMPALA	123045
2017	FORD EXPLORER	123734
2018	FORD EXPLORER	127363
2017	FORD EXPLORER	128601
2016	FORD EXPLORER	129060
2009	BUICK LACROSSE	131288
2018	FORD EXPLORER	132267
2017	FORD EXPLORER	132880
2018	FORD EXPLORER	133222
2018	FORD EXPLORER	134435
2005	FORD F250 P/U TRUCK	136044
2006	JEEP Liberty	138050
2018	FORD EXPLORER	144335
2016	FORD EXPLORER	144639
2018	FORD EXPLORER	145459
2016	FORD EXPLORER	152683
2018	FORD EXPLORER	153775
2016	FORD EXPLORER	154809
2018	FORD EXPLORER	156488
2016	FORD EXPLORER	157650
2018	FORD EXPLORER	161396
2016	FORD EXPLORER	161428
2018	FORD EXPLORER	164123
2016	FORD EXPLORER	166062
2018	FORD EXPLORER	166112
2018	FORD EXPLORER	170344

2016	FORD EXPLORER	173162
2016	FORD EXPLORER	173585
2016	FORD EXPLORER	176610
2016	FORD EXPLORER	176618
2016	FORD EXPLORER	180000
2016	FORD EXPLORER	180636
2016	FORD EXPLORER	182242
2016	FORD EXPLORER	183699
2016	FORD EXPLORER	188544
2016	FORD EXPLORER	191692
2017	FORD EXPLORER	193737

- Personnel

- Police Division doing well – lot of people requesting to transfer in; Policy Academy this winter; down 15 positions
- Concerned what Micron might need for police
- Recruiting for jails a challenge
  - Jails run on overtime; staying within overtime budget
  - Looked at scheduling and giving time off at downtown jail
  - Able to recruit 50 people for academy that started in July; only half passed background checks
  - Started academy with 26, and down to 15
  - Does not cover ~40 vacancies from retirements
  - Have to continue to run jails on overtime
  - Doing another recruiting drive and hoping for another academy in January
- Compliance Manager – asking for step increase
  - Does discovery and FOIL requests
  - Complex position; feel it is justified
- Asking for 2 Sergeants in Police Division
  - 1 for pistol permits
    - Increased laws in effect Sept. 1<sup>st</sup> 2022 – have to do extended background checks
    - Requires another Sergeant
    - Pistol permit wait time down from 58 weeks to 12 weeks
    - Charging \$3 per transfer to put pistol on permit; brought in over \$74,000 (not sure where money went)
  - 1 for Threat Assessment Team
    - Required to put together by executive order from Governor
  - Sergeants in those positions came from Patrol, and now Patrol is short on supervision

- Fleet

- Doing a lot to manage fleet better, but cannot make up the miles put on due to size of county
- Cannot catch up by replacing vehicles with 160,000 miles (most trade in vehicles when still worth something)
- If truly trying to manage fleet, would move cars at 70-80,000 miles and auction; repair and supplies would go down
- Vehicles requested are replacing worn out vehicles
- Have been saving vehicles from auction due to trouble getting parts
- Swapped vehicles with School Resource Officers giving them highest mileage cars in fleet
- Took back all take home vehicles possible, including lieutenants, except one by contract
- Moved see watch hours to put personnel where the calls are (took extra cars)

- Brazilian Jiu Jitsu program

- Person hurt in booking, which cost taxpayers \$105K in medical bills
- Would not take long with program to stop a couple injuries to pay for itself
- Nationally recognized program to be taught in Police Academy in the hope to prevent injuries
- Have taken look at injuries in department and have prevented some in booking

**Questions/Comments from the committee:**

- How many vehicles does the Sheriff's Office need to not play "catch up"?
  - Over half the fleet is over 100,000 miles
  - To truly catch up would be a major move, but would realize the savings
  - That is if they can get vehicles with the strike happening
  - Due to strike, made decision to order Dodges, otherwise the Sheriff's would not have any vehicles this year
- Is there a number in mind?
  - Fleet runs around 230 cars, so to get to sweet spot of 70-80,000 miles, would have to replace half the fleet
  - Looked at leasing, but not viable option; after 3 years, do not own the fleet (lease company would)
  - Current ask of 19 cars puts Sheriff's at 12% turnover; ask is 19 at \$860,000 plus equipment
- Is there money in the budget to get the body cameras that automatically turn on versus having to turn on manually?
  - Original contract County Executive ordered in 2021 included that equipment
  - For reasons cannot explain, the equipment was returned for credit with Axon (previous administration)
  - Since late January, early February, looked at existing equipment from Axon including body cams, car cams, tasers
  - Working with Axon to correct issues with existing equipment
  - One is signal sidearm that will automatically turn on when an officer pulls a taser or firearm out of the holster
    - It would turn on the body cam, as well as everyone else's within a certain radius (car and body cams)
  - Happy with contract and trying to move through process to get it proposed
- Is there money in this budget to do this?
  - Not part of the budget
- Sheriff's office did outstanding job putting together compelling and comprehensive proposal to address cameras, and other equipment like data storage, reporting, tasers
- Proposal and delivery was after development of budget and not part of discussion
- Process is underway; meetings have been held with legislative leadership; next step is bringing to Administration
- Syracuse Police Department uses Jiu Jitsu; is there a way to piggyback with SPD's training, or is it separate?
  - Back in winter talked about combining academies with Chief of SPD; good idea, but has not been done yet
  - Would like to combine academies and save manpower
- The intention for Jiu Jitsu would be as part of the academy, but what about department wide?
  - Would see how it plays out with academy; if it is a benefit, would move it forward from there
  - Chief in Jamesville is a 7<sup>th</sup> degree black belt who owns 3 studios; blesses program and would be evaluating it
- Is there a timeline with the camera issue?
  - Finance:
    - County Executive is willing to consider proposal, but has not seen it
    - Open to evaluate and consider it; cannot answer question on timeline
    - There is money left currently, along with another round of state grant funding
    - There is sufficient money in project now to turn on specific functionality that was asked about
    - Comprehensive overhaul and plan, happy to evaluate and work with Sheriff's Office
  - Sheriff's Office:
    - No one is dragging their feet
    - Have been in negotiation with Axon to get everything possible
    - IT will be involved as well
- Please provide more detail on how the Sheriff's Office is trying to recruit, where they go, and what happens?
  - Go wherever able to; Sheriff's had table at gun show to recruit people for the jail
  - Waiting on Personnel to certify the list for the jail and police division; recruit from that first
  - Couple events coming up
  - Biggest thing for recruiting is word of mouth, but it is a challenge across the board

- 50 people took the test, but ended up with 26 (Custody/Corrections); what causes the fallout?
  - Not quite accurate
  - When Sheriff took office, there were 8 people on civil service list
  - After going through the 8, able to appoint provisionally
  - Once new list comes out, provisional appointments had to take test, then come off that list
  - In July, there was an academy for Custody and Corrections
    - Started with 50, go through their background, then go to the academy
    - One hurt their ankle during academy and did not make it
    - Some realize they do not want to be bossed around
    - Confident will graduate 15 out of the 13 week academy
    - Police Academy is 26 weeks
- In recruiting, how much effort is made in the minority community to get people?
  - Some recruiters are people of color
- How is recruitment being done besides word of mouth?
  - Go to events and set up tables
  - August 5<sup>th</sup> did National Night Out at Long Branch Park
  - Going where and when able to get word out
  - Younger generation does not want these jobs; in past, would have 100s of people taking civil service test
  - 3<sup>rd</sup> county in state where civil service test is not question and answer, a person gets points for just filling out forms
    - Found that people who would be good at the job cannot pass the civil service test
- Is it the Sheriff's Office image in these communities deterring people from working there?
  - Younger generation does not want these jobs
  - Would be happy to go to a church recruiting
  - No age requirement at jail, only physical requirement
  - Starts at \$55,000 with 25 year retirement
- The Sheriff's Office needs to be able to go into communities and establish a relationship, so the people want to work there and understand the culture of the office
  - PIO Tom Newton runs recruiting and could give a better answer; will have him contact the legislators
- Is there any willingness to bring in federal inmates to Jamesville for a revenue stream?
  - US Marshalls has approached the Sheriff's with contract to sign
  - Could bring in minimum and medium prisoners from US Marshalls
  - ~\$3M - \$4M with 100 inmates annually
  - Early on wanted an outside study of jails, which the Sheriff is doing (23 year study done)
  - Need to be careful with inmate population and how it will trend in the future
  - If it trends up 45-50 inmates/year, which it has been since 2019, would have overpopulation issue
  - Last thing wanted is to have overpopulation issue with federal inmates
  - Do not know how June 3<sup>rd</sup> plays out with least restrictive means being removed from the Judges; Gov. Hochul concerned with public safety hurting politics for some Congressional races
  - Could see 100 person increase from it and 50/year on top of that
  - Have to wait for bell curve of 50/year to turnover
  - Have to wait to make decision on what jail population would be
  - Other concern with increasing population is needing more people working, which the Sheriff's Office does not have
- The jail has to have "x" amount of inmates per custody or corrections deputy, correct?
  - Yes; on ban list with the Commission of Corrections
    - Cannot take any inmates from an outside source, which is due to lockdowns
    - Lockdown is when inmates are locked in their cells and cannot get 7 ½ hours of rec time
    - Jamesville Penitentiary has never been in lockdown, but has been common at the downtown jail
    - Looked at schedules Aug. 9<sup>th</sup>, and since then, had one shift on lockdown
    - Fixing the issue, but still concerned with taking outside inmates; too many unknowns
  - Any changes are significant with current manpower

- How is marijuana affecting the Sheriff's Office from a law enforcement standpoint? Is there anything the Sheriff's is able to do beyond instinct to help the public and community be safer?
  - See people all the time driving and smoking what is believed to be a joint, but how does an officer know it is not a cigarette; cannot pull someone over because the officer thinks the driver is smoking weed
  - Can pull people over for being in an intoxicated position, whether it is pills, alcohol or marijuana
  - Will arrest for intoxicated condition, then determine what caused the intoxication
- Has there been more incidents of driving high?
  - Do not have specific numbers if DWI has increased or not, since changing the marijuana law
- How does the Sheriff's Office test or prove intoxication for marijuana?
  - Standard test with walking 9 steps
  - For marijuana, they take urinalysis for blood
  - For alcohol there is a Breathalyzer
  - Would have to know how many DWI's before the law changed (do not think there was tracking) and compare
  - Do not believe that work has been done
  - Bigger issue is fentanyl and overdoses – Sheriff's seeing the biggest (and most concerning) increase
- Do open container laws apply to marijuana?
  - Law says a person cannot smoke marijuana and drive, same as a person cannot drink a beer and drive
  - People can smoke marijuana in any public space, like a cigarette
  - Would have probable cause to pull someone over with a (i.e.) Budweiser can, whether water is in it or not
  - Cannot say what a joint looks like, as it may be rolled with homemade tobacco
- Please elaborate why the 101 line is down \$900,000 and benefits are up millions
  - Finance:
    - Lower salaries drive lower payroll taxes; other health and pension benefits are going up
    - With size of department, getting larger portion charged to Sheriff's
- What is the increase of \$4M in contractual?
  - Sheriff:
    - \$3M is the medical contract
  - Finance:
    - Almost all of it is based on estimating base cost of new provider and offsite medical costs
    - Driving mass majority, if not all of the increase

The meeting was adjourned at 11:04 a.m.

Respectfully submitted,



JAMIE McNAMARA, Clerk  
Onondaga County Legislature



### ATTENDANCE

COMMITTEE: **WAYS & MEANS BUDGET REVIEW – DAY 4**

DATE: **SEPTEMBER 20, 2023**

NAME (Please Print)	DEPARTMENT/AGENCY
Jennifer Pagnelli	Fin Ops
Jason Dean	Finance
Carl Hummel	Personnel
Phil Britt	Compt
Pete Headd	Compt
Bill Ryan	Compt
Becky Osseboff	Personnel
Emilie Valuo	Personnel
Ann Bebejian	Personnel
Stacey Rhoades	Personnel
Beth Mertas	Personnel
Amy Lang	Personnel
Anne Marie Donohue	Personnel
Diana & Prunoe	Personnel
Walt & Stupka	Personnel
Coron Espece	Personnel
Dan Mulvihill	Fin Ops
Eric Artis	News
MELISSA BERLINSKI	ocso
DINAE WARD	Fin Ops
Maureen Murphy	OCSO
T. SHELLEY	ocso
PASSARO	ocso
Fischer	ocso
Belcher	ocso
Mehello Robinson	DA
Jim Beebe	Leg