

*Office of the Onondaga County Legislature*

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**PUBLIC SAFETY COMMITTEE AGENDA-August 11, 2009**

**CHAIRMAN RICHARD LESNIAK**

**MEMBERS PRESENT: Mr. Buckel, Mr. Holmquist, Mr. Warner, Mr. Kinne, Ms. \*Williams, \*\*Mr. Rupprecht**

**ALSO PRESENT: *see attached list***

Chairman Lesniak called the meeting to order at 9:00 a.m. ***A motion was made by Mr. Warner, seconded by Mr. Buckel, to waive the reading and approve the minutes of the previous committee meeting. MOTION CARRIED.***

**1. EMERGENCY MANAGEMENT:** Peter Alberti, Commissioner

a. **Confirming Appointments to the Position of Deputy Coordinator and Authorizing Reimbursement for Expenses Incurred in the Performance of their Duties**

These people are currently members of the Syracuse Fire Dept. assigned to Hazardous Material Response Team; this is part of the sharing of services and regional team. Two of them have been on the County HazMat Team; one is currently.

***A motion by Mr. Warner, seconded by Mr. Buckel to approve this item. Passed unanimously; CARRIED.***

**2. EMERGENCY COMMUNICATIONS:** John Balloni, Commissioner

a. **Accept COPS Grant in the Amount of \$250,000 for the Onon. Co. Interoperable Communications System Project and Authorize the Co. Executive to Enter into Agreements to Implement this Resolution**

Mr. Balloni said this is accepting a community oriented policing grant, \$250,000

***A motion by Mr. Kinne, seconded by Mr. Warner to approve this item.***

In answer to Chairman Lesniak Mr. Balloni confirmed that this will all go to pay down debt on bonding/avoid bonding.

***Passed unanimously; MOTION CARRIED.***

b. **A Local Law Imposing an Additional Sixty-Five Cent Surcharge on Certain Telephone Access Lines to Pay for Costs Associated with Emergency Telephone System Equipment Upgrades to Serve Onondaga County**

Chairman Lesniak stated that this has been discussed many times in committee; and asked how much grant money has been received so far.

\*Ms. Williams arrived at the meeting.

Mr. Balloni stated that it is approximately \$4 million, but the project it \$34 million. From the beginning there has been discussion about a surcharge to help pay for, particularly, user radios if the field. The Governor recently signed legislation giving the County the authority to impose an additional \$.65 surcharge, which has a 10-year sunset provision. It will go away once the radios are paid for. Onondaga County residents currently pay approximately \$1.50 surcharge on cell phones per month; \$1.20 of it goes to the State of New York, largely unshared with 911 centers. Right now residents pay \$.35 on a landline phone. The additional \$.65 would bring them to \$1/month, which is in line with the national average.

Chairman Lesniak said that this surcharge could be less than 10 years if the County were to get additional funding; Mr. Balloni agreed.

In answer to Mr. Kinne, Mr. Balloni said that the definition of landline is a wire-lined phone, now to include VOIP (Voice Over Internet Protocol). Mr. Kinne asked if Time/Warner digital is considered a landline; Mr. Balloni said that it is. There is a 75-line limit as there was in the original law.

Mr. Warner asked if this issue grew out of September 11<sup>th</sup> where the government mandated that there should be more communication all together with garbage, taxi, police, fire, etc. Mr. Balloni said that the interoperable system grew out of 9/11. However the FCC has long mandated narrow banding which would require a change out of the radio system anyway by 2013.

***A motion was made by Mr. Warner, seconded by Mr. Holmquist to approve this item.***

Chairman Lesniak asked about the status of the system; when will the County be operable. Mr. Balloni said that they hope to have everything in place for field testing by late Sept/early Oct. and go operable by 1<sup>st</sup> or 2<sup>nd</sup> quarter of next year. The radios are in hand; installation will start shortly in some vehicles. All of the infrastructure has to be in place and tested, which will happen later this year. They are behind the anticipated date, as there were some issues wherein Canada took some time in authorizing licensing. They have now authorized licensing for all 16 sights. Antennas are currently being installed and progress is being made.

Chairman Lesniak asked about doing field tests while leaves are still on trees. Mr. Balloni said that they don't want to go operable without acceptance testing with foliage because that is the most difficult to get through in terms of radio systems. If there is good communication with foliage on the trees, it will work better once foliage is off. In answer to Chairman Lesniak, Mr. Balloni explained that the City radios will go in first, as they already use UHF panels, and can use them in the interim (on old system). There are over 5,000 radios. Mr. Holmquist asked if municipalities, other than the City that are UHF would also be included first. Mr. Balloni said that they would start looking at them; the City has over 200 vehicles to have installed.

Mr. Buckel asked if there is a related tax on cell phones that covers 911. Mr. Balloni said that Onondaga County gets a \$.30/month cell phone charge; the State gets \$1.20/month. Onondaga County residents are paying \$1.50/month on cell phones. They are working with 911 Coordinators Assoc. to get the State to share money that was meant for 911 centers. In answer to Mr. Buckel, Mr. Balloni explained that the \$.30 is all earmarked for emergency communications; by law it can't be used for general fund. Mr. Buckel asked how much the annual revenue estimates are from the \$.65 surcharge. Mr. Petrela said it is estimated to be \$1.7 million/year. Mr. Buckel asked about annual outlays. Mr. Rowley said that this is designed to cover the radio portion for outside agencies; infrastructure, and internal radios were meant to be paid with general bonds. Chairman Lesniak said that it is about \$15 million to install all radios around the county. Mr. Petrela said that gaining \$1.7 million per year is avoiding borrowing \$13 or \$14 million. Mr. Buckel said that failure to do this would require the County to bond for \$14 million, paid out of normal operating budget.

Mr. Warner said that the alternative to this surcharge was to either raise property taxes or send a bill to towns and villages. Chairman Lesniak agreed, and added that in turn the towns and villages would raise property taxes to cover their costs.

Mr. Kinne said that it is not fair and equitable; it will hurt people that have landlines, generally elderly. Those that don't have them won't pay. It also hurts the small business owner. Chairman Lesniak said that the landline surcharge spreads it over a bigger base so that the impact is minimal compared to property tax. Mr. Kinne said that is based on property tax being the only alternative; there are other ways.

Mr. Buckel said that the property tax is a more limited base; more harmful overall for economic well-being. It is important to draw revenue based on actual services that are provided. If he saw data that shows that landlines are restricted to a segment of the population, elderly or poor, then he would reconsider a vote. He shares that concern, but senses that landlines are spread out throughout the county; does not want to impose an undue burden on possibly a specific population. Chairman Lesniak said that he believes the entire committee shares that concern; it is matter of where there is the least, minimal impact. This is a mandate from federal government to be done by 2013; is a question of how to pay for it.

***AYES: 4 (Lesniak, Warner, Holmquist, Buckel); NOES: 2 (Williams, Kinne). MOTION CARRIED.***

**3. PROBATION:** Alphonse Giacchi, Commissioner

a. **Confirming Appointment of Alphonse Giacchi as Commissioner of Probation**

Chairman Lesniak welcomed the commissioner, and noted that **Mr. Masterpole asked to be listed as a cosponsor. All committee members present asked to also be listed as co-sponsors.**

***A motion by Mr. Kinne, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.***

b. **Amend '09 Budget to Provide Additional State Funds to Probation Dept. for the Supervision of Sex Offenders and Authorize Co. Exec. to enter into Contracts to Implement this Resolution (\$78,692)**

Mr. Giacchi said that \$80,000 has been received; this is an additional \$78,692--will cover 1.75 probation officers; polygraphs for level 2 & 3 sex offenders up to \$300,000; retaking of absconders up to \$5,000.

***A motion was made by Mr. Kinne, seconded by Ms. Williams to approve this item.***

Chairman Lesniak asked if another probation officer is being hired. Mr. Giacchi said "no"; it will be towards a current probation officer; have had this program for two years; will be applied to the probation officers that are handling this caseload already.

Mr. Buckel asked if there are any other enhances services, other than polygraphs. Mr. Giacchi explained that about the contacts; spending more time with them, more surveillance, more home visits, more office reports. In answer to Mr. Buckel, Mr. Giacchi indicated that it would not require overtime; it is reallocation.

**Mr. Warner asked to be provided with level 1, 2 and 3 sex offenders recidivism rate. Chairman Lesniak asked that the entire committee be provided with the information.** Mr. Giacchi said that research shows that while sex offenders are under supervision, they are very compliant. Level 1 is lowest risk sex offender, level 2 medium risk, level 3 high risk-- typically more potential to re-offend. Currently there are 81 level 1 sex offenders; 66 level 2s; 27 level 3s. In answer to Mr. Warner regarding information on the Internet on sex offenders, for level 1 the zip code is provided, level 3's have specific information - address, where he/she may work; level 1 and 2 are more protected

\*\* Mr. Rupprecht arrived at the meeting.

***Passed unanimously; MOTION CARRIED.***

#### **4. STOP DWI: Lucy LoRe**

##### **a. Amending the 2009 County Budget to Reappropriate 2008 Surplus Stop DWI Funds (\$4,551)**

Chairman Lesniak said that the number is lower than has been rolled over in previous years. Ms. LoRe explained that this is the 4<sup>th</sup> year that Stop DWI money has been rolled over. The money rolled over is only available after all expenses and one-third allocations are made. One third is put back into DA's office revenue, one-third back to police agencies, one-third split between other county departments, as well as any expenses that Stop DWI has. It is felt that the surplus numbers are down because effective Aug. 1, 2008 there was an increase in State surcharges; has an effect down to arrest and fine numbers - who is/isn't paying and how timely they are paying.

Chairman Lesniak said that the judges are charging similar amounts, but the surcharges are going to the State and the County dollars are down. He asked if the arrest numbers are consistent. Ms. LoRe said that they have been -- around 350 - 400 arrests per quarter; about 1200 - 1600 per year.

Mr. Warner asked how much the surcharge is on a DWI; Ms. LoRe said that statewide it is around \$300-\$500. The County does not get any of the State surcharge money.

Mr. Rupprecht asked if the legislature can raise the fine. Chairman Lesniak said that the fine is set by the judge. Mr. Rupprecht asked if the minimum/maximum can be raised. Ms. LoRe did not know, but will inquire. Chairman Lesniak said that the County could probably put a surcharge on the DWI. Ms. LoRe said that when surcharges are placed on things, whoever is ticketed puts their payment first towards the surcharges. Chairman Lesniak said that the County gets money out of fine dollars; if a surcharge is set, it may not necessary go into this account.

Mr. Kinne said that it seems that if the County is spending time and effort on a program, it should get some reimbursement back and questions why the County can't mandate \$200. Chairman Lesniak said that it can be looked into. Mr. Buckel believes the County can create a surcharge, but would have to see if the State Legislature is totally preempted, or if a locality can add onto what the State has done. Chairman Lesniak said that some people don't pay the fine itself-and how is the fine broken down: fine, state surcharge, county surcharge--which one is paid where.

***A motion by Mr. Buckel, seconded by Mr. Warner to approve this item. Passed unanimously. CARRIED.***

#### **5. SHERIFF: Chief William Peverly**

- a. **Create Clerk II, Grade 05 @\$29,357-\$32,417 effective September 5, 2009**
- b. **Create Fingerprint Technician, Grade 03 @ \$26,002-\$28,690 effective Sept. 5, 2009**
- c. **Create Director of Administrative Services, Grade 33 @ \$56,909-\$80,235 effective Sept. 5, 2009**

Chief Peverly said that this is part of an initiative to try to get sworn personnel back into their positions for which they were originally hired; replace, where possible, with civilians. The Chief of the Police Dept. is retiring effective Aug. 28<sup>th</sup>. Promotions and movements will be made internally, which will result in cost savings.

- Clerk II - currently have a deputy working in this position. The primary responsibility is dealing with purchases and contracts--2 people perform these functions; one is a sworn deputy; one is a Clerk. The proposal is to hire a second clerk and move the deputy back into police work, primarily to do background investigations on new hires. Most of that work is done on an overtime basis. The proposal will result in savings in overtime.
- Finger Print Technician in the ID Unit - currently two custody deputies in this unit-creating ID cards for a variety of purposes: internal IDs, senior IDs, fire dept IDs, background checks and IDs for a variety of State people that need to be certified or licensed. Additionally, they perform fingerprinting for people that have been arrested and daily go to City Court to perform fingerprinting on people there for arraignments. Currently there is fingerprint technician sharing time between there and the pistol license unit. As of the first of 2010, the State is contracting with a private vendor, who will perform some of the functions the Sheriff's Dept. performs now. It will be a loss of County revenue. It reduces the workload in the ID unit by about 6,000/year; about 25% of the work load in the ID unit. The intent is to hire a fingerprint technician, remove 2 deputies and put them back into custody operation's inmate security, an estimated savings of about \$120,000-\$130,000. The unit will be staffed with one fingerprint technician because of the reduction of workload; the function of fingerprinting persons in City Court will be transferred to the transport unit, as they are in City Court on a daily basis.
- Director of Administrative Services - Chief Tubbert is retiring 8/28/09. The Sheriff intends to promote the Assistant Chief to the position of Chief; a captain will be promoted to the rank of Assistant Chief; the Captain's position will be unfunded and the Director of Admin. Services would be created.

The total savings for the 3 positions is approximately \$92,000. It is part of a 3-phase program. This is the first phase proposed to be done in 2009. In 2010 budget, there is a proposal to create two IT type positions. Deputies are working in the field performing IT type functions currently; a fleet of 200 cars have computers in them. There are about 14 facilities where the deputies are installing, removing, and making minor repairs to the equipment. The proposal is to replace them with civilians and put the deputies back in deputy positions. County Personnel has identified the appropriate positions, and it results in a salary savings. The 3<sup>rd</sup> phase - a lieutenant in the fiscal unit, who is anticipating retiring either at the end of this year or sometime next year. They anticipate eliminating the positions and creating a civilian position there. There are several other areas where there are sworn people in place, and would like to get them back into sworn officer functions and replace with civilians. In most instances, it creates salary savings.

Chairman Lesniak asked what happens if Chief Tubbert doesn't retire. Chief Peverly said that the NYS Retirement System is providing him in writing that he has the appropriate ability to retire, and he has told the department collectively that he is finished on Aug. 28<sup>th</sup>. However, if something were to occur that isn't anticipated, there would be no need to fill the Chief or Assistant Chief position, and they would stay in place.

Chairman Lesniak asked if the savings included the percentage of wage increases; Chief Peverly said "yes". Mr. Rowley indicated that his department has verified the numbers.

Mr. Warner asked if the Sheriff's Dept. is reimbursed for time spent when work is done for the State. Chief Peverly said that they are not. Mr. Warner suggested that the department look at what it is costing the County to handle State prisoners. Chairman Lesniak said with paroles, there is no reimbursement now.

Mr. Rupprecht asked about the clerk II's overtime savings. Chief Peverly said that the total cost to hire will be about \$32,000 (salary and fringe). He does not have an exact number on the overtime savings, as it is very sporadic. It is not enough to offset the \$32,000. Mr. Rupprecht asked about how much revenue will be lost by not servicing 6,000 people. Chief Peverly said that it will be between \$18K and \$20K as a result of the contract service that the State will take over. As the department won't be performing that function, staffing and costs can be reduced in the ID area.

***A motion by Mr. Warner, seconded by Mr. Kinne to approve items 5a-5c. Passed unanimously. CARRIED.***

Chairman Lesniak adjourned the meeting at 9:43 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

August 11, 2009

**MEMBERS PRESENT: Mr. Masterpole, Mr. Lesniak, Mrs. Rapp, \*Mr. Stanczyk, \*\*Mr. Jordan, Mrs. Winslow  
ALSO PRESENT: Mr. Meyer and see attached list (*Attachment 1*)**

Chairman DeMore called the meeting to order at 10:32 a.m. *A motion was made by Mr. Lesniak, seconded by Mrs. Rapp to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting; MOTIONS CARRIED.*

## **1. FACILITIES MANAGEMENT:**

### **a. Introduction of Lee Klosowski, Director of Energy Sustainability**

Mr. Lynch noted that Mr. Klosowski was with National Grid for 32 years. Mr. Klosowski gave an Energy & Sustainability Update:

Mr. Lesniak asked when the natural gas contract is renewable. Mr. Klosowski said it ends March 31<sup>st</sup>. Mr. Lynch said they just received a proposal from National Fuel, could renew it now, but looking at whether to renew it or put it out to bid because prices are so low, will make the decision within the next week. Mr. Klosowski said the prices they locked in were short term; longer term prices for 2010 didn't fall near prices in 2009.

Mr. Klosowski said the proposals were reviewed and ranked by a joint selection committee in June. Next step is signoff by the Mayor and the County Executive. Mr. Lesniak asked who was on the joint selection committee. **Ms. Smiley said Mr. Corbett was the Legislature representative, will supply a list of the rest of the committee. Mr. Lesniak requested a list of proposals they are considering.**

In answer to Mrs. Rapp concerning an energy block grant and National Grid, Mr. Klosowski said National Grid has a program for smaller accounts (under 100kW), National Grid will pay for an energy audit and 70% of the installation costs, about 50 County Facilities accounts fall into that size category, they are moving forward with that. Ms. Smiley said they are collecting a variety of proposals based on the work that Mr. Klosowski is doing and are looking at those that would move the County the furthest forward.

In answer to Mr. Masterpole, Mr. Klosowski said the natural gas prices are a little lower right now than when they locked in, but it has moved up and down. Mr. Klosowski said this is one reason to consider locking in a piece of it for 2010 rather than all at once, and watch how the market moves.

Mrs. Winslow asked how much of the Carrier project is finished. Mr. Barbas said of the funds that were authorized, the projects were all finished, doing a punch list on two projects right now. Projects that were brought to the Legislature had to have a payback better than the bond. Mr. Lynch said it had to be better than 20 or less years. Mr. Barbas said there are some projects that they are now re-looking at that may make more sense now, because of the fluctuating rates.

### **b. Security Assessment and Update - John Heisler III, Director of Security**

Mr. Heisler reviewed the following key activities to date since he became Director of Security:

#### *Dvtel - Video Surveillance Equipment*

- *Upgraded camera system - new cameras are digital with a pan/tilt/zoom feature, will be used in the buildings as well as the exterior of buildings*
- *Installing card access readers on all the exterior doors to the County Office Building and the Civic Center (public will be restricted to two main doors on Madison St and Montgomery St.)*
- *Have a uniformed deputy walking the lobby*
- *Command Center Control in Civic Center - upgrading monitors, new recording equipment*

Mr. Lesniak said he prefers random checks of people coming into the Civic Center (identification, where they are going) rather than someone just sitting in a booth during regular hours. Mr. Lynch said they are looking into doing something similar to what the state has - where you show identification, get a visitor pass. Ms. Winslow expressed concern about randomly going up to people to check where they are going. Mr. Lesniak clarified that he meant randomly picking out a specific day or time period to check everyone who goes into the building. Mr. Lesniak said he heard there was discussion about replacing the deputy who works at the Civic Center with retirees. Mr. Heisler said they need a sergeant in the building, if there were a retired person in the sergeant spot, he would have to retain his police powers, because there are certain types of arrests made in the building that a peace officer cannot make.

#### *Incident Review*

- *Committee meets monthly to discuss any incidents involving employees or County property*
- *Library Sex Offender Training - had some issues relating to some people viewing pornography on library computers who turned out to be sex offenders.*
- *Prosecution of Offenders*

Mr. Lesniak asked why the computers are not restricted at the libraries. Mr. Heisler said pornography websites are blocked, but could get images from checking personal e-mail at the library; since the training, 2 sex offenders viewing child porn at the library have been arrested.

*Secritas (Contracted Building Security)*

- *2 guards 24/7 when the building is not open*
- *Reviewed current contract and made changes to that. Renewed contract changes are that guards will be doing more patrols, more perimeter checks and will be trained on the new cameras when they are in place.*
- *Daily review of incident reports*

*Jobs Plus*

- *Implemented screening process for those working in County buildings*

*Department Overviews*

- *Working with Social Services, Probation and Health to discuss employee and client concerns when working in the field, putting together a database of hot zones*

Mr. Lesniak suggested checking with 9-1-1, they have a lot of information concerning problem areas.

**: Mr. Brian Donnelly, Commissioner**

**a. Create Administrative Director, Grade 31 @ \$47,395-\$66,768, effective September 5, 2009**

**b. Abolish Civil Engineer 1, Grade 11 at \$46,466 - \$51,426 effective September 5, 2009**

Mr. Donnelly said he was informed about 1<sup>1</sup>/<sub>2</sub> months ago that that the Assistant Commissioner in DOT intends to retire in mid 2010; his responsibilities include budget and administrative supervision, disciplinary proceedings, cost accounting and review of operations. The department also has a Personnel Administrator. Mr. Donnelly is requesting to create an Administrative Director position to handle aspects of both positions, same grade as the Personnel Administrator. There would be no cost impact on 2009, and does not intend to fill the Assistant Commissioner position after that person retires in 2010, will have roughly a \$40,000 savings in the 2010 budget.

Mr. Lesniak asked why they were abolishing a Civil. Engineer 1 position. Mr. Donnelly said right now DOT's roster of funded and unfunded positions is at 235 (196 funded). In order to maintain the level of 235, they are offering to abolish an unfunded position that hasn't been filled since 2006. They would unfund the Personnel Administrator position and use that funding towards the Administrative Director position.

In answer to Mrs. Rapp, Mr. Donnelly said they would be taking the most pertinent duties of the Assistant Commissioner and Personnel Administrator under the one title. Mrs. Rapp asked if the vacant positions of Personnel Administrator and Assistant Commissioner would be abolished in 2010 after the Assistant Commissioner retires; Mr. Connelly said "yes".

Mr. Masterpole asked why

*Comprehensive Building Assessments*

- *Civic Center*
- *District Heating and Cooling Plant*
- *WIC Building*
- *Van Duyn*

In answer to Mr. Masterpole it was pointed out that there have been many instances of active shooters - Binghamton, Schuyler County Dept. of Social Services, ESF. Concerning the money for cameras etc., Mr. Masterpole said there is talk about layoffs, County Executive is asking for furloughs, gets nervous about priorities. Mrs. Rapp asked how much has been invested so far. Mr. Lynch said about \$50,000, they are aware that money is tight, but incidents are happening when they need to review with cameras. Ms. Smiley said a lot of the things they put in place for safety are also things that would benefit in a fire or emergency situation. A lot of the things are just system issues - recognizing what is going on, training people and putting better systems in place.

**2. TRANSPORTATION** Grade 31 was selected. Mr. Donnelly said they reviewed it with Personnel and felt that it was the most appropriate level.

***A motion was made by Mrs. Rapp, seconded by Mr. Masterpole to approve items 2.a and b; passed unanimously; MOTION CARRIED.***

**c. Authorizing the Purchase of Real Property Necessary for the Construction of a New Highway Maintenance Facility in the Town of Clay, County of Onondaga (\$374,000)**

**d. Authorizing the Issuance of \$624,000 Serial Bonds of the County of Onondaga to Pay the Cost of the Purchase of Real Property in the Town of Clay to House a New Highway Maintenance Facility Including Schematic Design Thereof**

Mr. Donnelly noted that currently DOT is divided into four sections with four highway maintenance facilities - Jamesville Marcellus, Camillus and North Area Maintenance Facility (NAMF). NAMF and Camillus are both aging facilities with difficult working environments and buildings are in bad shape, would require tremendous financial assets to renovate. They are proposing to acquire two parcels of property in the Town of Clay on the corner of Morgan and Buckley Roads and combine the two facilities into one new facility rather than rehab two buildings that were never designed to be DOT facilities and would still have issues going forward. Purchase price for the two parcels of land is \$374,000 and they are asking for an additional \$250,000 for a schematic design.

Mr. Barbas said NAMF was built in 1969 for UPS, County invested in partial roof replacement in 1985 when the building was acquired. Transportation uses about 90,000 sq. ft of the building, Sheriff - 11,000 sq. ft. and Health - around 18,000 sq. ft. Mr. Donnelly said Sheriff and Health space would be included in the contemplated new facility.

\*Mr. Stanczyk arrived at the meeting, \*\* Mr. Jordan arrived at the meeting.

Mr. Donnelly and Mr. Barbas gave a Power Point listing the renovations that are needed and showing the existing building deficiencies regarding NAMF and the Camillus facility (*on file with clerk*).

Mr. Donnelly provided a fact sheet entitled "Background Information on Proposed New Onondaga County DOT Facility" (see below) and a cost analysis spreadsheet listing a variety of options that the County has looked at (*on file with Clerk*).

Background Information on Proposed

New Onondaga County DOT Facility.

(Revised 8/13/2009)

Background:

Onondaga County DOT currently operates four (4) highway maintenance facilities:

- Jamesville (95,685 Sq/Ft)
- North Area (157,689 Sq/Ft total - 87,689 Sq/Ft - DOT)
- Camillus (44,196 Sq/Ft)
- Marcellus (64,702 Sq/Ft)

These facilities serve as our base of operations for all field personnel and equipment necessary for the care and maintenance for 792 miles of County owned roads. The North Area facility also provides operating space for the following County Departments:

Board of Elections (23,320 Sq/Ft)

Sheriff (10,773 Sq/Ft)

DSS (3,897 Sq/Ft)

Purchasing (2,846 Sq/Ft)

Health (24,190 Sq/Ft)

County Clerk (1,862 Sq Ft)

2 of our existing facilities (North Area and Camillus) are in need of significant capital improvements and one of the 2 facilities (North Area) is arguably functionally obsolete.

Issues:

North Area Facility:

- Prior to OCDOT acquisition, the site and existing buildings functioned as a UPS facility
- Existing roof and deck need replacement
- Lack of proper vehicles exhaust ventilation - air quality issues for staff
- Existing mechanical, electrical and plumbing systems are past useful life and in need of replacement
- Building condition is considerable hardship for existing tenants particularly Onondaga County Sheriff's Evidence storage ( roof leaks, basement ground water foundation penetration)
- Large vehicle circulation aisles reduce the building's useful efficiency (Estimate of 40% of usable space is lost to vehicle circulation)
- Existing building has safety, ADA, and access issues.
- Lighting inside building is poor.

North Area Renovation Costs (Design, Construction and Contingency):

Minimum Renovation (DOT, Sheriff, Health):            \$14,040,120        (157,689 sf)

Full Renovations (DOT, Sheriff, Health):        \$19,886,880        (132,100 sf) \*\*

Full Renovation (All Current Operations):    \$23,215,740        (157,689 sf)

\*\* - This option includes costs for site demolition of a portion of the existing North Area facility

At a minimum, the North Area facility will need a new roof in the next 12 to 18 months at an estimated cost of \$2,550,000. This cost could increase considerably if exterior wall structural issues are encountered as a result of roof replacement.

Camillus Facility:

- Prior to OCDOT acquisition, the site and existing buildings functioned as the Camillus Airport
- Existing structures are converted aircraft hangers and do not provide for efficient DOT operations
- Roofs on all buildings are failing
- Cold storage building would need complete demolition and reconstruction
- Building floors foundations are compromised in numerous areas

Camillus Costs (Design, Construction and Contingency):

Full Renovation:        \$8,012,280        (44,196 sf)

Combined Renovation Costs (North Area and Camillus):

Low:                    \$22,052,400

Middle:                \$27,899,160

High:                    \$31,228,020

Note: the low and middle renovation estimates do not include funds for tenants other than Health & Sheriff. The combined renovated square footage equals 166,848 sf of existing improved but inefficient space. That is 53,880 sf more space than the program for the new combined facility of 112,968 sf. That is 53,880 sf more space to heat, light, ventilate and maintain. Without taking inflation into consideration, calculated over a 20 year life cycle the renovated space will cost the County an additional \$9.9 million in maintenance and operations not including potential savings due to employee consolidations and efficiencies.

Proposal

Consolidate the operations of the North Area and Camillus facilities and build one new Energy Efficient building which would accommodate DOT, Sheriff's Department and Health Department.

Location: The new facility would be located on two (2) vacant, commercial zoned properties located of Morgan Road and Buckley Road in the Town of Clay (see attached map).

Land Acquisition Cost:    \$374,000

Parcel Location	4487 Buckley Road	Morgan Road
Size (in Acres)	7.087	19.94



Purchase Price:	\$175,000	\$199,000
Estimated Construction Cost:	\$26,158,045	
Estimated Soft Costs (20%):	\$ 5,231,609	
<u>Estimated Project Costs:</u>	\$31,389,654 (includes soft costs and contingency)	

Advantages of a Consolidated New Energy Efficient Facility:

- Aging County infrastructure will be replaced with functionally designed, energy efficient operating space (high performance building)
- Reduction in total square footage and number of County maintained buildings
- Potential to sell NAMF and Camillus facilities "as is" recently valued at \$2.8 million
- Resolves Sheriff's evidence storage needs for the foreseeable future
- Provides adequate reliable space for the Health Department's programs currently located at NAMF
- Better plowing coverage of most densely populated area of Onondaga County
- Properly designed facility will promote increase in DOT operation efficiencies
- DOT staff reduction without reduction in service (Annual Savings: \$212,902 - Based on 2009 Salary and Fringe Calculations)
  - Section Crewleader
  - Dispatcher
  - Stock Clerk
  - Laborer
- Significant reduction in facility life cycle costs

Proposed Timeframe:

	<u>Milestones</u>	<u>Tentative Completion Date</u>
1	Legislative Bonding Approval (Land Purchase and Schematic Design)	Tuesday, September 01, 2009
2	Design RFP issued	Monday, September 28, 2009
3	RFP Submissions Due	Monday, October 19, 2009
4	Design Consultant Selected	Monday, November 02, 2009
5	Contract Signed	Wednesday, December 02, 2009
6	Design Process Begins:	Wednesday, December 09, 2009
7	Schematic Design and estimate Complete	Friday, January 22, 2010
8	Legislative Bonding Approval (Final Design and Construction Funding)	Tuesday, March 02, 2010
9	Final Design and estimate complete	Wednesday, June 30, 2010
10	Bid Advertisement	Friday, July 30, 2010
11	Bids Due	Friday, August 27, 2010
12	Contract Signed	Tuesday, October 12, 2010
13	Begin Construction	Tuesday, October 26, 2010
14	Facility Opening	Wednesday, April 18, 2012

Considerations for Timely Project Initiation:

- Current availability of well suited, developable building site. There was an offer made on one of the proposed parcels that was rejected based on the County's current offer
- Current economic climate is yielding lower than expected design and construction costs
- Cost avoidance - Both Camillus and North Area will need considerable renovation work in the near future to remain operational. Beginning this project soon will help to mitigate those potential costs.
- Currently favorable municipal bond interest rates
- Utility Savings - Facility consolidation and energy efficiency will result in lower annual operational costs - only recognizable upon project completion
- Potential for NYSERDA PON 1222 Funding

Mr. Lesniak asked what would happen with Board of Elections, DSS, Purchase and County Clerk that are using space at NAMF. Mr. Barbas said Board of Elections is housing the old voting machines at NAMF; as soon as the new ones are adopted, they will be scraped. The others are leasing space for record storage, will lease space for them. Mr. Lesniak mentioned seeing plows with the blades up, suspects they will be putting more miles on the snowplows to get to their routes. Mr. Donnelly mentioned that they have a snowplow route optimization software - they looked at the number of miles covered right now between NAMF and Camillus to get to their routes (roughly about 300 miles); it actually drops down to about 275 miles with the proposed centralized location.

Marcellus would cover 1 or 2 from Camillus and Jamesville would cover 1 or 2 trucks from NAMF. Mr. Lesniak mentioned staging some trucks at town highway departments to cut down some of the road miles to get to routes. Mr. Donnelly said they do that now in Tully and he has reached out to the Town of Lysander. Mr. Lesniak asked for clarification about what is a high performance building. Mr. Barbas provided a handout done by Ashley McGraw (*on file with Clerk*). Mr. Barbas said this term means that the building and sitework follow practices of sustainability with regard to the following broad categories:

- Site development
- Water efficiency
- Energy use
- Materials and resources
- Indoor environmental quality

They would try to maximize dollars and get as environmentally friendly a building as they can and, hopefully, save as much energy as they can. Mr. Lesniak asked if the building would have geothermal heating. Mr. Barbas said he wouldn't rule it out; with the schematic design, they would have to look at the options and make cost effective decisions. In general terms, a high performance building would be 30% less expensive to operate from a utility standpoint than a bare minimum code compliant building.

Mr. Barbas said they would eliminate trying to renovate around an active space by going to a new high performance building for NAMF and Camillus DOT, Sheriff, Health, there would be no operational issues. Ms. Smiley noted that there would be \$212,000 in operational cost savings by combining the two facilities - would be less staff (through attrition).

In answer to Mr. Masterpole, Mr. Donnelly said they are going into the second year of an agreement with the towns regarding plowing. This would give them the opportunity to review routes, such as taking routes back or turning a route over in order to get the best response time for an area.

***A motion was made by Mr. Masterpole to approve items 2. c and d.***

Mr. DeMore asked if this new location might change what roads they want the towns to plow. Mr. Donnelly said possibly; there are 800 miles of roads that the County is responsible for, towns and villages historically have done between 280 and 310 miles; on top of that, the County also plows state roads.

Mr. Stanczyk noted that the figures for the project cost and the estimated design cost vary between the "Background Information on Proposed New Onondaga County DOT Facility" handout and the spreadsheet regarding cost analysis, requested that they square up the numbers. Mr. Stanczyk requested one sheet showing:

- What the interest rate would be for the bonding - what the annual cost would be
- The savings they anticipate they would get for a high performance building
- What the utility costs are now and the anticipated costs with a new building
- Anticipated cost savings for maintenance and employee savings
- Whether they anticipate any savings from NYSERDA incentives.

Mr. Lesniak said he would like the annual bonding cost included.

Mrs. Rapp asked about the possibility of radiant heat in the floor. Mr. Barbas said they looked into it when Jamesville was built; they were advised not to put mechanicals systems in the floors, because of the salt on the vehicles destroys the floors quickly.

Mr. Lesniak asked if they would be making routes bigger. Mr. Donnelly said some routes would expand in size. Mr. Lesniak said it bothers him to see a plow going down a road with the plow up just because it is not a County road.

Mr. DeMore asked if they would have to comply with the town zoning if they split the property in Camillus. Mr. Murphy said "no". In answer to Mr. DeMore, Mr. Donnelly noted that a realtor has said there is a market for the NAMF building.

**Mr. Stanczyk seconded Mr. Masterpole's motion to approve items 2. c and d. Passed unanimously; MOTION CARRIED.**

The meeting was adjourned at 12:07 p.m.

Respectfully submitted,  
Johanna H. Robb  
Deputy Clerk

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**HEALTH COMMITTEE MINUTES  
ROBERT D. WARNER, CHAIRMAN, August 12, 2009**

**MEMBERS PRESENT:** Mr. Stott, Mrs. Rapp, Mr. Buckel, Mr. Kilmartin,  
**MEMBERS ABSENT:** Mr. Laguzza, Mr. Rupprecht  
**ALSO PRESENT:** see attached list (*Attachment 1*)

Chairman Warner called the meeting to order at 9:03 a.m.

***A motion was made by Mrs. Rapp, seconded by Mr. Buckel to waive the reading of the minutes and approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

**1. VAN DUYN: Ms. Roberta Sprague, Commissioner**

**a. Transfer of Funds from Regular Employee Salaries Account 101 to Professional Services Account 408 (\$465,000)**

Ms. Sprague said the majority of this money is to pay for contract nursing aides and LPN's. Recently, they have been down over 70 positions between LPN's, RN's and certified nursing assistants. The other portion would go towards a feasibility study at Van Duyn. The study is needed to get a definitive direction on whether or not Van Duyn will stay County operated, whether there would be a different relationship with Community General Hospital or if there are operational or organizational things that they could do to enhance the revenue and reduce down the costs. They put out an RFP for the study and received one proposal back. They have selected the Bonadio Group to do the study for them, expect to have it done by October of 2009.

Mr. Warner asked the difference between contract costs and paying for County employees. Ms. Sprague said it is about equal if it is straight time. It is more costly to use County employees than contract when it is time and a half. **Ms. Sprague will provide the cost difference to the committee members.**

Mr. Warner said he understands that it is extremely difficult to close a nursing home. Ms. Sprague said in order to close a nursing home, you have to make a discharge plan for every single resident, which would be about 500 people at Van Duyn. It is her opinion that they would not be able to close the facility, because there are not currently 500 places between the other nursing homes or assisted living facilities to absorb that number of people. The facility must remain open; it is a matter of does it stay County owned and operated, a free standing facility where someone comes in and takes it over, or with some connectivity between Community General Hospital and Van Duyn, as was discussed during the Berger phase.

Mr. Buckel noted the continuing challenge to attract personnel to work at Van Duyn, asked what the optimal full time employment level is and the shortfall today, what do they see over the next year. Ms. Sprague said their 101's should be between 588 and 600 employees. As of the end of July, they have 8 RN vacancies, 5 LPN's and 52 nursing assistants vacancies. In addition, there are 19 people out of work for medical reasons. Ms. Sprague said they recruit on Syracuse.com, Ongov.net, Monster, advertise in the newspaper and they have done some trade journals in the past. They have had difficulty recruiting because there is always the uncertainty about whether they are going to stay in business. Also, the County insurance package might not be as attractive to a certified nursing assistant, because with their income, they qualify for Family Health Plus and some other insurance programs. Mr. Buckel asked how much has been spent on consultants, studies over the past five years. Ms. Sprague said the state paid for the Berger study, but there were legal fees and staff time concerning that. The Loeb and Troper study was commissioned and paid for by Community General Hospital and Dr. Dennison has been a consultant to Van Duyn since the 1980's. Mr. Buckel asked what still needs to be assessed. Ms. Sprague said a few years ago, the government told them that they would get the Intergovernmental Transfer money, that there was going to be rebasing and money that was going to come to the counties for county-owned facilities, that didn't happen. They still get IGT money, but that is a match. Ms. Sprague said they would look at different financing, State isn't sure about what they are doing, they are talking about regional rates, how that will impact Van Duyn is not known at this point.

Mrs. Rapp asked about how connecting with Community General would work. Ms. Sprague said they would be a department of Community General Hospital with a hospital-based rate. Dr. Dennison has said that there is some concern that the state won't do any more hospital based programs, but, on the other hand, there are a lot of rural places that can only survive if they continue to do the hospital based rate. Until they see the numbers, it is unknown whether Community General would want to do this. In answer to Mrs. Rapp, Ms. Sprague said the County could not give Van Duyn to Community General; there has been talk such as selling it for a dollar, whoever takes it over would continue to do the safety net function and provide services for people who may not otherwise get into a facility. Ms. Sprague noted that a facility is required to be on the same property as the hospital for the hospital based rate, that is

one thing they have going for them. Ms. Sprague said she believes it would come off the County books if it were to happen, but the county would still have the health insurance costs for the retirees.

Mr. Warner asked the difference between the hospital-based rate and what they get right now. Ms. Sprague said they don't know, it is not standard, it takes their costs and figures them, the belief has always been that the hospital-based rate would be higher than what Van Duyn currently receives.

Mr. Stott asked if they would attribute the shortage of nurses and aides to how many are available in the community or to the attractiveness of the position and benefits. Ms. Sprague said it is both, there has been a shortage of nurses, but that will change in a couple of years when those who are currently in school get their degrees. There is a lot of movement from one facility to another with the certified nursing assistants; to get long-term folks has been difficult.

Mr. Kilmartin asked for the titles and salary range of the positions they have the most difficulty filling. Ms. Sprague said certified nursing assistants start around \$26,000, RN's start around \$45,000 and LPN's about \$30,000.

Mr. Buckel asked if this study will help assess not only the direct financial impact to the County, but also community wide impact in terms of the number and demand for beds, the financial impact on the market - are we going to cause consumers to pay more money. Ms. Sprague said when they wrote the RFP, they talked about sensitivity to the environment, how many beds are available to the community, what assisted living programs might be coming into the area. The State would like to get rid of another 6,000 skilled nursing beds and bring in 6,000 assisted living program beds; that will take some time. Mr. Buckel asked if the County eliminates this facility, are we going to exert upward pressure on prices. Ms. Sprague said it is her position that we cannot take 500 beds out of this area, because the need is still there; if a private entity purchases it and gets a higher rate, will there still be a place for the indigent to go; right now there is Rosewood and Central Park, but it is very uncertain what their finances will be.

In answer to Mr. Warner, Ms. Sprague said assisted living is 50% less than the cost of a nursing home. Mr. Warner asked if the state believes that there are people in the nursing homes that could be reassessed and put into an assisted living facility. Ms. Sprague said "yes", but Dept. of Health regulations say you cannot evict them; if they are in agreement, could move them. Ms. Sprague said they work with the residents, have social workers at the facility that talk about discharge planning, they are involved with the home care programs. They have found that the majority of the folks who physically look like they could go to an assisted living facility may have dementia, and there are very few dementia assisted living beds. Long Term Care Resource Center, the facility and a nurse from a certified agency all have a part in determining the level of care. Ms. Sprague said there are probably about 30 vacant assistant living program beds (not counting the new ones that just came on line) that would take Medicaid patients.

***A motion was made by Mrs. Rapp, seconded by Mr. Buckel to approve this item; passed unanimously; MOTION CARRIED.***

## **2. HEALTH: Ms. Linda Karmen, Deputy Commissioner**

### **a. Amending the 2009 County Budget to Accept Metropolitan Medical Response System (MMRS) Funding and Authorizing the County Executive to Enter Into an Agreement with the City of Syracuse to Implement this Resolution (\$160,000)**

Money would be used to support positions that they have in the Health Department. They have been receiving funds since 2002 from FEMA through the City of Syracuse. The City is responsible for grant administration and Onondaga County Health Department is the contract program manager. Until now, the grant money has primarily been used to fund equipment, supplies, contractors for services throughout the county. The Health Department is concerned about their response to H1N1. Amendment of the contract with the City allows funding to be provided for personnel positions up to \$160,000 – three positions are 2 Program Coordinators and 1 Research Tech 1.

Mrs. Rapp asked if these positions were funded locally prior to this. Ms. Karmen said they were funded through the State Health Dept. Public Health Preparedness grants; those have been reduced by 49%. Ms. Karmen said the funding was initially \$488,000 and is now approximately \$244,000. They will leverage this funding against funding they receive from the N.Y.S. Department of Health and the federal government; these positions would go away if there were not funding to support them.

***A motion was made by Mrs. Rapp, seconded by Mr. Buckel to approve this item; passed unanimously; MOTION CARRIED.***

Chairman Warner took the agenda out of order.

**c. Amending and Agreement with the City of Syracuse to Provide for Additional Training Services for the Health Department Lead Poisoning Control Program**

Ms. Karmen noted that last May the legislature approved a contract with the City of Syracuse for \$5,000 to provide lead poisoning control training for property owners, landlords, property managers, home improvement and remodeling contractors. They would like to amend the contract for an additional \$15,000 over the next two years. Money is through the N.Y.S. Dept. of Health. Mrs. Rapp mentioned all the money for lead coming in through Community Development. Ms. Karmen said N.Y.S. Health Dept. is asking them to put this towards training.

Mr. Kilmartin asked if the resolution provides for an allowance of \$15,000 to cover \$7,500 of a grant already approved this year and anticipation of \$7,5000 for next year. Mr. Kilmartin said he does not want to front it if it isn't going to be there. Ms. Back said all messages from the State say that it will be there. Dr. Morrow said lead poisoning is a priority of the current governor and the current commissioner of Health.

***A motion was made by Mr. Warner, seconded by Mrs. Rapp to approve this item; passed unanimously; MOTION CARRIED.***

**b. Authorizing Payment from the 2009 County Budget Up to a Maximum Amount of \$3,500 for Travel Expenses for Senior Positions at the Center for Forensic Sciences Laboratory**

Ms. Karmen mentioned the difficulty in recruiting higher level personnel to the Center for Forensic Sciences, it is a very competitive field and there are more jobs available than people to fill them. They are asking for permission to provide travel expense reimbursement for two positions –Senior Latent Print Examiner and Toxicologist. They have been vacant for over a year. They currently have a candidate who they are interested in hiring as a Toxicologist; his travel expenses were under \$300.

Mr. Warner asked who has been performing the work in the absence of those two positions. Ms. Karmen said the Toxicology staff. The positions are management and oversight positions; there has been backlog, especially in latent prints. Mr. Warner asked if there has been overtime because of this problem. Ms. Karmen said "yes". Mr. Warner asked how many positions are qualified for travel expenses. Ms. Wilson said prior to this, they have had approval for the Deputy Medical Examiner and a pathologist.

***A motion was made by Mr. Warner, seconded by Mrs. Rapp to approve this item; passed unanimously; MOTION CARRIED.***

**d. Authorizing Advanced Step Hiring for R.P. 01 40435100 0002 2437, Toxicologist, Grade 33, Step 1 at \$80,235 effective September 5, 2009**

Dr. Morrow recognized Dr. Stoppacher, Medical Examiner, and Dr. Corrado, Dir. of Labs who were present at the meeting. Dr. Morrow noted that hiring senior positions at the Medical Examiner's office and the lab have been traditionally very challenging. The toxicology position has been vacant since June of 2008. Prior, to that they had someone in the position very temporarily and prior to that they hired a person from the United Kingdom. Dr. Morrow noted that she has a list of salary ranges for other counties and states. The Forensic Toxicology lab is critical to both the Medical Examiner's office as well as law enforcement. The lab processes all for legal and illegal drug presence in blood urine and tissues; the Toxicologist also has to give expert testimony; it is a critical position for our community. They have a candidate with impeccable credentials who is currently employed in Pennsylvania and has a salary of \$115,000. He is very interested in relocating to our community, Dr. Morrow strongly feels that the only way they would be able to hire him is at the proposed Grade 33, Step 1.

Mr. Warner asked if the lab is presently doing work outside the county for which they are compensated. Dr. Morrow said they have contracts with other counties worth approximately \$58,000 to \$60,000 of reimbursement to Onondaga County. Dr. Morrow said they currently have a Senior Chemist acting in the position of Toxicologist. Dr. Corrado said currently they have to bring in expert witnesses (must be a Toxicologist) to testify, recently paid \$25,000 for expert witnesses to come in to testify to the lab work. Dr. Corrado said Step 1 is their highest step for management salary, and it is lower than the lowest step for Monroe County. Dr. Morrow said New Hampshire goes up to \$96,000, Rochester - \$100,000 to \$120,000, Nassau County starts at \$140,000, Florida goes up to \$118,000.

Mr. Buckel asked if the candidate has provided expert testimony in the past, asked if the DA is comfortable that his expertise will be accepted as suitable in our local courts. Dr. Corrado noted that he has provided expert testimony numerous times, the County Attorney's office is looking forward to having him on board.

Mr. Stott said this is a bargain and an absolute necessity.

***A motion was made by Mr. Stott, seconded by Mr. Warner to approve this item; passed unanimously; MOTION CARRIED.***

### **3. A Local Law Prohibiting Smoking Within 100 Feet of the Perimeter of Property Operating as a General Hospital (Sponsored by Mr. Buckel)**

Mr. Buckel said there are two modifications to his previous local law. Mr. Buckel said he had conversations with Community General Hospital; they were concerned with the way the local law was written and that it would force them to post signs in a way that would push people into the

road on Rt. 173. The hospital suggested that the local law define the hospital's election as either from the building periphery or its property line, the property line is important to meet the needs of some of the city hospitals and building periphery is what Community General prefers. Secondly, there was a concern expressed by Mr. Lesniak that law enforcement personnel will have jurisdictional forces – almost as mandate that they would become the “smoking police”. Mr. Buckel has removed that provision, but it doesn't mean that a hospital having difficulty enforcing the law couldn't call law enforcement. In reality, Mr. Buckel expects the hospitals' own security will be able to enforce this informally, believes there will be respect for this, because these are health care facilities. Each hospital has pledged their cooperation in return for helping them protect their entranceways for patients and visitors by working with their own stakeholders and communities to make sure that there is a place that is safe and secure for those who want to smoke.

Mr. Buckel said he would like to place this local law on the September session agenda to coincide with the opening of the Children's hospital.

Mr. Warner asked how it would work with the signs that will say smoking prohibited within 100 ft. Mr. Buckel said either people will try to figure out where 100 feet from the sign is or they will ask somebody connected to the hospital where they can go to smoke. Mr. Dan Hurley, SUNY Upstate, said their hospital abuts another piece of property that they own, people would have to go to Harrison Street; in the case of the Children's hospital, they would have to go towards the Crouse/Marshall business section or down towards the VA.

Mr. Stott suggested posting the signs to say 100 ft from the entranceway, envisions people getting hit walking across the street. Mr. Buckel said the hospitals are dedicated to health and safety, the key is to give them the maximum flexibility to not only protect their patients, but to protect all those who may come in, including smokers; the hospitals are not going to throw people into dangerous situations. To measure from the entrance way did not meet the needs of some of the hospitals, because of the way the parking garages, walkways and entrances were located, would still force patients and visitors to go through clouds of smoke. Mr. Buckel said there is also have the problem of dealing with smoke in the ventilation systems of hospitals, need to push it away from the building itself. Mr. Hurley said their entrance and St. Joseph's are recessed, wouldn't work for them. Mr. Stott said he is concerned that it will be a difficult thing to convey. Mr. Hurley said they look forward to that challenge. Mr. Buckel said according to Mr. Hurley, they would do brochures, visitor guides, maps, if needed, to make it work.

In answer to Mr. Warner, Mr. Buckel said every regional hospital supports this local law; it is not applicable to nursing homes or assisted living facilities.

Mrs. Rapp asked how they are dealing with the jurisdiction of making laws on city streets. Mr. Herkala said the County has jurisdiction to issue laws that are county wide and that effects activities within the city; the city does have certain rights of preemption if they want to enact their own ordinance to be operative within the City of Syracuse that is different than the County's, there is the potential that their law could supercede the County's.

In answer to Mr. Warner, Mr. Buckel said it is implied that the hospital could call law enforcement if there is a problem. If the Health Department were given jurisdiction, it would be imposing a level of administrative processes on hospitals and alleged violators that are very cumbersome. The Health Department would have to investigate and have an administrative hearing to determine whether or not there was due cause for holding them in violation of the law, as opposed to calling the police; the police may decide to try to diffuse it or to cite them. Enforcement action would start with the hospital, not the police. Mr. Buckel said he thinks this will be self-enforcing, that it will be respected and that the hospitals will work with the people. Mr. Warner suggested that the law should state that in situations of non-compliance, the hospital would initiate the enforcement activity.

Mr. Kilmartin asked if there is currently a prohibition at each of the hospitals as to smoking inside the footprint of the building or within the existing real property. Mr. Hurley said at Upstate, it is anywhere on campus – includes dormitories, academic buildings, labs, etc. Mr. Hurley said it is all property for Crouse and St. Joseph's; Community General has a larger campus, demarcation line is well away from the buildings. Mr. Kilmartin asked how the enforcement is carried out currently, how often is it enforced. Mr. Hurley said he believes it is enforced every day in one way or another; it is done by people in the administrative level, security and there is a lot of self-policing.

Mr. Stott suggested a fine of around \$150 for those who violate the law. Mr. Buckel said these are health care facilities, he thinks people will voluntarily respond to the requests by the hospitals, would be a rare situation to have someone

defiant, in that case \$50 or \$100 probably won't make a difference for that one defiant person.

Mr. Warner requested to be added as a co-sponsor.

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,

Johanna H. Robb, Deputy Clerk

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## EDUCATION & LIBRARIES COMMITTEE MINUTES

PATRICK M. KILMARTIN, CHAIRMAN, August 12, 2009

**MEMBERS PRESENT:** Mrs. Winslow, Mrs. Rapp, Mr. Corbett, Mr. DeMore, Mr. Kinne, Mr. Masterpole

**ALSO PRESENT:** Mr. Meyer and Mr. Jordan (*Attachment 1*)

Chairman Kilmartin called the meeting to order at 10:36 a.m. *A motion was made by Mr. Corbett, seconded by Mrs. Rapp to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.*

### 1. OCPL: Ms. Elizabeth Dailey, Executive Director

#### a. Authorizing an Increase in the Amount of the Petty Cash Change Fund at the Onondaga County Public Library

Ms. Dailey said this would make their work more efficient, would be used just to make change and would eliminate runs to the bank; increase is from \$910 to \$990.

*A motion was made by Mr. Kinne, seconded by Mr. Corbett to approve this item; passed unanimously; MOTION CARRIED.*

#### b. Amending the 2009 County Budget to Accept State Division of Library Development Funds for the Onondaga County Public Library and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$1,708)

Previously received a hardware grant funded through the Gates Foundation for computers, the additional money is to support the administration of the grant at the Paine Branch Library. In answer to Mr. Kilmartin, Ms. Dailey said this is a one-time appropriation.

*A motion was made by Mrs. Rapp, seconded by Mrs. Winslow; passed unanimously; MOTION CARRIED.*

### 2. OCC:

**a. INFORMATIONAL: OCC Capital Plan – Dr. Sydow, President and Mr. John Paddock, Facilities Dir.**

**Mr. Kilmartin said he has had many conversations with Dr. Sydow about all the issues associated with the Capital Plan. They discussed a number of options on how to advance this project this year, especially considering the increasing enrollment at the college and the shortage of academic and service space, also discussed the economic challenges the County is facing as well as the college, state and federal governments and private sector as well.**

**Mr. Kilmartin said the committee would discuss the following major issues:**

- 1. Settle a long-standing issue between the County and the college about capital projects and capital reimbursement from the college to the County to the benefit of the County, the college, the folks who utilize the facility and the taxpayers. The concept is for the college to enter into an agreement with the County to document a payment schedule. Payment would be \$1.1 million submitted to the County over a five-year cycle - \$220,000 a year presented the same day each year. At the end of that payment schedule consistent with the form of the agreement, the dispute about the \$2.3 million and all the associated issues with that would be resolved and definitively settled. The other \$1.2 would be allocated or addressed as a contribution in kind from the County towards presidential scholarship program at the college to benefit all the students in Onondaga County.**
- 2. Capital Project – an addition to one of the buildings on the campus and reconstruction of the Gordon Student Center to address student services needs.**

**Mr. Kilmartin said they would not vote on these matters today – would like to give the college the opportunity to do a full informational session on the capital project. Also, because of the short timetable, they don't have final**

**resolutions and the college have not had a chance to look at them, hopes to vote on these at Ways and Means on Friday.**

**Mr. Fisher said the County Executive is fully in support of the agreement that has been worked out between the legislature and the college and the plans that are underway. The County Executive is pleased that money is going back to the college for scholarships and asked to convey her unwavering support to the college, if they are going to invest in anything in this community in this time of economic distress, it should be Onondaga Community College. Mr. Fisher said there are very severe fiscal constraints that the county is under, suggested looking at things in the capital plan that would make it more feasible for the County to do this, not hit the taxpayers any more than they have to.**

**Dr. Sydow said the college has two proposals:**

- First proposal is to contribute Phase 1 funding. The college is interested in phasing this out in a way that does not put undue pressure or financial burden on the County. They are looking for an appropriation of \$2,030,000 in support of additional academic space to meet growing demand.**
- A proposal to resolve an issue that goes back 15 years to 1994 regarding funds that were raised for the construction of the Whitney Applied Technology Center. Proposal does meet the criteria that this will benefit the college, the county and its citizens.**

**Dr. Sydow introduced members of the Onondaga team present at the meeting – Don Mawhinney, Board of Trustee member for 48 years; Steve Aiello, President of COR Development Company and a member of the Board of Trustees; John Paddock, Facilities Director.**

**Dr. Sydow gave a Power Point regarding the Onondaga Community College Facilities Master Plan – 2008-2013 (*Attachment 2*)**



Regarding Ferrante Hall Addition and Gordon Renovations, Dr. Sydow said understanding the budget challenges of Onondaga County and as a demonstration of good faith, the college proposes to pay \$1.1 million toward a total project cost, this would help to reduce the County's total contribution to 44%, it would also help to offset debt service for the five year period that they would have the payment schedule in place through 2014. This cash payment would serve as a negotiated resolution to the long unresolved issue that all are interested in putting to rest. Mr. Kilmartin said for typical capital projects it is a 50%/50% split with the State. As part of the payment for the debt service, the County is going to avail itself of capital charge back funds – monies that are paid by students coming from outside Onondaga County who attend the college. Those monies go into a pool of funds available to the county for payment of debt service for OCC capital projects (there is currently approximately \$1.8 million). Mr. Seitz said they could be used for current debt or to offset future debt. Mr. Kilmartin said there would be two resolutions considered at the meeting – one is related to the settlement of the outstanding \$2.3 million dispute and the other is to the capital project. Of the \$2.3 million that is in dispute, \$1.1 million is going to be paid back from the college to the County over a five year cycle, the outstanding \$1.2 million is going to be earmarked as a contribution from the County to the scholarship program, it is not a cash payment, it is an in kind contribution from the county to the scholarship program, that money would stay in the Foundation. This demonstrates the County's commitment to the Presidential Scholarship fund and allows the college now to document on their financial statements and their legal documents that they now have the freedom to utilize that \$1.2 million that has been held, in essence, in escrow.

In answer to Mr. Kinne, Mr. Kilmartin said there would be a written agreement executed by the County and the college that will set forth the payment schedule of \$220,000 a year for the next five years that will go into the county's coffers. Mr. Seitz said they would either reduce future OCC debt or current debt. In answer to Mr. Kinne, Dr. Sydow said the scholarship money is currently in the Foundation, it has been a restricted fund because the issue between the County and OCC hasn't been resolved. Mr. Kilmartin said in the past, the cash demand from the County has been for OCC to pay 2.3 million immediately, the counter from the college is that they did not technically think there was an obligation for \$2.3 million.

In answer to Mr. DeMore, Dr. Sydow said their Presidential Scholarship Program looks much like Say Yes program except that it is available to any Onondaga County high school graduate and is paid for by the Foundation.

Mr. Kinne asked why there was a 12% contingency for design and construction, thought the County historically used 8% to 10%. Mr. Paddock said with design it can run between 8% and 15%, that is why they used 12%. Mr. Kilmartin said he had many conversations with them about the economic concerns, about saving as many dollars as they can

and emphasized that he wanted to make certain that the college isn't spending additional County dollars just to get state dollars that are still on the table. Mr. Aiello has committed to him that he would squeeze and save as many dollars as he could to benefit the college and to also benefit the County. If you add up the contingencies it is about \$2.77 million; that is a fair portion of the \$16.2 million. Mr. Aiello said they don't have an accurate handle on the costs of the smart classrooms, would have a better handle once they go through the design phase. Mr. Paddock said they hold the design teams and construction teams accountable; they have the same vision to save dollars and try to come in under budget. Dr. Sydow said there has to be approval from the SUNY Board of Trustees and the SUNY Construction Fund reviews all of it; also, they are abiding by all municipal law relative to bidding and getting RFP's out and accepting low bids; there are controls in place to ensure that they are not being extravagant. Mr. Paddock said the addition would help them with their growing enrollment; right now they are having trouble meeting some of the current classroom capacity standards. Dr. Sydow said the entire Board of Trustees and the administration of the college are committed to bringing this project in at the most

reasonable cost possible – looking at a three year phase in projecting out that County/OCC expenses would be around \$9,450,000, want to ensure that the 1.1 million that the county would be paid over five years works for the county and is used to pull in the state match.

Dr. Sydow introduced Ms. Lenore Sealy, Executive Director of CNY Works. Ms. Sealy said the number one issue facing economic and business development across the country and, in particular, here is workforce and workforce development. Today, businesses are interested in being, developing and expanding some place where it has access to a skilled workforce. Development of educational capacity is one of those key components. Her number one challenge in workforce development is alignment of skills of people looking for work with opportunities and what the businesses that are going to employ those people need. Alignment begins with the Pre K – 12 educational systems and throughout ones lifetime. Ms. Sealy sees 300 to 400 new people a week looking for work; last year CNY Works served more than 24,000 job seekers. Education is one of the most critical pieces in developing a skilled workforce. With the changes in technology, changes in the way business competes, demographics of the workforce, need to develop in people skills beyond high school. Onondaga Community College provides an educational venue that attaches to all the areas. CNY Works has special programming for youth where they take disengaged, disconnected youths and help to engage them in education through special projects that they do with OCC. They also have programs and services for other job seekers. OCC offers lots of opportunities and CNY Works supports those opportunities with their training grants; they are able to help individuals pay for their training in places like Onondaga Community College. They have lots of business partnerships with OCC where they go in and provide programming to businesses so businesses can help stay competitive and develop the skills of their workforce. The work that CNY Works does is about developing, attracting and retaining workforce. OCC provides a fine example of their ability to do that through education.

Mr. Kilmartin provided drafts of two resolutions that are subject for review by the Law Department, the college.

Mr. Corbett noted the growth of the college concerning number of students and the facilities, and suggested that they should look into an electrical backup system other than battery backups and minor generators.

The meeting was adjourned at 11:43 a.m.

Respectfully submitted,

Johanna Robb  
Deputy Clerk

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**ENVIRONMENTAL PROTECTION COMMITTEE MINUTES - AUGUST 12, 2009  
CHAIRMAN JAMES CORBETT**

**MEMBERS PRESENT:** Mr. Jordan, Mr. Rhinehart, Mr. Masterpole, Ms. Williams, Mrs. Winslow, Mr. Rupprecht

**ALSO PRESENT:** Chairman Meyer, Mr. Kinne, *see also attached list*

Chairman Corbett called the meeting to order at 11:45 a.m. *A motion was made by Mr. Jordan, seconded by Mr. Masterpole, to waive the reading and approve the proceedings of the previous committee meeting. MOTION CARRIED.*

Chairman Corbett took the agenda out of order.

**2. A Local Law Authorizing the Lease of County Property Known as James J. O'Connor Field Located in the City to the Syracuse Chargers Rugby Club for Rugby Activities (Sponsored By Mr. Kinne)**

Mr. Kinne thanked Jean Smiley and the Law Dept. for all of their work on this. Mrs. Smiley said that the Syracuse Chargers Rugby Club has been using County property on Grand Ave., Onondaga Road, and Velasko Road, a WEP drainage basin, for 5 or 6 years. The Club would like to put a small shed on the property to store equipment and put up more permanent goal posts. In order to do so, it requires the County to have some type of a lease arrangement. They are a non-for-profit and don't have a lot of funds. They have agreed to pay \$100 for the lease and to provide rugby clinics for low-income youth in the neighborhood and afford them the opportunity to be on their junior rugby program. The lease agreement includes an understanding that if the County ever needs the basin, i.e. to flood it because of water issues, then it is the County's to do so.

Chairman Corbett said that he had a number of questions and contacted the Law Department: community use – has been addressed; liability issues--Club required to have \$1 million insurance; maintain fire and casualty on the shed and its contents; maintenance and grounds – will be maintained as it is now; storage shed—concerned about painting and graffiti – the Club has agreed to repaint when it has been artistically attacked. He said that his questions have all been answered.

Mr. Jordan had suggested changes to the lease: 3 year renewal upon approve of the legislature; public use section – additional language on page 4 "that unless resulting from tenant's negligence and/or any of its employees, agents, successors or assigns of the tenant, are a violation of the same of any of the tenant's obligations under this lease." Mrs. Tarolli said that the Law Dept. would look at it. Mr. Jordan said that he was concerned about the insurance limitation being \$1 million; even though the Club is indemnifying the County, they are a non-for-profit and they will not have financial means to indemnify the County against that claim and the County will end up suffering that consequence. Mrs. Tarolli said that they work with the director of Risk Management and try to get a feel for standard amounts that he feels a club like this could afford to provide. Mr. Jordan said that \$1 million does seem to be the standard amount in agreements such as this.

Mr. Masterpole said that this club initially played at Burnet Park and it didn't work out because of the time softball and soccer was being played there. They have had been good tenants at the Jim O'Connor Field. There have been trash concerns that blows around, but doesn't believe it comes from the Club. He asked Mr. Jordan if he will support the local law if the proposed changes are made. Mr. Jordan said that he would.

***A motion was made by Mrs. Winslow, seconded by Mr. Masterpole to approve this item.***

Mr. Rupprecht asked if Mr. Jordan's changes are included in the motion. Mrs. Tarolli said that the motion is to approve the local law. Mr. Rupprecht asked if the administration will take care of Mr. Jordan's concerns. Mrs. Tarolli said "yes". Mr. Jordan said that his approval will be contingent upon the proposed changes being made. Mr. Kinne said that he has no objection to the proposed changes.

***Vote was taken on the motion. Passed unanimously; MOTION CARRIED.***

**1. LAKE IMPROVEMENT:** Sue Miller, Deputy Director LIP

**a. ACJ Update**

*Sewer Separation:*

- CSO #051 South Ave/Colvin St. – bids opened last month; low bid from JJ Lane at \$4.2 million; engineer's estimate was \$6.8 million; 2<sup>nd</sup> bid was CO Falter at \$6.9 million.
- Notice to proceed was sent out to JJ Lane---this week began work, including preconstruction photos
- Notices were hand delivered to residents last week
- Contractor estimates completion of work by end of year

Ms. Williams said November seems like it is cutting it close; if it goes beyond the Nov. date, will she and the residents be notified as well. It was an issue before, and caused a lot of problems. Ms. Miller said that the original plan was 2 construction seasons. A major concern was that any restoration be done on any area that has been disturbed within the same construction season. Ms. Miller said that WEP will inform Ms. Williams of the progress as it goes along. Ms. Pastella said that the contractor will provide a schedule as to when they will be on a street – WEP will update it regularly and will notify Ms. Williams and distribute flyers to the residents.

Mr. Jordan was concerned, given the current climate, that there are so few bids for the projects. Mrs. Miller said that consistently with sewer separation they have received 2 or 3 bidders no matter what the economy is. They are advertised through Builders' Exchange and all construction databases.

Regarding the concern that the bid price was low, Mrs. Miller said that everything was laid out at the preconstruction meeting with the contractor and he made a commitment. Mr. Jordan asked if the price includes all costs. Mrs. Miller said "no" it is for construction; not soft costs. Ms. Miller said that one of the reasons that it is lower is because they are looking to get it done in one construction season.

Mr. Rhinehart said that the contractors are local, and they have all been reliable and professional. Mrs. Miller said that they know the costs and what they have to deal with; the contract requirements haven't changed that much except for the restoration. JJ Lane was involved with Rockland.

Mr. Rhinehart referred to the audit done by the Comptroller's office on how business is done at WEP. Repeatedly it is noted that staff and people in charge of these projects are acting like staff instead of management. Regarding supervision and being hands on with these projects, it is an area that needs to be done better, and that is what will be looked for.

*Harbor Brook Interceptor Sewer:*

- Finalizing design; stimulus was OK'd; had to revise the plans, as there is no RTF associated with interceptor. It will be going to DEC shortly for their approval.

Mr. Masterpole said that during the IMA with the City for mitigation/settlement, there was discussion about micro tunneling or digging across to Fowler. Mrs. Miller said that it will be microtunneled now. Mr. Masterpole asked if bleachers and track will have to be rebuilt. Ms. Pastella explained the route of the micro tunneling, noting that there will be one open pit; the timing will be set up to work around the football season.

**Chairman Corbett asked to be provided with the proposed routes from Fayette St. to Velasko Road; Mr. Masterpole said that he would also like to see it.**

*ACJ*

- Still in discussions and negotiations with all of the parties, scheduled to go back to Federal District Court on Sept. 22. Working diligently with parties on proposed revisions to ACJ and development on the gray and green alternatives that are being proposed to replace the RTFs.

Chairman Corbett referred to a rebuttal letter in the paper today from Peter Maffa, which put some perspective into the green and the gray. When there is a certain type of way of dealing with the sewer and storm water, which was gray; it is going to take the green awhile to be able to absorb and catch up to what the gray did. Something will still be needed in that aspect. Mrs. Miller said that all parties, and other interested parties that have been involved, have recognized that there is a need to do some additional gray in addition to the green. Regarding green, they

are looking at what can be done on an immediate basis, and what will benefit and improve over a period of 10 years.

Mr. Rhinehart said that the County has spent millions of dollars on designing of the old plan, CSOs, now we are starting over and spending millions of dollars and re-engineer a lot of things. These engineers have worked on these projects and their answer to the solution 10 years ago. He agrees that it will be a combination of the two; but how many millions of dollars will be spent on the lake clean up before we actually start cleaning it up. He would like the plan a lot better if it were for 50 years instead of 10 and we don't have to keep redesigning. Mrs. Miller said that improvements have been seen in the lake. They are required to capture at least 85% of what is in the system, which was how the ACJ was written 11 years ago. At that time, the County was at 74% capture for treatment at Metro. The figures that CH2MHill have put together reflect that there is now 83.4% capture. Money was used to make improvements; now looking at what additional gray needs to be done to meet the State requirements and how can it be augmented by green. A discussion now is what will the DEC accept and what are they looking for now. There was a pause to take a look at where we are with volume capture, floatables, bacteria, etc. and to see if based on that if there is another way to go. Mrs. Miller said that it seems logical that if something can be done to cut down on the amount of runoff and storm water before it picks up any pollutants, it doesn't enter into the system in any way and we don't have to deal with it; it is better than moving it along to Metro. To do that it is not taking all of the CSO away, but are taking some, are reducing the peak and frequency of discharge.

Mr. Rhinehart said that the plan is to be able to handle up to a one year storm, in the renegotiation process because successful numbers have been achieved, is there a concern that the DEC may say it should be a 5 or 10 year storm. Mrs. Smiley said that nationwide there is an issue in terms of MS4s and storm water in general. For the national policy down the road, hoping that a lot of things that the County is trying to do with green infrastructure will position the County. Mr. Rhinehart asked about lateral inspections. Mrs. Smiley said that a new sewer law will be brought before the committee this fall, which may change the way the County does business.

Mr. Jordan said that this is costing \$100s of millions of dollars to local taxpayers; would like something that will be here for 100 or 150 years. Mrs. Miller said that this is seen as a long-term plan. Because of some of the nature of the green, it needs a longer time to reap the most benefit; but there are other things that can be done immediately, i.e. porous pavement.

Mrs. Smiley said that they will be coming next month with a public/private partnership – trying to get private developers to do some of the work for the County. Would like to get a draft to the committee first to have ample time to look at it; a public hearing also needs to be held.

Mr. Rupprecht asked if the County can impose an offsite impact fee on sewer connection. Mrs. Smiley said that in other communities have had storm water authorities that tax based on how impervious one is. Onondaga County is looking at those issues.

Mrs. Winslow referred to terminology--saying that this is costing local taxpayers so many millions, but money comes from federal, state and Onondaga County – should just say "taxpayers"; not local taxpayers. Mr. Jordan said that there is still bonding for \$100s of millions of dollars and it is still costing \$100s of millions of dollars. Mrs. Winslow did not want to have any misleading statements. Mr. Jordan said that he was not misleading at all; there is an extraordinary cost solely to local taxpayers. The fact that the cost is large, and in part is being deferred by the federal and State government, in no way diminished the cost to local taxpayers.

Chairman Corbett referred to the local law presented today by Mr. Kinne and the suggestions by Mr. Jordan. For clarification, the renewal period is part of the local law, so when it was voted on, that terminology was voted on. As it goes forward and it is changed, there will be an opportunity to vote on it again at session.

The meeting was adjourned at 12:30 p.m.

Respectfully submitted,

**FISCAL WAYS & MEANS COMMITTEE MINUTES – AUGUST 12, 2009  
CHAIRMAN JAMES M. RHINEHART**

**MEMBERS PRESENT:** Mrs. Rapp, Mr. Stanczyk, Mr. Kilmartin, Mr. DeMore, Mr. Kinne, Mr. Holmquist, Mr. Corbett

**MEMBERS ABSENT:** Mr. Warner

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

Chairman Rhinehart called the meeting to order at 1:00 p.m. ***A motion was made by Mr. Kinne, seconded by Mr. DeMore, to waive the reading and approve the proceedings of the previous committee meeting. CARRIED.***

**1. MANAGEMENT AND BUDGET:**

**a. Second Quarter Report** – James Rowley, CFO  
Key Economic and Fiscal Indicators (attachment #1)

Mr. Rowley provided the following statement:

*As promised, I'm here to provide the members of the Fiscal Ways & Means committee with an update on the 2009 budget. I met with Chairman Meyer, Floor leader Rapp, and Committee Chair Reinhart for a preview of this presentation, and offered to meet with Floor Leader Stanczyk or a member of his caucus as well, but they were unable to attend. The numbers are in from the second calendar quarter of the year and we've completed the work of updating our forecasts for 2009 based on the results through June 30.*

- *The most significant piece of news from the 2<sup>nd</sup> quarter is that sales tax revenues are down even more than we had forecast from the 1<sup>st</sup> quarter numbers. For the first half of 2009, sales tax revenues in Onondaga County fell by 6.2%. The drop in consumer spending is the main reason that sales tax revenues are falling, and with continued weakness in the labor market, there's no reason to expect consumer spending and consequently sales tax revenues to recover in the second half of 2009. Our working assumption right now is that sales tax revenues will be down 6% for the year, versus our expectation from the 1<sup>st</sup> quarter that sales tax revenues for 2009 would decline by 4%.*
- *When revenues from sales taxes fall, there's a direct impact on the County's budget. As you know, property taxes and sales taxes are the primary local sources of revenues in our budget. Although uncollected property taxes are up slightly, in general our property tax revenues for 2009 will be very close to what we had forecast. However, the decline in sales tax revenues means our total revenues will fall short of forecast.*
- *Here are some numbers that will help you understand how declining sales taxes have impacted our revenues. In 2008, the County collected 293M in sales taxes. Of this amount, 151M was shared with other municipalities and the remaining amount, 142M, became part of the County's revenues. Our current forecast for 2009, based on results through June 30, is that the County will collect 275M in sales taxes. Of this amount, the City, towns, villages, and school districts would receive 148M. In percentage terms, the County expects total sales taxes to drop by 6 % and for the County's share of sales taxes to drop by 11 %.*
- *At this point, I'd like to bring your attention to something that some of you might have missed. Namely, that the County's share of 2009 sales taxes has fallen significantly faster than the overall 2009 sales taxes. The logical question to ask is, why is this happening?*

- *The answer is simple: under the sales tax sharing agreement put in place nearly 10 years ago, Onondaga County promises that no other municipality will ever get less from sales taxes from one year to the next. In a year like 2009, when sales tax revenues are down significantly, it turns out that this was a very costly promise. In fact, our current estimate is that Onondaga County will be writing checks approaching \$7.5 million in the first week of January, merely to ensure that the City, towns, villages, and school boards in our county won't receive less from sales taxes than they received in 2008. This is on top of a sales tax sharing agreement that is far more generous to the other municipalities than almost every other county in New York State. As you'll see from the map that is in your package, entitled "Sales Tax Sharing in New York State", Onondaga County is 1 of only 3 counties in the state that retains less than 50% of the total sales taxes collected.*
- *Now that you understand the problem, let's talk about the solution. As you might expect, some of the solution will need to come from the revenue side and some from the expense side of the equation.*
- *In order to replace the revenues that were expected to come from sales taxes, my office has been preparing an RFP for a combined City/County tax lien sale in 2009. Our estimate is that the proceeds from a tax lien sale will be approximately \$13.9 million, which will help bring revenues to a point where our budget will remain in balance.*
- *But we cannot get there from the revenue side of the ledger alone. We must also look to our expenditures and tighten our belt, just as families throughout Central New York have been tightening their belts since the so-called "Great Recession" began a year or so ago. Here are some of the things we are doing to control expenditures in the 2009 budget:*
  - o *We have adopted austerity measures throughout county departments that are twice what was done in previous years resulting in savings of \$8m.*
  - o *We have saved \$1.3m on utilities in 2009 with even greater savings projected in 2010 due to our new Energy Director Lee Klosowski*
  - o *We have identified and / or acting upon savings measures in auto equip., pay as you go capital, professional services, supplies and materials, etc.*
  - o *We have saved more than \$100,000 so far as a result of the newly revamped Voluntary Leave program announced by County Executive Mahoney only a few weeks ago.*
  - o *As directed by the Legislature, we have started to study potential cost savings from a variety of different 4-day work week options, including a mandatory furlough option.*

*As the result of the many cost savings initiatives that I have just described to you, we have made significant progress in reducing our expenditures in 2009. By making these mid-course corrections to the revenue and expense sides of the budget, we will ensure that the 2009 budget remains in balance.*

*I'd be happy to return in 3 months or so to give you a further update on the 2009 budget. Before then, of course, the County Executive will be presenting her 2010 budget. We are not expecting sales tax revenues to bounce back very much in 2010, which presents us with some real challenges in putting together a budget for 2010 without draconian cuts to services. My department has been working very hard and very closely with every department in county government to make sure that we examine every option available to us.*

*As we get closer to finalizing the 2010 budget over the next 5 weeks, we will make every effort to involve the legislature as well as our workforce in a dialog aimed at ensuring that we generate as many good ideas as possible to help us all get to a budget that makes the necessary cuts while leaving us in a position to continue delivering the many important services that Onondaga County government provides to its taxpayers.*

Chairman Rhinehart referred to the tax lien sale. Mr. Rowley said that an RFP is expected to go out within a couple of weeks. Chairman Rhinehart said that the \$13.9 million will balance the budget for 2009 and asked if the balanced budget includes any stimulus monies pledged to the County. Mr. Rowley said it includes all of the FMAP money, \$20 million in 2009. Chairman Rhinehart said that if the County didn't get that money it would be \$20 million worse, in addition to the \$13.9 million. In answer to Chairman Rhinehart, Mr. Rowley said that eh first quarter deficit was projected to be \$4.1 million, which included a city tax lien sale of about \$3 million and at that time he asked for some time to see how things would develop.

Mr. Stanczyk asked how much is due to the County in back taxes that might be pulled into this tax lien sale and asked if the County is trying to reach the same model that the City has on their tax lien sale. Mr. Rowley said that it is difficult to talk specifics because the RFP hasn't been put out. The liens that are available for sale with interest and penalties are approximately \$20-\$25

million. The models estimate 85%–90% of it would be realized in a sale. From a fiscal standpoint, it is a prudent thing to do because on a discounted cash flow basis, more money can be received up front than collected overtime. Once the RFP results are in, he will report back to the legislature. Mr. Stanczyk said that if all of the back taxes are sold off, there is no longer a revenue item. It creates a bucket for \$3–\$7 million every year going forward—it is shortsighted. Additionally, the for-profit company is paying less than the actual value. If there is \$20 million of tax revenues that exist, it is accruing penalties at 12%. If nothing gets paid over the next year, there will be \$23 million owed to the County. If the \$20 million is sold for \$.85 on a \$1, we are selling it for \$17 million. It is used to take care of a hole, but creating forever going forward a bigger problem. He hopes that we are the government with a little compassion. The national government is throwing a lot of money into taking care of institutions and not people. People unfortunately are suffering through the economic recession. If the County sells off the tax obligation to an entity, there will be a lot of people thrown out of their houses by a private entity. It will take away opportunities to work out situations. Mr. Rowley disagreed, saying that nothing really changes. Right now people go delinquent, the County collects back taxes that they didn't pay; they are put in a foreclosure and their house is sold at auction. If someone doesn't pay their taxes, the County has to take action. Mr. Stanczyk said that a private entity will throw them out. Mr. Rowley said that a private entity will work with them as well. In the RFP any payment plans that are underway right now wouldn't be offered as part of the lien sale. If someone comes in before the transaction takes place and wants to make a payment plan, the County will make a payment plan and take them off the list. After the private entity gets the liens, and someone comes in after the fact, there will be a provision in the RFP that says that the County can go back and buy the liens from the vendor and work out a payment plan. Mr. Stanczyk asked why would they be sold at a 13% discount. Mr. Kilmartin said it is the time value of money—if sold for \$.85 on the \$1, there might be an avoidance of the 100% stream of revenue over the next couple of years, but if sold for \$.85 on the \$1 the cash is taken in now—have the time value of money. There is a benefit of having all of that cash at this point in time, as opposed to waiting for, hoping for, and speculating that over time we might get 100% of it. Mr. Stanczyk said that right now the money is accruing at 12% interest rate and the County can't invest for 12% - questioned the benefit of doing a scheme like this, rather than taking money out of fund balance.

Mr. Rowley said that from a fiscal perspective one way to think about it is that if the County gets \$.80, \$.85, or \$.90 on the \$1 for liens right now and could put it in the bank and earn a rate of return. The County will earn more money over the life of that investment than it would if collected on its own. Regarding Mr. Stanczyk's concern about creating a hole because the following year those delinquent taxes wouldn't be available for the budget, Mr. Rowley said that technically that is a correct statement. However, the way it is being modeled right now, and given the deficit being seen right now, it is felt that more will be received in the tax lien sale that would be needed to close a hole for 2009. That money will fall to fund balance and can roll over to 2010 and avoid that problem for 2010. Going forward to 2011 a lot of things could change.

Mr. Stanczyk asked how much money was brought in over the last 3 years from delinquent taxes paid. Mr. Seitz said that it is split between the City and the County, about \$6 - \$7 million, but some are City liens and some are County liens. He did not know the distribution. Mr. Stanczyk said that if the \$20 million obligation is sold for \$13 million, the \$6 - \$7 million revenue stream is cut off; it will take 6 or 7 years to get back to that \$6 or \$7 million revenue stream. It creates a hole for 10 years going forward. Mr. Seitz said that a lot of money is collected in the first year that a property is delinquent. The account is not going to drop precipitously.

Chairman Rhinehart referred to the increase in the number of public assistant caseloads and Medicaid caseloads. He asked if this is projected to go up incrementally or staying at a consistent rate of increase. Mr. Rowley said that in general terms, caseloads are up double digits; expected to plateau in 2009 and remain at that higher level for 2010. Ms. Gile said that it is not expected that there will be as a dramatic increase as there was this year going forward; it is starting to level off. Chairman Rhinehart asked about the stimulus money. Ms. Gile said that will start mainly in October, so it won't have a big impact for 2009; it should for 2010.

Mr. Kilmartin referred to sales tax collections down 6.2%; projected for the year to be down 6%. Mr. Rowley said that is gross collections and is down from 2008 actual. In answer to Mr. Kilmartin, Mr. Rowley said that 6% equates to about \$18 million. Mr. Kilmartin said that the County's share of the sales tax annualized is down 11% because of the reimbursement with the



other municipalities. Mr. Rowley agreed; it is approximately \$7.5 million. Mr. Kilmartin said that \$7.5 million is added on to the \$18 million; Mr. Rowley agreed.

Mrs. Rapp asked why consumer confidence is up; how is it measured. Mr. Rowley said that he believes it comes from the Siena poll.

Mr. Stanczyk asked what had the County anticipated in sales tax after everything was distributed. Mr. Seitz said that in the budget it was \$157 million, and it is down to under \$128 million. Mr. Stanczyk asked what the consequence is to the County for the drop in sales tax. Mr. Seitz said that it is \$29.7 million. Mr. Rowley said that when he talks about decline in sales tax, they are declines from 2008 actual, the decline from budget is much steeper. The County shares in the budget were \$157 million and they will come in at about \$128 million. Mr. Seitz said that \$14 million was estimated to be generated from gas tax. Mr. Stanczyk said that he doesn't want to do anything that is short term helpful and long term problematic, which is one of his concerns about the tax lien sale. Mr. Rowley said that he will lay out a thorough presentation once the RFP results are in.

**b. INFORMATIONAL: Recovery Zone Designation**

Mr. Rowley said that there are two allocations of bonding that came into the County as a result of the stimulus act. One is recovery zone economic development bonds, a bond where the federal government will reimburse 45% of the interest. The County's allocation under this program would be \$4.9 million. These bonds are governmental bonds, part of normal general obligation that is done every year. In order to take advantage of the allocation the County has to designate areas within the county that are recovery zones. The law allows designation of the County as a recovery zone. Another bond is the recovery zone facility bond, which offers a 35% rebate on the interest; they can be used for private purposes. They are bonds that probably could be issued through the IDA. The allocation under this bond is \$7.4 million.

Mr. Stanczyk said that the County will issue, in the normal course of issuing bonds, \$4.9 million and get some federal rebate back. Of \$4.9 million bonds, the County is paying about \$250k in interest, so this might be \$120K from the federal government. Ms. Ferrara explained that they have to be for non-taxable projects but sold for taxable bonds. Mr. Rowley said that an analysis has to be done on taxable vs. nontaxable. In answer to Mr. Stanczyk, Ms. Ferrara said that taxable bonds have been issued infrequently.

Chairman Rhinehart asked why the federal government is doing this; Ms. Ferrara said to encourage projects.

The meeting was adjourned at 1:38 p.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

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**PLANNING & ECONOMIC DEVELOPMENT COMMITTEE, August 13, 2009**  
**CASEY E. JORDAN, CHAIRMAN**

MEMBERS PRESENT: Mr. DeMore, Mr. Lesniak, Mr. Stott, \*Mr. Laguzza, Ms. Williams

MEMBERS ABSENT: Mr. Rhinehart

ALSO PRESENT: Mr. Meyer, Mrs. Rapp, Mr. Rupprecht and see attached list (Attachment 1)

Chairman Jordan called the meeting to order at 9:00 a.m. ***A motion was made by Mr. DeMore, seconded by Mr. Lesniak to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

**1. Memorializing the Federal Government to Take Immediate Action to Help Relieve the Current Dairy Fiscal Crisis** (Sponsored by Mr. DeMore)

Mr. DeMore noted that the cost of producing 100 lbs. (11 gallons) of milk in June of 2009 was over \$22 per hundred pounds and the farmers are getting paid \$12.50. Current price of a gallon of milk in the stores is \$2.50 - \$3.50; this equates to \$28.41- \$39.77 per one hundredweight of milk. The dairy farmer actually receives \$10 to \$12 per hundredweight, depending on milk fat and protein content. Dairy farmers are being paid prices they received back in the 1960's and 70's while attempting to pay expenses of today's higher fuel, fertilizer, etc. By this resolution they would be asking the federal government to do the following:

- Provide additional funding for increased payment to dairy farmers from the Milk Income Loss Contract program
- Urge the USDA to move dairy commodities off the domestic market as quickly as possible, export to other countries more than they are doing right now.
- Urge the USDA to take immediate administrative action to increase temporarily the product price levels in the Dairy Product Price Support Program
- Urge the USDA to make an immediate dairy product purchase for WIC and other nutrition programs.

Mr. Harvey Skeelee, President of the Onondaga County Farm Bureau, said he is a semi retired dairy farmer, sold his dairy in 2003, because he didn't want to borrow any more money. Mr. Skeelee said the government sets the milk price, dairy farmers can control the quality, it has always been a complex system, Canada has a quota system and the United States is headed for that.

Mr. Lesniak asked Mr. Skeelee if he means when the government sets the price, it is what the farmer gets paid. Mr. Skeelee said "yes", when you see a gallon of milk in the store for \$2 to \$3, the farmer gets paid about 90 cents. Mr. Skeelee noted that there is a lot of overhead on dairy farms to keep them going.

Mr. Laguzza suggested that if there is similar legislation at the federal level, the bill number should be referenced in the resolution.

***A motion was made by Mr. Laguzza, seconded by Mr. Lesniak to approve this item.***

Mr. DeMore said regarding Sprawl, he is seeing the larger dairy farms buying up the smaller ones. If the large ones go out of business, that property would be available for houses, etc. causing a lot of urban sprawl. Mr. Skeelee said the dairy farmers keep the small towns going with the taxes they pay.

***A vote was taken on this item and passed unanimously; MOTION CARRIED.***

**2. PLANNING: Mr. Don Jordan, Director**

**a. Approving the Inclusion of Viable Agricultural Land within Certified Agricultural Districts Pursuant to Section 303-b of the NYS Agriculture and Markets Law**

Mr. Jordan said there is a 30-day window in January for people to ask to have their land included in the Agricultural District. There are five parcels of land listed in the resolution; they are located in the Village of Elbridge, Town of Elbridge and Town of Skaneateles.

***A motion was made by Mr. Lesniak, seconded by Ms. Williams to approve this item; Ayes: 5, Abstentions: 1 (Laguzza); MOTION CARRIED.***

**b. Presentation Regarding Sprawl – Ms. Megan Costa, Planning Services Manager**

Ms. Costa presented the following Power Point:

Mr. Laguzza mentioned the issue last month regarding SOCPA and the decision that the County Attorney made regarding legislation within the city. Mr. Laguzza said he went through legislation back to 1968 and he has never seen the County rule on a local home rule within the City of Syracuse (University area and subdivision). Ms. Costa said it wasn't a planning dispute; it was strictly a legal based dispute. Mr. Laguzza said the legal decision effected the planning, it is his understanding that there has always been a municipal agreement to support municipal home rule within the city, asked why it happened. Mr. Fisher said it was a legal issue; there was a court decision made, City chose to disregard the decision while it was in the appeal process, the County Attorney advised that the County should do otherwise, that they should act on that decision while it was in the appeal process. They tried to look for a way for the City Zoning to do what it wanted to do while the County took the advise of their attorney. Mr. Laguzza said city numbers are going down, in his opinion, there has been no legislation regarding subdivision and increased density within the City of Syracuse, there are multiple areas where subdivision is being allowed, asked if the agency has the authority to put a moratorium on subdivision within the City of Syracuse, have already established the fact that the County Attorney is going to make legal decisions regarding what comes out of this agency. Mr. Fisher said this is an issue within the zoning function of the agency very narrowly limited to this court case that is still under appeal; it doesn't at all signal lack of willingness to work with the City and it doesn't signal a lack of concern on the part of the County Executive for the ideas presented today.

Mr. DeMore asked who is working on the new plan. Mr. Jordan said Ms. Costa is leading up the plan, another planner spends the majority of her time working on the plan and they have two other people in planning positions that are working on it about a quarter of their time. There will be public input through the project with SMTC, are looking at a survey to get ideas from the public, also will be working with all the municipalities to get their input on the future land use vision. Ms. Costa said they are looking at creating a steering committee to help make some of the bigger decisions, will also do public presentation at the end of each phase. Mr. DeMore said the Hamlet of Lafayette is looking to get water asked their position on that. Ms. Costa said if they are having issues with septic systems and it is a public health issue, it is something to be considered.

Mr. Lesniak asked what the approval process is for this plan. Ms. Costa said the plan would first get endorsed by the County Executive and then presented to the County Legislature for their endorsement; there would also be a public hearing component. In answer to Mr. Lesniak, Ms. Costa said it is a tough line, a lot of variables that go into it, they don't want to stifle economic growth, but don't want to be making investments in infrastructure and converting open spaces if it is not absolutely necessary. Mr. Lesniak said he understands that there is a cost to OCWA, etc. to run water lines; sewer lines are a little different and are usually set up in a special district, that cost is paid for by the developer or the unit charge, asked what the County cost is. Mr. Fisher said it is still an expensive service; some folks are paying hundreds, close to a thousand just to be hooked up. Ms. Costa said all the special districts out at the edge to serve subdivisions all lead into the County trunk system; at some point the treatment plant will reach capacity and will need an upgrade. Mr. Lesniak noted that the pump station upgrades are paid out of the sewer maintenance charges collected for the development. Mr. Jordan noted that it spreads maintenance out over more areas. Mr. Lesniak said he understands that there are other hidden costs such as emergencies services, schools, etc.

Mr. Stott said he hopes the issues of why the farmers' profession is declining, why people are moving out of the city, crime are in this report.

### **3. COMMUNITY DEVELOPMENT: - Trish Riter, Housing Program Coordinator**

#### **a. Amending the 2009 County Budget to Accept Additional Funds for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) and Authorizing the County Executive to Enter into Agreements to Implement this Resolution (\$897,454)**

Ms. Riter introduced Ms. Sarah Merrick from Div. of Social Services and Paul Driscoll, Housing Director for the City of Syracuse and provided a handout regarding the Homelessness Prevention and Rapid Re-Housing Program (*on file with Clerk*). Ms. Riter said the County would be getting just under \$900,000 to assist the homeless and housing vulnerable population, the City is getting just over \$2.5 million for a combined total of just under \$3.5 million. They have been working with Social services and the City of Syracuse Community Development Office to develop a coordinated plan on how to spend these funds. Just about half the money will be filtered through the Div. of Social Services and distributed as direct financial assistance for rental payments, security deposits, moving costs, etc. They are also looking to partner with community not-for-profit organizations to undertake the housing relocation and stabilization services that are needed to get people that are homeless out of shelters and into long term stable housing, and if there are situations where the housing vulnerable can't afford their existing living situation, to relocate them into something that is more affordable. Entities that will be funded:

- Income Maintenance Specialists (2FTE's) to be hired by the Div. of Social Services to go through the preliminary eligibility determination for the clients, and to make emergency payments to landlords and utility companies for folks who are at risk of being evicted or having their power shut off.
- Case Managers (4FTE's) will be outsourced to the not-for-profit agencies, they will be physically housed in the Civic Center and will oversee the work of the Housing Relocators and the community caseworkers
- Housing Relocators (5 FTE's)
- Moving and storage funds would be administered by Catholic Charities
- Legal Aid (1 FTE) – to help prevent evictions
- SOAR Worker (1FTE) – Caseworker who helps chronically homeless that have been in shelters for long periods of time, helps them go through a very cumbersome process of getting on SSI or SSDI.

HUD has imposed a short timeframe to go through this process, have to get contracts in place with the not-for-profit agencies by September 30<sup>th</sup> and have three years to spend the funding.

In answer to Mr. Jordan, Ms. Riter said the only County employees would be the two Income Maintenance Specialists; everything else would be outsourced to the agencies.

Mr. Laguzza said he suspects that after the end of the three years, the grants and positions are gone or absorbed through the County budget, if they decide to hold on to them. Ms. Merrick said they are thinking about sustainability already, hope is that if they rapidly move homeless out of the shelters, they might be able to reduce the shelter capacity which would free up some money in order to sustain some semblance of the process they are putting together.

Mr. Laguzza requested to be a co-sponsor of this item. *A motion was made by Mr. Laguzza to approve this item.*

Mr. Lesniak asked if every adjacent county is doing this program. Ms. Riter said entitlement communities that automatically get an emergency shelter grant allocation are receiving these funds automatically; Monroe County is the nearest

county to Onondaga receiving these funds. Mr. Lesniak asked if a homeless person from Tompkins County moves to Syracuse, is that person eligible for these funds. Ms. Merrick said they serve people who come from all over the state and other states. When people come here, they do everything they can to analyze if they have resources back home that would facilitate them going back; however, they are obligated if they are homeless to shelter them. Mr. Lesniak said their eligibility for the rest of the DSS programs comes under our budget. Ms. Merrick said if they can establish that their residency is in another N.Y.S. county, they could work with that county to recoup their costs. In addition to the federal money, New York State has an additional \$70 to \$100 million to distribute to other counties, they are in the process of making those decisions. Surrounding counties may get some of this money which would discourage smaller counties' populations from moving into our area. Mr. Lesniak asked if there is any pre-qualification for rent, utilities for existing residents first, are we going to be the hub for the homeless from the surrounding counties. Ms. Merrick said part of the funds would allow them to create a Homeless Management Information System, which will allow them to better track where people come from. If they are coming from

surrounding counties could send them home or recoup costs better, or if they are actually being discharged from prisons and institutions, could address these patterns by going to the appropriate officials to do something about it. They know parole officers are discharging felons from prison to our community who are not from Onondaga County. They need to track that information so that they can begin to use the appropriate political channels to try to change that policy. Mr. Lesniak asked if there is a mandate that they have to take this money. Ms. Riter said it is not a mandate; it is an opportunity to get people out of the shelters. Mr. Lesniak said they may not be solving the problem but creating the hub for it. Mr. Jordan said the problem right now is that many of these people are being housed in hotels, we are trying to reduce that cost of housing the homeless by getting them into permanent residences, what Mr. Lesniak is addressing is more of a programmatic type of concern. Ms. Merrick said they will be evaluating the data, need to solve the institutional discharge issue, would be happy to come back to the Legislature regularly to tell them the trends they are finding.

When talking about chronic homeless, Ms. Williams asked if that is because of mental illness, and if so, will there be services for them. Ms. Riter said it is her understanding that the chronically homeless that are in the shelters often do have mental illness, limited life skills; if they have difficulty maintaining an income source, they need to get them on SSI or SSBI, need a dedicated worker to do that. Ms. Merrick said about 30% of the homeless in shelters are chronic with mental health or substance abuse issues or both, they are perfect candidates to get Social Security income, it moves their housing allocation from \$320 a month to \$750 a month minimally. They can easily get affordable housing, caseworkers will facilitate and make sure they get the proper mental health care or substance abuse treatment. This money will allow them to stabilize the housing situation.

Mr. Stott said he would like to see a resolution to the state and federal government about putting something in place for discharges from institutions, etc.

Mr. Laguzza said there are a lot of families that are homeless, or are riding a fine line and tomorrow could be homeless, they are not just in the city, they are also in the suburbs.

*Mr. Laguzza's motion was seconded by Ms. Williams; Ayes: 5; Abstentions: 1 (Lesniak); MOTION CARRIED.*

#### **4. ONCENTER:**

a. Report of Facility Use Fee – Terri Toennies, President/CEO

Ms. Toennies said she represents the Oncenter Complex Convention Center War Memorial Management Corporation. The corporation is hired by the County to run the facility. In the terms of agreement, it says that they are to establish charges, fees, rates and rents for the use of the

complex and the services provided to users by the corporation. These charges and fees must be priced competitively with similar businesses with due regard to quality offered and to the extent financially feasible. Ms. Toennies said the purpose of a facility fee is to help towards repairs, maintenance and upgrades throughout the facility. Information was provided concerning restoration and facility fees in surrounding areas of Rochester, Buffalo, Albany, Binghamton, Glens Falls and some out of state and also a handout entitled Oncenter Complex Capital Improvements/Enhancements *(on file with Clerk)*. Regarding the Capital improvements and enhancements, Ms. Toennies said they currently have needs throughout all facilities that are well over \$21 million for upgrades, repairs and maintenance just to get them current with the competitive nature of their business. They vary from energy efficiency needs, acceptable industry standards, and potential liability issues due to worn out equipment or surfaces. Annual capital budget is \$250,000 from the County; out of that, they pay about \$136,000 a year towards the ribbon lighting and ovens that were put in a couple of years ago. There is about \$114,000 a year remaining to spend on the three venues. In addition to the capital budget, they would like to take a look at imposing a facility fee on ticketed events at the Oncenter complex. They have lost business due to some of their venues not having the upgrades or bells and whistles that convention business is looking for, this would be a positive step towards getting business back. Ms. Toennies provided comments made by three concert promoters concerning the facilities - Live Nation, AEG World Live and Magic City *(on file with Clerk)*. Ms. Toennies said a facility fee could potentially generate up to \$250,000 to \$300,000 a year in additional revenues. They would like to charge it on an individual ticket to concerts, sporting or entertainment events held at any of the three facilities, would be subject to her board's approval as well as individual contracts that they may have with tenants. Charge to be determined, provided a sheet with estimate of what a facility fee could mean based on 2008 attendance at different events. It would be a variable fee depending on tenant agreements and the type of event, doesn't think they would go beyond \$2.00.

**Mr. Jordan asked if they anticipate fees varying by event as well as category. Ms. Toennies said there would be a standard rate for individual tickets that might be negotiable at times. Regarding others who have instituted a facilities fee, Mr. Jordan asked if they have detected any drop in attendance. Ms. Toennies said from her experience in San Antonio where they had a \$3 facility fee for concerts, they sold 4,000 whether they had the fee or not.**

Ms. Toennies said the CFO would report quarterly or monthly concerning the plan to spend the generated revenue to ensure that the facility fee is going back towards the use. The common goal of the Oncenter Complex and the County is to showcase a beautiful, versatile and nationally recognized facility, need to get it up to par.

Mr. Laguzza said he wouldn't want to see a fee of over \$2.00 on an individual ticket, especially for families. Ms. Toennies said some facilities put a lesser fee on children's tickets.

Mr. Lesniak said he would want some guarantee that the facility use fee will go towards projects.

Mr. Stott expressed concern about the possible impact on the symphony, hopes there is sensitivity, anything over \$2 would be excessive. Ms. Toennies said there would be no charge on season tickets.

Mr. Jordan asked if the tenants were part of the discussion regarding a fee. Ms. Toennies said they were when she first arrived, since the Oncenter board has given its approval, she is now going back to them, they are more accepting of it if they know the money is going back to their facility.

#### **b. Amending the 2009 County Budget to Provide for the Financing of a New War Memorial Scoreboard**

**Ms. Toennies said they are looking to invest through a number of different sources:**

- \$200,000 through the Crunch based on a five year lease and a five year option that has not been signed yet
- \$200,000 from the Oncenter – would pay in a quarterly manner out of the facility fee

- \$250,000 from costs savings on projects bonded for
- \$100,000 out of Room Occupancy Tax.

Ms. Toennies said the scoreboard is important to them, want the Crunch to stay, the Crunch employs over 100 people at every crunch game- security, concession police, etc. For 40 games a year people are coming downtown and supporting downtown by using the restaurants and parking. Also would have the opportunity to sell that scoreboard to concerts, other promoters, family events, money could go into keeping the venue fresh. Current scoreboard is outdated by about five years; this new scoreboard would be comparable to the other scoreboards in the AHL league.

Mr. Lesniak said the \$200,000 from the Crunch is being paid over a period of time; the County has to come up with that money first, where is that coming from. Mr. Seitz said as in most of our federal/state grant programs, it will come out of capital fund cash, the County will upfront the cash and get the reimbursements down the road like they do with grants or any other reimbursable program. Mr. Lesniak asked what they project from the facility use fee per year. Ms. Toennies said based on 2008 Crunch figures alone, it would be about \$77,000 on non-season ticket holders.

Mr. Laguzza asked the balance in the capital cash fund. Mr. Seitz said it is millions; have multiple projects doing multiple things. Mr. Laguzza asked why they are taking \$200,000 out of a bond, why not out of this fund. Mr. Seitz said cash is different than actual budget, can't just grab available cash. Mr. Laguzza said he is uncomfortable with drawing \$250,000 on a bond that was overestimated. Mr. Seitz said they would have to come up with an alternate funding source, someone could propose ROT balance, or other things. Mr. Seitz said they are leery about using more ROT, because they are down over 9% in collections for the first half of they year. Mr. Fisher said one way to think about the capital fund is that it is working capital and use that for financing. There is \$400,000 coming back to the County via the Oncenter \$200,000 from the surcharge and \$200,000 from the Crunch, in essence we are financing that, felt it appropriate to use part of the bond ability that they have. Mr. Laguzza said the bond is going to cost the County money, from the capital fund it doesn't. Mr. Fisher said the County is trying to make good things happen, have to do it appropriately, and have the finance people say it is appropriate.

Mr. DeMore asked if they have projections regarding the cash flow for the new scoreboard. Ms. Toennies said she does not, the current scoreboard supports 16 sponsorships, the new scoreboard would support up to 28 sponsorships, almost doubling the number of sponsorships they can sell. In the past, the Crunch has dominated the sign, had it all season long, they understand that the Oncenter will be able to use it as their own sign any time there is not a Crunch game. Mr. DeMore requested information regarding projections for the new scoreboard and history with old scoreboard.

Mr. Lesniak stated that he would not want to use any more ROT at this point, would rather use the bonding; may need some of the ROT to shorten the gap in the budget process.

*A motion was made by Mr. Jordan, seconded by Mr. Stott to approve this item; Ayes: 5; Abstentions: 1 (Mr. Laguzza); MOTION CARRIED.*

**c. Amendatory Bond Resolution. A Resolution authorizing the Purchase of a Scoreboard as Part of the Reconstruction and Construction of Improvements to the Oncenter Complex**

*A motion was made by Mr. Laguzza, seconded by Ms. Williams to approve this item.* In answer to Mr. Lesniak, Mr. Jordan said it is his understanding that that the savings on the bonding was not the roof; cost savings that are being realized are the result of RFP's that came back for locker rooms, fire safety, etc.

**\*Mr. Laguzza left the meeting.**

***A vote was taken on this item; Ayes: 5; Absent: 1 (Mr. Laguzza); MOTION CARRIED.***

**5. Supporting a One Stop Shop for Economic Development (Sponsored by Mrs. Rapp)**  
Ms. Rapp said she was present at the meeting as a representative of the Shared Services Committee. The committee is charged with the idea of creating systems that would produce more modern, cost effective, efficient and effective government. Today they have come to the point where everybody recognizes this kind of duplication creates a system that is confusing and ineffective, we are losing business in this community because of it. Stephanie Minor is calling for the same thing, Ryan McMahon, City Counselor, is involved in the Shared Services Committee. Ms. Rapp said the idea is to have an overarching regional approach where not only would the staffs be combined and hopefully reduced, but also there would be an overarching plan that the MDA, Empire State Development (ESD), Chamber of Commerce and our new City/County office would all share so that everybody would know exactly what their piece was. There would be one office so that when people came to town they would know exactly where to go. City/County people would be housed there, attraction people from the MDA, Chamber and ESD, a planning representative who would be familiar with all the zoning and planning rules for the different towns. When someone comes in, they would have laid out before them a plan of what to do and how to do it and someone to shepherd them through the whole process, to make it as simple and uncomplicated as possible. Ideally, the savings come back to the taxpayer not only in improved performance and more deals getting done, but also the revenues from the City IDA and the County IDA would be able to support the whole economic development office in its entirety. This could be reflected in the coming budget.

**Mr. Jordan said this is a great thing, will do wonders for our community, is happy to see that we will be moving forward in a more cohesive and efficient fashion.**

**Mr. Lesniak noted that the resolution is asking the County Executive to pursue this, assumes that at some point it would have to come back to the Legislature for final approval. Mrs. Rapp said that was correct; in the City, it would be the prerogative of the new mayor. Mr. Lesniak said it is a great move.**

**Mr. Stott said he is excited to see this. It is the first step towards coming up with a uniform process, each town has different restrictions, possibly will come up with a uniform code across the board. Mrs. Rapp said they are not interested in taking away home rule in the communities, but everybody is meeting in one place in a collaborative fashion, maybe there is a best practice plan that could come out of this that could be universal. Mrs. Rapp said her vision is not just Onondaga County, thinks this is something that should be approached in a far more regional way.**

**Mr. Stott requested to be a co-sponsor.**

***A motion was made by Mr. Lesniak, seconded by Mr. Stott to approve this item; Ayes: 5; Absent: 1 (Mr. Laguzza); MOTION CARRIED.***

**The meeting was adjourned at 10:54 a.m.**

Respectfully submitted,

Johanna H. Robb, Deputy Clerk

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**SOCIAL SERVICES COMMITTEE MINUTES – AUGUST 13, 2009**  
**CHAIRMAN SAM LAGUZZA**

**MEMBERS PRESENT:** Mr. Holmquist, Mr. Rupprecht, Mr. Lesniak, Mr. Stott, Mr. Kilmartin

**MEMBERS ABSENT:** Mr. Buckel

**ALSO PRESENT:** *see attached list*

Chairman Laguzza called the meeting to order at 11:00 a.m. *A motion was made by Mr. Lesniak, seconded by Mr. Kilmartin, to waive the reading and approve the minutes of proceedings of the previous meeting. CARRIED.*

**1. SOCIAL SERVICES:** Sara Merrick, Program Coordinator

**a.** Amend '09 Budget and Authorize the Execution of a Contract with the City of Syracuse for the Purpose of Administering Direct Financial Assistance for Homeless and Housing Vulnerable (\$1,578,831)

**b.** Create Two Income Maintenance Specialists, Gr. 09 @ \$40,449 - \$44,741 effective Oct. 10, 2009

Ms. Merrick said that the City and County Community Development were notified to receive federal stimulus funds. Ms. Merrick distributed a memo to the committee on the detail of the program (attachment #1). DSS is working closely with the City and Community Development to assist homeless and housing vulnerable over the next 3 years. DSS will administer the program. DSS needs to hire two income maintenance specialists--grant positions to be abolished automatically when grant terminates. The City and County will contract with agencies to provide case management (a number of local agencies will be asked to hire case managers), moving, and legal representation. People will be moved out of housing, diverted from entering shelters, etc. This will serve all homeless.

Mr. Lesniak expressed concern that Onondaga County is getting the program and neighboring counties such as Tompkins, Cayuga, Cortland, Oneida and Oswego don't get it. Onondaga County could be the hub to the homeless. There is a possibility of people scamming the homeless program that Onondaga County has, resulting in the DSS budget going up. He referenced probation release issues, intent of the whole jail concept.

Mr. Holmquist said that currently we have anecdotal evidence of some of what is happening, particularly with the prison population up and parole discharges, but do not have clear information on the homeless population. Ms. Merrick explained that a portion of this money can be used to build that information system--where the homeless is coming from, if they are coming from institutions or prison. It will be evaluated closely for further policy action. Mr. Holmquist expressed concern that Onondaga may become the Mecca for the homeless. Ms. Merrick said that right now Onondaga County serves those that are homeless and are in a crisis.

In answer to Mr. Kilmartin, Ms. Merrick explained that the two income maintenance positions are new positions, and will work with other current county employees for the 3 years. Regarding funding, \$1.16 million will come in 2009 via the City subcontracting to the County to administer. The money will be front loaded – hiring, get chronic homeless out of shelters, etc. The funds are 100% federal dollars. Mr. Kilmartin asked about what happens at the end of the 3 –year cycle. Ms. Merrick said that there are 370 homeless beds now, if really able to do rehousing of homeless and divert effectively, not as much capacity may be needed in the shelter systems. The idea is that costs will not be increased.

Mr. Holmquist asked if federal dollars were given to those that have urban centers; how was Onondaga County selected. Ms. Merrick explained that the federal government wanted to get the money out fast; emergency shelter grants automatically got this money. There was another \$100 million or more that the federal government gave to the states; the State hasn't made those distributions yet. They will be spreading it all over the state and country.

Mr. Holmquist asked about \$23,000 for data collection & evaluation; Ms. Merrick explained that between the City and County \$140,000 will come in over the next 3 years for it; will be able to tell where individuals are coming from, and then appropriate decisions will need to be made.

Mr. Sutkowy said that the standard is to serve where the individual appears; not sure that Onondaga County is the Mecca for homeless; the number in Onondaga County is flat for homeless. Mr. Lesniak said that it is now, but if there is an incentive to move here because of a special service, then do we become the Mecca. He is not concerned about the person that needs it, is concerned for the person that may scam the system to their advantage. Mr. Sutkowy said that he doesn't see it playing out that way. The ultimate intention is to identify those that are coming here and divert as quickly as possible.

Paul Driscoll, City of Syracuse, addressed the committee. Noting that one of the many things that this program brings is the single point of entry. The Mayor is excited about the program as it will assist more of the housing vulnerable – those that are on the door step of the Salvation Army – want to divert and relocate them to adequate housing. From a county perspective, shelters are overflowing and ending up being a very expensive way of doing business.

Chairman Laguzza said that this has to pass the City. Ms. Merrick explained that there will be separate contracts, the resolution needs to pass, Community Development needs to pass their resolution, and DSS legal unit and City Law Department will have to draw up an IMA.

Mr. Rupprecht asked if any funds can be used to mitigate some of those problems for the people that are not homeless, living in substandard housing and become homeless. Ms. Merrick said that they can be, even if they are homeowners – can do things such as assist with utility payments. The goal is to keep them in their unit if suitable.

***A motion was made by Mr. Rupprecht, seconded by Chairman Laguzza to approve item 1a. AYES 4 (Laguzza, Stott, Rupprecht, Kilmartin); NOES: 0; ABSTENTIONS: 2 (Lesniak, Holmquist). CARRIED.***

***A motion was made by Chairman Laguzza, seconded by Mr. Kilmartin to approve item 1b. AYES 4 (Laguzza, Stott, Rupprecht, Kilmartin); NOES: 0; ABSTENTIONS: 2 (Lesniak, Holmquist). CARRIED.***

**c. Status: Medical Transport RFP Process**

Chairman Laguzza said that members were provided a copy of the RFP and asked about the number of bidders. Mr. Sutkowy explained that the RFP has not gone out.

Mr. Stott submitted a resolution entitled **Requesting NYS and Federal Governments to Afford Local Governing Bodies the Opportunity to Take Part in the Process for the Allocation of Grant Funds.**

Mr. Stott explained that the \$200 per child allocation for school supplies given out last week was mandated by government. He is concerned about the accountability of the funds. In this case there is no way to tell how the money would be spent. If the dollars are going to be given out through County DSS, the legislature should have a right to take part in the allocation process.

Mr. Lesniak asked what the resolution would get the legislature; ultimately there needs to be control of the program. The money can be refused. Mr. Stott said that in this case, families are buying lottery tickets, beer, etc, with the money. A suggested language change included adding the "right of refusal." Mr. Stott said that he may bring the resolution to the floor in September.

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk  
Onondaga County Legislature

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**WAYS AND MEANS COMMITTEE AGENDA – AUGUST 14, 2009**  
**CHAIRMAN JAMES RHINEHART**

**MEMBERS PRESENT:** Mr. DeMore, Mr. Warner, Mr. Holmquist, Mrs. Rapp, Mr. Stanczyk, \*Mr. Kilmartin, \*\*Mr. Corbett, \*\*Mr. Kinne

**ALSO PRESENT:** Chairman Meyer, Mr. Jordan, Mr. Stott, *see also attached list*

Chairman Rhinehart called the meeting to order at 9:30 a.m.

***A motion was made by Mr. Warner, seconded by Mrs. Rapp, to waive the reading and approve the minutes of the previous committee meeting. MOTION CARRIED.***

**1. EMERGENCY COMMUNICATIONS:** John Balloni, Commissioner

a. **Accepting a COPS grant in the amount of \$250,000 for the Onondaga County Interoperable Communications System Project and authorizing the County Executive to enter into agreements**

This is accepting a \$250,000 grant to be used towards the OCICS Communications System.

***A motion by Mr. Warner, seconded by Chairman Rhinehart to approve this item. Passed unanimously; CARRIED.***

**2. OCPL:**

a. **Authorizing an increase in the Amount of the Petty Cash Change Fund at the OCPL**

***A motion by Mr. Stanczyk, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.***

\* Mr. Kilmartin arrived at the meeting.

b. **Amending 2009 Budget to Accept State Division of Library Dev. Funds for the OCPL and Authorizing the County Executive to enter into contracts to implement this resolution (\$1,708)**

***A motion by Mr. Stanczyk, seconded by Mr. DeMore to approve this item. Passed unanimously; CARRIED.***

**3. VAN DUYN:** Roberta Sprague, Commissioner

a. **Transfer of Funds From Acct. 101 Reg. Employee Salaries in the Amount of \$465,000 to Acct. 408 Prof. Svcs. to Cover Costs for Contracted Nurses (\$400,000) and a Feasibility Study of Operational and Organizational Alternatives for Van Duyn (\$65,000)**

This movement of money would put additional money into the contract line for professional staff and complete the study that the County Executive addressed in her State of the County--a feasibility study on Van Duyn.

***A motion by Mr. Stanczyk, seconded by Mr. Warner to approve this item.***

Mr. Warner asked about the potential of hiring private contractors to do more work at Van Duyn, and asked if it will be part of the study. Ms. Sprague said that she is not sure; the study will encompass a lot of things. One area being looked at is a discrete rehabilitation center within Van Duyn. They have been working with the unions regarding contracting out physical/occupational therapy and bringing in speech therapists. A meeting is coming up in the near future. Mr. Warner said that he understands the concern of the unions, but in reviewing information provided by Mrs. Sprague at Health Committee, it looks like there are very substantial savings in outsourcing this work. Mrs. Sprague said that is for RNs, LPNs, CNAs. When looking at those salaries, where there is overtime with County staff, then the numbers go up considerably. There is no issue with using CNAs and LPNs in contracting out and it is done as needed. RNs have never been contracted out, because that particular union has been opposed to doing so. In answer to Mr. Warner, Mrs. Sprague said that she hopes the study will be completed by the beginning of October.

Chairman Rhinehart asked if the study will incorporate long-term use of the facility. Mrs. Sprague said that is one of the issues being looked at; they will be projected out over a 3-year period of time.

***Passed unanimously; MOTION CARRIED.***

**4. STOP DWI:**

a. **Amending the 2009 County Budget to reappropriate 2008 Surplus DWI funds (\$4,551)**

***A motion by Mr. Warner, seconded by Chairman Rhinehart to approve this item. Passed unanimously; CARRIED.***

**5. ONCENTER: Terri Toennies, President/CEO**

a. **Amend '09 Budget to Provide for Financing of a New War Memorial Scoreboard (\$500,000)**

\*\* Mr. Kinne and Mr. Corbett arrived at the meeting.

Mr. Jordan said that this is a great partnership between the County, OnCenter, and Crunch. This is looking to finance a new scoreboard for \$750,000:

- \$250,000 of it to be financed from a cost savings in improvements that were previously authorized by the legislature
- \$100,000 come from surplus ROT from last year
- \$200,000 from OnCenter through a facility use fee that will be instituted
- Remaining \$200,000 would be coming from the OnCenter, but essentially paid by Crunch at the rate of \$500 per game, with an understanding that the full amount would be paid regardless of the amount of games played. It would be paid over a period of five years under a new lease to be entered into with the Crunch. If they exercise the option to extend that lease for an additional five-year period of time, then their share of the purchase price would be extended out to the end of that extended lease term.

This is a great move forward in the relationship with the Crunch, as well as bringing the OnCenter facility up to par with comparable facilities throughout the state and nation. It will be a good boost in the arm to local economy and tourism.

Mr. Holmquist said that it is 1000% better than what was considered before. There is a lot of good news here--a positive tone for the relationship. The previous proposal was a long way from this and if it wasn't supported that way, there was name calling and being cut off at the knees. Now this is reciprocal and positive. He supports the facility use fee. It will help with this and be a great step forward. However, he expressed concern about the contribution from ROT. When the \$10.9 million was approved for the capital improvement plan, many legislators had said that not one penny of that money would go towards the scoreboard. He is struggling with looking at a \$50 million budget gap; there is talk about significant layoffs; very bad news has been delivered on the revenue front and on the expense front; there is bad news looking forward. Under normal conditions, there would be very few proponents to spend property tax money on a scoreboard. A fiscal tsunami hit a year ago and there may be another waive coming. He is very excited about the future and the OnCenter and gave accolades to Ms. Toennies.

Ms. Toennies said that the scoreboard helps to have the Crunch stay. Each game employees over 100 people. If that went away, it is 100 people times 40 times per year...the restaurants in the City, parking garages, etc. It is not just a scoreboard, it is enabling the use of the facility the way it should be used and funding it so that they can continue to do repairs and maintenance. At Planning Committee she reported that there are over \$23 million of repairs that need to be done throughout the complex. The scoreboard is just one part. Ms. Toennies deferred to Mr. Rowley as to why the funding is not coming out of ROT. Mr. Rowley explained that at this point he is not confident as where the County will end up with ROT; receipts are down. Since there is available dollars under bonding authority, it seems prudent to go ahead with them at this point.

Mr. Holmquist said that he appreciates that we are not paving roads; preventive maintenance budgets are put off for a year everywhere; this isn't a normal time to spend on capital projects. This is \$250,000 of property tax money. Mr. Jordan said that without the scoreboard, the Crunch's rent would be reduced, a loss to the County. Additionally, by having a new scoreboard, there is increased ability to generate revenues from selling space on the scoreboard. Right now we are losing \$125,000/year. In two years it would be an even slate, not even factoring in the additional revenues from selling advertising. This is a positive move; this is investing a little now "spend money to make money." In the long run it will be beneficial to taxpayers as it is increasing revenues to make the facility profitable and with the new aspects of the lease, there will be freeing up additional days so that more events can be brought in.

Mr. Stanczyk said that it is obvious that the Crunch wants to stay here, we want to keep them here; there is a lease negotiation in process and asked about the state of the lease negotiation. Ms. Toennies said that

the lease is verbally agreed upon, pending where we are with the scoreboard, they will be giving back \$500/per game toward the scoreboard. Mr. Stanczyk said that Mr. Holmquist is correct that this is a very difficult time to take any money out of what would fall down to our bottom line in terms of tax revenues. The \$250K and the \$100K are receipts that would, in fact, either have to increase taxes or take from property tax revenue—he is concerned about the \$350,000. He asked about the revenue stream from the Crunch currently. Ms. Toennies said that it is their proprietary information; the value of the scoreboard based on competitive sponsorship scoreboards throughout the U.S. is about \$1 million per year—that is with 16 sponsorship spaces; the new scoreboard will have up to 26 sponsorship spaces. Mr. Stanczyk said that it is reasonable to assume that if a new scoreboard is built for them, that there revenues could go up significantly; and questioned if they should be paying for the new scoreboard with some of those increased revenues. Ms. Toennies said that they are because the scoreboard is an addition to their rent, it is not part of their rent. In answer to Mr. Stanczyk, Ms. Toennies said that she cannot divulge what their rent is right now. Mr. Stanczyk said that this is asking that the County kick in money to significantly increase the Crunch's opportunity to make significant monies from the advertising by putting in a new scoreboard. If it is the County's scoreboard and the County is building it, then the County should have some piece of it and knowledge of revenues derived from it. It should be a big part of the renegotiation of the lease. In front of the committee is one step in a two or three step process, and he is reticent to approve the one step without knowledge of the second step being committed to. There have been all types of hand-shake deals in this government in the past, and they have brought nothing but trouble. He doesn't intend to get involved in handshake deals in the future. In answer to Mr. Stanczyk, Ms. Toennies said that the life of a new scoreboard is 10 years. Mr. Stanczyk asked how long it would be bonded for; Mr. Seitz said that it would probably be no longer than 10 years.

Mr. Stanczyk said that he was told that the FUF fee would be completely at the OnCenter's discretion as to how they would be assessed. He was also told that the inclination was not to charge a FUF to single ticket holder and to charge them to season ticket holders. He said that the discretionary basis of how the fee is going to be charged causes even more inequities. He asked if the fee, that is intended to be charged, is only for Crunch or will it be put to other people. He asked why there is a distinction between season ticket holders and regular ticket holders; why should the Legislature allow the OnCenter the discretion to charge different people. Ms. Toennies said that the management agreement that the OnCenter complex holds with the County clearly states that the OnCenter Management Corp. is allowed to set fees, rates, rentals, as are conducive to doing business, maintaining the facility, and in being competitive. Mr. Stanczyk said the Legislature gave that and can take it away. The Legislature gives the OnCenter a subsidy to exist, and it lives at the behest of this body. Ms. Toennies said that 80% of arenas across the U.S. charge a facility fee of some sort. The FUF would be from \$1 - \$2 per event, the events would include concerts, sporting events, and entertainment events. At this point, they have not spoken to the Symphony and the Opera. In the Civic Center they have spoken to the Famous Artist Broadway Show people. The fee will be maintained by the OnCenter and used to take care of the property. The conversation today is the scoreboard. The lease is all handwritten out, has gone through legal; it is waiting for her to put in the scoreboard part or take it out. In answer to Mr. Stanczyk about the distinction between season ticket holders and regular ticket holders, Ms. Toennies said that there was a concern on the tenants' part, not only the Crunch, but Symphony, etc., that it would hurt the season ticket holders because when buying for 40 games, it is an additional \$40 on top, as opposed to a one ticket buyer. It is fairly common practice in other cities.

Mr. Stanczyk said that the lease has to be locked down, negotiated and done before something like this is done. There is tremendous increase in revenues that will be accrued to the Crunch, and if the County is paying for a scoreboard or any portion of it, it ought to participate in that. He has real problems with an agent of the county making discretionary decisions on what gets charged a fee and what doesn't. Ms. Toennies added that the Crunch could sell the scoreboard during their games; anytime there is not a game in there; the OnCenter is able to sell it for sponsorships through its own marketing team.

Mrs. Rapp asked how much sales are expended to be generated from sponsorship sales. Ms. Toennies said that a survey is being conducted now to other facilities that have the same type of scoreboard. If the sporting part of it can be up to \$1 million; she feels OnCenter could be similar. It would take a little time; it has never been done at the facility before. Mrs. Rapp said that theoretically those revenues could pay the property tax portion of this. In answer to Mrs. Rapp, Ms. Toennies said that the gate all comes into one pool and is settled out to the Crunch and OnCenter depending on what the expenses are. Mrs. Rapp said that her expectation is that the gate will be up; Ms. Toennies replied that it needs to be increased. Mrs. Rapp said that she would like to see a report back in year's time. Regarding the length of the life of the scoreboard, Mrs. Rapp asked if Ms. Toennies can get it in writing. Ms. Toennies said that she can get the

recommendation from the scoreboard people. Mrs. Rapp said it is smart to not charge the season ticket holder the extra fee.

Chairman Rhinehart asked what happens to the old scoreboard. Ms. Toennies said that they can look at trading it in or look at putting it on the wall over the stage and use it to sell additional sponsorships there. **Chairman Rhinehart asked her to look into it.**

Mr. Warner said that a few months ago, Mr. Jordan was resistant to the scoreboard proposal and has had a change of attitude...he asked if that is mainly due to the new financing proposals. Mr. Jordan said it is partially the way the cost is being distributed, but also because of the consideration of changes that will be coming about through the new lease that will be entered into with the Crunch.

Mr. Kilmartin said that it is important to look at the history of this...there is a lease agreement with the Crunch now that is very, very favorable to the tenant. That is a starting point that we have to deal with from a business point of view. Unfortunately this is not always a game of perfect...it would be ideal if there were a perfect proposal, extremely favorable to the County, extremely favorable to OnCenter, but there are other business parties that are involved here. He complimented the OnCenter, Terri Toennies, Steve Cambareri, Chair of the Board, for taking on some very complex issues with multiple parties and entities and bringing forth a proposal that is as close to perfect as it can be. It has great benefit to the County, OnCenter, and satisfies a number of long-standing issues that have been hanging out there. Eleven months ago on the floor of the legislature, he advocated against a resolution that would have incorporated a new scoreboard and paid totally by the tax payers; it had no lease extension associated to it. What is being faced now is a 10-year lease extension with the Crunch, if they exercise their five year option after the first five-year initial period. Additionally, a \$200K payment from the Crunch to the OnCenter and County regardless of if they stay for 5 years or 10 years. It is \$200K toward the good of the County and the taxpayers. There is a long-standing tenant using one of our most valuable facilities in the County. The FUF is commercially reasonable throughout the nation, from what Ms. Toennies has presented. It can be done in a way that is proportionate to the users. Ms. Toennies has consulted with different user of the different facilities within the OnCenter. They know that the funds drawn from the OnCenter, War Memorial, or Civic Center will go back directly to that building to improve each one. He noted that the War Memorial people have been demanding improvements for over 30 years. Mr. Kilmartin said that he was involved in the interviewing process with the candidates for a new president of the OnCenter. There was an outstanding slate of candidates; the best one was chosen. One of the other top candidates was asked during the interview process what the facilities need improved--how can they be taken to the next level. The first comment was "you need a new scoreboard at the War Memorial", "it is outdated; it needs to be improved; will draw a lot more revenue from it, will draw a lot more users". Mr. Kilmartin said that he wholeheartedly supports this.

Mr. DeMore said that the income that is not known. He asked how much is owed on the existing scoreboard; Ms. Toennies said that it is paid off. Mr. DeMore said that a better figure should be known on the income; can it be used to offset that which is being asked of the County. Ms. Toennies said that it can be, but will not be an immediate overnight thing--have to find sponsors and bring them in. The Crunch can make upwards of \$1 million on the scoreboard by selling sponsorships; she feels the OnCenter can at least get \$500,000 the first couple of years and grow from there. Regarding using it to offset what the County is being asked for, she said that it should be set up to go to a fund that pays for this type of thing. The programs have to be set up; it will not be within a year, but down the road it is fully her intent to do that.

Mr. Jordan said that if this money is available to pay off a portion of the bonding debt, then it would be available to pay for some of the improvements at the OnCenter. Mrs. Rapp said that this creates a new revenue stream that we haven't had before so that in the future we are not dipping into property tax revenues. Mr. Stanczyk said that the OnCenter president tells us that there is \$1 million revenue opportunity with the new scoreboard. The Crunch does a good job; has sold this space before; the County is taking it from 16 spaces to 26 spaces--estimating \$1 million, it might be a 50%-60% improvement on the revenues for the Crunch. The Crunch has professionals, they know how to do it--suggested that the County take 10% of the Crunch's revenues, rather than have someone at the OnCenter go through a learning curve to try to sell revenues. If the County brings in \$100K per year, there isn't need to talk about at FUF tax, or the fact that the County is building a scoreboard for a tenant that may accrue \$1 million revenues and give us \$20,000 a year for 10 years; or that \$350K might come out of property tax increases. In one swoop a new scoreboard can be built, share contracts with the Crunch and get 10% of revenue, know they will do a good job, and have interest in the Crunch selling scoreboard for other events.

Mr. Kinne said that he is saddened that the parking revenues are not being discussed. Regarding the scoreboard, he wants to support the Crunch, but is concerned about taxpayers. The County should be getting a share of the revenue on advertising, as the County is purchasing the scoreboard. Regarding the

FUF, in 1996 a study was put together that suggest that tax be implemented a long time, but suggested that it be done throughout the community. What is being done here is picking on a segment of the community. It should be thought out more and the entire picture looked at. He went to a Chiefs game the other day and was disgusted that the County has that scoreboard at the stadium; it is terrible. He said he will abstain from this; respects the work of Ms. Toennies, but when being asked to spend taxpayers' money on a scoreboard and not get more than \$20,000/ year in revenue that is up toward a \$ 1 million; there is something wrong with the philosophy.

Mr. Kilmartin said that this process has gone on for 11 months, there have been many entities involved. There have been negotiations with public entities, private parties--a private party who had a very favorable lease at the time the negotiations started to move forward on this. In coming forward at the 11<sup>th</sup> hour with demands for change is very late in the process to do this. The time to do this was in the prior year.

Mr. Corbett said that he was not for the original proposal; his concerns have been answered. Regarding the question of whether an agent of ours should have the ability or authority to make certain decisions, this legislative body gave that permission. Regarding a comment made about a learning curve and having a professional, we have professional. He can totally support this, as it has gone 90 yards and maybe it takes the legislature to go the next 10 yards.

Mr. Warner said that he is impressed that this committee, up until now, never had a clue that the County could generate income from events other than the Crunch.

Chairman Rhinehart asked if this item needs 13 votes at session to pass; Ms. Tarolli said "only on item b".

Mr. Stanczyk said that he is having an amendment drawn up. Ms. Tarolli advised that she needed to discuss it with Bond Counsel. Chairman Rhinehart said that it can be brought up at the end of the meeting or taken to session.

***A motion by Chair Rhinehart, seconded by Mr. Kilmartin to approve this item. AYES: 5 (Rhinehart, Corbett, Rapp, Kilmartin, Warner); NOES: 1 (Stanczyk); ABSTAINED: 3(Holmquist, DeMore, Kinne). CARRIED.***

b. **Approving an Amendatory Bond Res. A Resolution Authorizing the Purchase of a Scoreboard as Part of the Reconstruction and Construction of Improvements to the OnCenter Complex (\$250,000)**

***A motion by Chair Rhinehart, seconded by Mr. Corbett to approve this item. AYES: 5 (Rhinehart, Corbett, Rapp, Kilmartin, Warner); NOES: 2 (Kinne, Stanczyk); ABSTAINED: 2 (DeMore, Holmquist). CARRIED.***

6. **HEALTH:** Dr. Morrow, Commissioner, Linda Karmen, Deputy Commissioner

a. **Amend 09 Budget to Accept Metropolitan Medical Response System (MMRS) Funding and Authorize Co. Exec. to Enter into an Agreement with City of Syr. to Implement this Resolution (\$160,000)**

***A motion by Mr. Corbett, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.***

c. **Amending an Agreement with the City of Syracuse to Provide for Additional Training Services for the Health Department Lead Poisoning Control Program**

***A motion by Mr. Warner, seconded by Mr. DeMore, to approve this item. Passed unanimously; CARRIED.***

b. **Authorizing Payment from the 2009 County Budget up to a Maximum Amount of \$3,500 for Travel Expenses for Senior Positions at the Center for Forensic Sciences Laboratory (\$3,500)**

This will cover travel expenses for 2 senior positions at the forensic science lab; have had difficulty recruiting individuals.

***A motion by Mrs. Rapp, seconded by Mr. Warner, to approve this item. Passed unanimously; CARRIED.***

d. **Authorize Advanced Step Hiring for Toxicologist, Gr. 33, Step 1 at \$80,235 effective Sept. 5, 2009**

Dr. Morrow stated that an individual was found who is willing to move here and be a toxicologist. The person has extensive experience, impeccable references, strongly supported by Dr. Stoppacher and Dr. Corrado.

***A motion by Mr. Stanczyk, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.***

7. **OCC:** Dr. Sydow, President

a. **Bond Resolution Authorizing Reconstruction and Construction of Improvements to Onondaga Community College facilities in and for the County of Onondaga, New York, at a Maximum Estimated cost \$18,930,000 and Authorizing Issuance of \$9,480,000 bonds of said County to Pay Costs Thereof**

Dr. Sydow said that the first proposal is to provide phase 1 funding for \$2,030,000 in support of additional academic space that is needed to meet the growing demand on the college. The second proposal is to resolve an issue that goes back to 1994 regarding funds raised for the construction of the Whitney Applied Technology Center. The proposal addresses the concerns that everyone has had and is in the best interest of local citizens of the County and the local economy. Dr. Sydow said that the college is very sensitive to the budget challenges facing the County. The College's commitment to, and proven track record as a major player in the County's economic development efforts and solutions, makes the capital contribution that is requested a very wise investment. She asked members to look at the whole picture, as continuing investment in a college that has proven to be a very important tool for the County's economic development plan.

Dr. Sydow stated the proposal being presented is based on a facilities master plan, which OCC updated in 2008. OCC worked with JMZ Architects and Planners; analyzed, documented, and prioritized capital infrastructure improvements that will align the college's facilities with both current and future student and community needs and improve the college's capacity. Enrollment growth has been done with a solid capital plan in place to prepare for the growth that was projected and have experiences in recent years.

Mr. Kilmartin said that a full presentation of the capital project was given at Education & Libraries committee earlier this week, and a partial presentation on June 15<sup>th</sup> jointly with Education & Libraries and Ways & Means Committees. There are 3 resolutions today and a companion agreement that goes along with them. There are 2 separate issues to understand: 1. capital project; and 2. outstanding issue/discussion about the \$2.3 million debt that the County, through the years, has claimed that is owed to it by the College. The College in words in substance has said that it might not be an obligation—complexities in satisfying the obligation. The resolutions and companion agreement resolved a 15-year old issue that has been a burden for the County and a burden for the College. At the same time, it allows for the capital project to advance at OCC, satisfies the needs of the College and the needs of the students. He complimented Dr. Sydow and members of her team who have worked with himself, Chairman Rhinehart, and County Executive's office and the Law Department for advancing these concepts/resolutions.

Regarding a claim for \$2.3 million debt alleged to be outstanding – it will be satisfied as the college has agreed that they will pay the County \$1.1 million over the course of 5 years with installments of \$220,000. Upon the final timely payment, the claim for outstanding \$2.3 million will be considered settled and resolved in terms of perpetuity. As part of the settlement, the Legislature and County are making an in-kind contribution of \$1.2 million to the Presidential Scholarship Program, a program that provides scholarships for students from Onondaga County that finish in the top 20% of their class from a local high school.

Regarding the capital project, it is approximately \$18.8 million; the State has put forth 50% match (\$9.4 million). The proposal now is for a \$9.4 million contribution from the County. The project, if approved, would be staggered and brought about in phases. The initial request is for an appropriation of \$2.03 million this year for architectural, engineering and technical services. He has emphasized the very strong emphasis that this is value engineered and everything is done to reduce the project costs to ensure that unnecessary dollars that the State level, College, or County aren't being spent. He has spoken to Steve Aiello, who has given him that confirmation. It is part of the resolution that the College will report back to the legislature after architectural and engineering is complete and as the project moves forward. As part of the payment of debt service for this project there is a capital chargeback account. It is a pool of money that students from outside of Onondaga County pay into, that is held by the County for payment of capital project costs at OCC. There is approximately \$1.5 million in that account presently. Those funds would be used to pay for debt service associated with this project. In looking at that \$9.45 million commitment from the County, if the chargeback account is taken into consideration and if you were to allocate the \$1.1 million payment from the College to the County, in some respect the \$9.45 million, less \$1.5 million from



the capital chargeback, and less \$1.1 million from the payments to the College to the County--it helps reduce project cost.

Dr. Sydow gave a Power Point presentation (on file with Clerk).

Dr. Sydow introduced Judson Van, veteran, OCC Alum, who spoke on behalf of the college and Karen Kilgoe-Green, JMZ Architects and Planners who briefly discussed the details of the capital project.

Chairman Rhinehart clarified that authorization is for up to amounts listed in the resolutions.

Chairman Rhinehart asked if the County will be retiring any debt that will offset this. Mr. Seitz replied that debt comes due each year, so there is debt that comes off; debt does come on that is authorized. Chairman Rhinehart asked about charge backs. Mr. Seitz said that monies coming in as residents from other counties coming here. Those counties get a bill for the students and the college gets those revenues. There is a capital charge back component for each student that come here; those have to be segregated out, and can be used to reduce new debt or offset the existing debt. Chairman Rhinehart asked if there is an estimate as to what portion of the charge backs would offset of the \$9.5 million. Mr. Seitz said that the County gets between \$270,000 - \$300,000 per year in chargebacks.

Mr. Stanczyk said that he is glad that we got to this point. OCC is an important core component of this community; it is growing and all are pleased with the leadership and success of the college.

Mr. Holmquist agrees with Mr. Stanczyk's comments. The Committee received a report from Mr. Rowley on Tuesday and it was all very bad news; the County is \$50 million in the hole. Unemployment from 5.1 to 8.3 in the last year, sales tax collections are down \$30 million; auto sales are down, public assistance case loads are up, Medicaid caseload are up, the future looks bleak, the past hasn't been great. Revenues are expected to decline. He is proud graduate of OCC and very aware of the investment and return on investment, but there is a budget to do. Next month there will like be layoffs into the 100's, with every department cutting. Everyone understands that the 2011 budget will be even worse. He is perplexed that there would be a proposal like this. He is an advocate, the merits are great, but can't understand why this is being presented now. He doesn't know why the \$35 million was done last year for a sports facility, realizing that it wasn't known that there would be a fiscal tsunami, but for all of the great needs that have been articulated for a new academic facility, why wouldn't it go before the sports needs. How can a capital project be considered; he asked if it could wait a year or two for things to settle down. Everybody else in the County family is waiting. Dr. Sydow said that she understands how the timing could be perceived as insensitive or just plain bad. She said that the college is in a unique position of producing revenue, through capital chargeback that goes directly to pay debt service, currently at about \$270K per year. The money comes in by virtue of the College's growth, the athletic facility, and student housing. The goal, that everyone supported, is to develop that whole college experience--not only for students, but also to attract students from outside of the area and thereby increase the College's overall economic impact. Money is being produced that goes to help pay debt service by virtue of growth and success. Also on the table is a five year payment schedule of \$220,000 that will go toward that debt service. There is no better time to make this investment. They looked at how many present CEOs, partners, heads of companies, OCC has produced in this community. The number was 182. Mr. Aiello is producing considerable revenue for this community, as are the other 181 leaders who have established business. Now is the time to produce these leaders who are adding to the local community.

Mr. Holmquist said that there is no question that the County has invested and will continue to invest. There is a budget to do this year, and there is \$50 million short. He agrees with everything Dr. Sydow said plus more, without question, but next month there will be a lot of pain here. The worst part is that it is not getting better.

He asked if item c is passed, is it contingent upon a and b. Mr. Kilmartin indicated that item c is contingent upon a and b.

Mr. Kilmartin said to clarify...the \$1.1 million, funds coming from the College to the County will be used at the discretion of the Finance Department. They are not specifically earmarked for a purpose; it could be for the parks, College, debt service, it could be things completely unrelated to the College. It is relevant to point out that the debt service will be offset by the charge backs and by the \$1.1 million, if someone wanted to allocate it that way. He noted that Mr. Aiello is volunteering his services to oversee parts of this project; he is not a vendor or contractor for the college. Regarding the resolutions, part of the discussions that he had with Mr. Aiello and Dr. Sydow is that these were contingent upon each other.

Mr. Warner asked where the \$1.1 million is coming from. Dr. Sydow said it is a commitment from the College. Mr. Warner asked if it could come from anywhere. Dr. Sydow indicated that it could. Mr. Warner said that OCC is one of the crown jewels of this county, if we don't educate our youth, and if this is the only college the some young adults can afford, the economic situation could become worse. We need to educate our young adults and keep them in Onondaga County.

Mr. Kinne said that these are two seriate issues. OCC is a shining star; OCC is lucky to have people serving on their board and volunteering their time. He is probably the only legislator that would vote to increase the County's share as it is a good thing to do. On the other hand, there is this payment of lack of for \$2.3 million. He asked if the \$1.2 million that the County will be forgiving, is not increasing the foundation—it is already in the Foundation and the County won't be getting it. Dr. Sydow agreed. Mr. Kinne said that he was taught that when you make a commitment, you fulfill that commitment. He said that the \$1.2 million could go back into the College, but he feels it is owed and the taxpayers deserve it. It is hard for him to understand why \$1.2 million would be forgiven. If it were any other organization, this wouldn't be on the table. He wants to support OCC, wants to support the project...OCC has done great things, but a commitment is a commitment.

Mrs. Rapp said that because the \$1.2 million will go into the president's scholarship account, it really is going back to the taxpayers within the County. Mrs. Rapp said that we are getting back about \$500,000 that is self generating. She asked about the extra 1,000 students. Dr. Sydow said that the are about 12.5% above last year in FTE students. Mrs. Rapp said that mirrors what is happening in the community, because people cannot afford to send their kids to schools that are \$40-\$60,000 per year. She asked if with the additional tuition being paid if some of the revenue be accessed to go toward that extra \$50,000 per year that would make this whole. Mr. Kinne said that if it is a bond payment for 20 years, the \$220 is only for 5 years, the point would be correct for the first five but not after that. Mr. Kilmartin said that it will be staggered; it is contemplated that it will be a 3 year draw.

Chairman Rhinehart asked Mr. Stanczyk if he is comfortable with the bonding the way it is laid out; Mr. Stanczyk said that he is.

Mr. Kilmartin said that Mr. Kinne has very valid points. The reality of the situation is that this alleged commitment was not well documented 15 years ago. Some of the parties at the time are not here now; some is based on minutes, some on a loosely worded resolution, some on verbal agreements. The bottom line was that one entity said they want \$2.3 million, another entity is saying that there isn't a valid obligation there. Legal opinions were secured, the 15 year dispute could have gone in perpetuity. It is a burden on the financial statement of the college, as they have held those funds, in essence, in escrow unable to utilize them. The County has had it hanging over its head, unable to collect. With one entity saying black, another saying white, sometimes there is need to work out the gray area in the middle, which is what was done here. It is fair to the College, County, students will benefit, it advances the relationship of the parties, settles a 15-year old dispute.

***Mr. Kilmartin made a motion to approve items 7a, 7b, and 7c, seconded by Mr. Stanczyk.***

Mr. Stott said that people have lost their jobs in this community and there are programs at the college to help re-educate with waiting lists. Regarding increased enrollment, he asked if it will significantly reduce the waiting list on those program. Dr. Sydow explained that it will allow increased capacity.

Chairman Rhinehart thanked Mr. Kilmartin for the extra due diligence on this effort, Mr. Laguzza and the leadership has also been involved, and it has been a lot of hard work.

***A vote was taken on item 7a. AYES: 7 (Kilmartin, Stanczyk, Kinne, Corbett, Rapp, Warner, Rhinehart); NOES: 1 (Holmquist); ABSTAINED: 1 (DeMore). MOTION CARRIED.***

***b. Appropriating \$2,030,000 of Bonds Authorized Pursuant to a Bond Resolution dated September 1, 2009 for the Issuance of Bonds in the Amount of \$18,900,000 for a Construction and Reconstruction project at Onondaga Community College and Amending the 2009 County Budget (\$2,030,000)***

***A vote was taken on item 7a. AYES: 7 (Kilmartin, Stanczyk, Kinne, Corbett, Rapp, Warner, Rhinehart); NOES: 1 (Holmquist); ABSTAINED: 1 (DeMore). MOTION CARRIED.***

c. **Authorize an Agreement Between the Co. and OCC to Provide for the Payment of \$1.1 Million to the County Over a Five Year Period, Acknowledging that said Payment is in Full and Final Satisfaction of Any Obligations on the Part of the College Incurred Pursuant to Res. No. 148-94 and Res. No. 229-96 and Supporting the College's Commitment of \$1.2 million to the Presidential Scholarship Prog.**

*A vote was taken on item 7a. AYES: 7 (Kilmartin, Stanczyk, DeMore, Corbett, Rapp, Warner, Rhinehart); NOES: 1 (Holmquist); ABSTAINED: 1 (Kinne). MOTION CARRIED.*

Mr. Stanczyk presented the following resolution:

**Bond Res. Dated Sept. 1, 2009 A Resolution Authorizing the Purchase and Installation of a Scoreboard for the OnCenter Complex and Authorizing the Issuance of \$750,000 Bonds of Said County to pay the Cost Thereof**

Mr. Stanczyk explained that this authorizes \$750K for the scoreboard with the anticipation that the County will take 10% of revenues from the scoreboard during the Crunch games. It has been said that with 26 panels on the scoreboard, the revenues should be approximately \$1 million. Rather than attach use fees, or take money from the ROT, or monies saved on previous bonding, which is essentially attacking property tax, rather than taking \$20K from the Crunch, a small percentage is attached to the advertising revenues. It will pay back bond debt and avoid some other charges.

***Mr. Stanczyk made a motion to approve this item, seconded by Mr. Kinne.***

Mr. Holmquist asked for further clarification on what is being proposed. Mr. Stanczyk explained that this is a competing bonding resolution as to what was presented earlier. This will provide a significant amount of additional advertising revenues if the revenues generate approximately \$1 million/year. If the existing scoreboard is 16 panels and it will be 26 panels, the Crunch has the opportunity to go from about \$600K to \$1 million in revenues from the scoreboard. The County is building and bonding for the new scoreboard, and the County should receive 10% of those revenues from it. It doesn't make sense to tell the people at OnCenter to get into a learning curve and up to speed on how to sell for the non-Crunch games. With something like this in place there is a revenue sharing agreement with the Crunch in place and should contract with them to act as the County's agent to sell other events, as they have contacts and know how to do it. It avoids using property tax and a nice way to get income that the County should have if providing this opportunity to the Crunch.

Mr. Holmquist said that this has some merit--would like to think about this—see if it could be rolled into what was passed earlier today, eliminate the property and ROT tax, then he would be in favor of it. At this point he is not prepared to vote on it.

Chairman Rhinehart suggested that this be taken back to committee, have a discussion, see if there is a flavor to add it into what was presented earlier. He disagrees with adding it at the last minute. Most of the people that came with a presentation and worked on what was already approved, have left.

Mr. Stanczyk said that he doesn't care what they worked on; the deciding body is this committee and legislature. We have been told that there are discussions and handshake agreements on the continuation of the lease, and he doesn't have any knowledge of it. He sees that the Committee is being asked to throw in tax dollars to build a new scoreboard that may increase the revenues of the tenant by over \$400,000/year. He would like it voted on.

Mr. Kilmartin said that the reality of this resolution is that it is not in the lease agreement between the OnCenter and the Crunch. Also, this concept was not contemplated or negotiated between the OnCenter and Crunch. This is not in the sole discretion of the legislature; another private entity would have to give up another 10% of its profits in sharing of advertisement revenue before this becomes effective. The existing lease with the Crunch is very favorable to the entity. There is probably not a great inclination on the part of this entity to forego part of their ad revenue considering their extension of the term and in putting in \$200K. He asked Mr. Stanczyk if this resolution contemplates \$750K bond to be paid for with property tax dollars other than the contemplated revenue sharing. Mr. Stanczyk said that \$750K, if bonding for 10 years, would be a payment of about \$85K per year. If bringing in \$100K per year, there is no cost to the County; there is a profit to the County.

***AYES: 2 (Kinne, Stanczyk); NOES: 5 (Kilmartin, Holmquist, Corbett, DeMore, Rhinehart) 4; ABSTENTIONS: 2 (Rapp, Warner). MOTION DEFEATED.***

**8. PROBATION:** Al Giacchi, Commissioner

a. **Amend 2009 County Budget to provide additional State funds to Probation Department for the Supervision of Sex offenders and Authorizing the County Executive to enter into contracts (\$78,692)**

*A motion was made by Mr. Warner, seconded by Mrs. Rapp to approve this item.*

Mr. Warner asked what the enhanced supervision is. Mr. Giacchi explained that they do more home visits, more office contact, more surveillance.

***Passed unanimously; MOTION CARRIED.***

**9. SHERIFF:** Chief William Peverly

a. Create Clerk II, Grade 05 @ \$29,357- \$32,417 effective September 5, 2009

b. Create Fingerprint Technician, Grade 03 @ \$26,002 - \$28,690 effective September 5, 2009

c. Create Director of Administrative Services, Gr. 33 @ \$56,909 - \$80,235 effective September 5, 2009

This is an initiative to try to identify positions where there are sworn personnel that can be staffed by civilians and move the sworn personnel back into positions more directly related to their positions.

*A motion was made by Mr. Kinne, seconded by Mr. Warner to approve items 9a, 9b and 9c.*

Chief Peverly said that the Clerk position will cost them money, but there are savings derived from the officer going back to conducting background investigations for new hires. In the other positions being adjusted, the total savings is over \$90,000.

Mr. Kilmartin asked why there aren't abolishes. Chief Peverly said with the Clerk II; a deputy is being put back into conducting background investigations, which is currently being done on an overtime basis. The position will cost about \$32,000. Regarding the fingerprint technician, there will be a civilian who will perform functions in the ID unit. Currently there are 2 custody deputies in the ID unit; they will be moved back to corrections and will reduce overtime by over \$60,000 by each of the deputies put in there – about \$130,000 savings. The reason for the ability to adjust from two people to one is because the State is taking over some function currently performed by the Sheriff's Dept. They will be doing it on a contract basis with an outside vendor. In addition, the ID deputies go into the courts every morning for about 3 hours and fingerprint those who were arrested but not fingerprinted. The function will be transferred to the transport deputies who are in the courts daily. Also, Chief Tubbert is retiring on Aug. 28<sup>th</sup>. The assistant chief will be promoted to Chief; a captain will be promoted to assistant chief; the captain's position will be unfunded and there will be a savings in that position. To replace the captain, a civilian position will be created, Director of Administrative Services, about \$30,000 savings. Overall it will be a \$90,000 savings. In the 2010 budget other positions will be proposed to be civilianized.

Mr. Kilmartin said that by civilianizing some of the positions, the sworn officers can now dedicated their time to conducting in what would otherwise be overtime. Chief Peverly agreed; an analysis was done on overtime by day, tour of duty, for 365 days and identified what the cost benefits would be by moving deputies. The budget department has reviewed the numbers.

***A vote was taken on item 9a. Passed unanimously; MOTION CARRIED.***

***A vote was taken on item 9b. Passed unanimously; MOTION CARRIED.***

***A vote was taken on item 9c. Passed unanimously; MOTION CARRIED.***

**10. COMMUNITY DEVELOPMENT:** Trish Riter, Housing Program Coordinator

a. **Amend 2009 Budget to accept additional funds for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) and Authorize the County Executive to enter into agreements (\$897,454)**

The County is getting just under \$900,000; the City is getting about \$2.5 million--have worked collaboratively with the City to use the funds to make systematic changes to the way homeless issues are handled in the County. DSS has spearheaded a series of meetings with the City, County, and not for profit agencies that are involved in delivering of services and sheltering homeless to develop a concept of a single point of entry. The homeless will come through County and be diverted to shelters as appropriate.

***A motion by Mr. Kinne, seconded by Mr. Corbett to approve this item.***

Mr. Warner asked if there are additional personnel associated with this. Ms. Rider said that there are two county income maintenance workers to be hired for the 3-year grant period and abolished at the end of the 3 years.

Mrs. Rapp said that \$800K was accepted recently; is this additional money. Ms. Rider explained that this is the same money; this is to enter into a contract agreement with the City.

**Mr. Stanczyk said that he would like get updates on this as it goes along.** The money is coming from Housing and Urban Development; they are extending their program to the homeless to make sure money is available to get people out of shelters and into apartment by paying rent, security deposits, etc. Chairman Rhinehart said that this has new program stamped all over it, which is why he did not support it before, does not believe the County should be doing this and will be voting “no.”

**AYES: 7 (Corbett, Rapp, Kilmartin, DeMore, Warner, Stanczyk); Kinne; NOES: 2 (Holmquist, Rhinehart). MOTION CARRIED.**

**11. SOCIAL SERVICES:** Sarah Merrick, Program Coordinator

a. **Amend 09 Budget and Authorize Execution of a Contract with the City of Syr. for the Purpose of Administering the Direct Financial Assist. for Homelessness and Housing Vulnerable (\$1,578,831)**

Ms. Merrick explained that this is a companion resolution to the one just passed. Allows DSS to use the City and County dollars to provide financial assistance to those that are homeless or on the verge of being homeless. This augments public assistance and HEAP dollars that are already used to assist the homeless and housing vulnerable.

***A motion was made by Mr. Stanczyk, seconded by Mr. Corbett to approve items 11a and 11b.***

In answer to Mr. Stanczyk, Ms. Merrick said that in item 11b, they are hiring two income maintenance specialist with federal dollars, to handle the volume of eligibility. It is required by HUD.

Mr. Kilmartin noted that the language in the personnel resolution states that the positions will be abolished at the end of the grant.

Chairman Rhinehart asked if the City is contributing labor towards this program. Ms. Merrick said that they are contributing the dollars to allow the county to use the already existing public benefits system. Through a lot of negotiations, there was no need to re-invent the wheel when DSS processes millions of dollars doing this same thing—issuing payments to landlords, paying National Grid for utility bills, etc.

Mr. Stanczyk said that the City received 2.5 times as much money as the County, and the City has agreed to contract with County DSS and the non-profit agencies that already do this. The City is to be commended.

Mr. Kinne said that all of the agencies involved are established and are just facilitating a better way of doing things. The positions that are being created will be abolished; they are being created to help make the program work thoroughly. Chairman Rhinehart said that the word “temporary” has been used a number of times and hopes that it is.

Mr. Holmquist said that there were concerns brought up in committee that Madison, Cortland and Cayuga Counties do not have this program; and Onondaga County could potentially become the Mecca for homeless people. Those people will be utilizing social services so that the taxpayer will pay for the region’s homeless.

Mr. Kinne said that getting these people off the street and in better health care, in the long run, saves money. Mr. Stanczyk said that the intent is that this provides a stream of income and to get them out of shelter and into an apartment by making a payment and out of shelter system while paperwork is being processed. It is all federal dollars; it is in our best interested to make sure that some of the federal dollars are going down to the people that need it the most. This is one of those programs.

Mr. Holmquist said that people are attracted here because of our benefits, i.e. \$200 cash cards just given out with no strings attached. This program is attracting the region's homeless and introducing them to new benefits that they can get in Onondaga County so that our taxpayers pay for them to utilize our social services network.

**AYES: 7 (Rapp, Stanczyk, Kinne, DeMore, Kilmartin, Warner, Corbett); NOES: 2 (Rhinehart, Holmquist). MOTION CARRIED.**

b. **Create two Income Maintenance Specialists, Gr. 09 @ \$40,449-\$44,741 effective Oct. 10, 2009**

**A vote was taken on Mr. Stanczyk's motion. AYES: 7 (Rapp, Stanczyk, Kinne, DeMore, Kilmartin, Warner, Corbett); NOES: 2 (Rhinehart, Holmquist). MOTION CARRIED.**

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

a. **Create Administrative Director, Gr. 31 @ \$47,395-66,768, effective September 5, 2009**

b. **Abolish Civil Engineer 1, Gr. 11 @ \$46,466 - \$51,426 effective September 5, 2009**

The assistant commissioner has announced his retirement for mid 2010. The intent of this is to create a position which can take the most important aspects of his duties, the most important aspect of the personnel officer and combine into one title. The personnel administrator will be unfunded this year; there is no impact on the 2009 budget; approximately a \$40,000 savings in 2010 budget.

**A motion was made by Mrs. Rapp to approve items 12a and 12b, seconded by Chairman Rhinehart. Vote was taken on item 12a. Passed unanimously; CARRIED. Vote was taken on item 12b. Passed unanimously; CARRIED.**

c. **Authorizing the Purchase of Real Property Necessary for the Construction of a New Highway Maintenance Facility in the Town of Clay, County of Onondaga (\$374,000)**

**A motion by Mr. Stanczyk, seconded by Mr. Kinne to approve this item. Passed unanimously; CARRIED.**

d. **Authorizing the Issuance of \$624,000 Serial Bonds of the County of Onondaga to Pay the Cost of the Purchase of Real Property in the Town of Clay to House a New Highway Maintenance Facility Including Schematic Design Thereof (\$624,000)**

**A motion by Mr. Stanczyk, seconded by Mr. Kinne to approve this item. Passed unanimously; CARRIED.**

Mr. Stanczyk asked when the issue regarding the sale of tax liens will be before the committee again. Mr. Rowley said that he hopes to issue the RFP by the end of the month and will probably be before the legislature in October.

**13. WAYS AND MEANS MISCELLANEOUS:**

a. **Amending Rule 8 of the Rules of the Onondaga County Legislature** (Sponsored by Mr. Meyer)

Chairman Meyer said that on April 5, 2004 the Legislature changed Rule 1, unanimously approving the changing of session date from Monday to Tuesday. One reason was to give legislators and staff an opportunity to get resolutions together before session. Inadvertently, it changed the spirit of Rule 8, which was to give all legislators the opportunity to have resolutions in hand from before they got here for session. He has introduced an amendment to Rule 8 to replace the word Monday with Tuesday. Mr. Stanczyk also introduced a resolution to change that day to Thursday. He thinks Tuesday is better and gives the staff more time, but if the committee will allow him to not pen in (not have a hard copy), he is willing to change his resolution Thursday, which concurs with Mr. Stanczyk's resolution. Mr. Stanczyk said that is fine, as Thursday provides a little more time

Mr. Corbett asked if the Committee will be able to vote on a resolution that says Tuesday. He is more comfortable voting on a resolution that says Tuesday, because of the hoops that staff has to go through to get everything ready. Chairman Meyer indicated that changing it to Thursday will be more stress on the staff and himself, but he is willing to try to come up with an adjustment. If it doesn't work, it can be examined again.

Chairman Rhinehart said it comes down to how cooperative we can be; sometimes resolutions come in the day of session. It is tough on the staff. Chairman Meyer said that he trying to make a compromise and make it easy on the staff.

Mr. Warner said that it would be nice to know what the staff would prefer. Chairman Meyer said that they staff would prefer having it on Tuesday. Right now a lot of resolutions are coming in at the last minute, there are requests for waivers and is hoping that this will induce incentive for legislators to get their resolution in before session.

Mr. Corbett referred to the calendar, and noted that under the Rules now, they have to be filed by the Monday prior to the week of session. Mr. Stanczyk said that the change provides an opportunity for things that were discussed in Ways & Means to be amended if needed. Mr. Corbett said that there are times when that will work and times when it only leaves a Friday and a Monday to get it ready.

Mr. Kilmartin asked for the Chairman to explain his reason for changing the date from Tuesday to Thursday. Chairman Meyer said it will give the members and constituents an opportunity to make adjustments to resolution that have passed committee, that there is opportunity to have time to get them together. Mr. Kilmartin asked if this is shorting the staff from Monday to Thursday. Mr. Stanczyk said that it is, but allows an opportunity to come up with a better work product and allows time to do that.

Mr. Kilmartin said that he has three issues: 1. Appreciates giving more time for legislators to refine things and revise things; going to Thursday will help legislators; 2. It will hurt the staff—shorting them 3 days; 3. This might provide the opportunity to get a resolution in very late in the process; and allows only Friday and Monday for staff and legislators to read it.

Chairman Meyer said there are two rules – timely submittal and having it go through committee. The resolution would still need a waiver if they didn't go through committee. If it is a brand new item, it still will have to go back to committee; this allows for adjustments to items that have already been through committee.

***A motion was made by Mr. Stanczyk, seconded by Mr. Kinne to approve the resolution as amended to change the day from Tuesday to Thursday. AYES: 5 (Rapp, Stanczyk, DeMore, Holmquist, Kinne); NOES: 1 (Kilmartin); ABSTENTIONS: 3 (Warner, Corbett, Rhinehart). MOTION CARRIED.***

b. **Amending Rule 8 of the Rules of the Onondaga County Legislature (Sponsored by Mr. Stanczyk) MOOT**

c. **Memorializing the Governor of NYS and the NYS Legislature to Stop Developing and Imposing Fees on Onon. Co. Residents and to Reduce its Deficit by Cutting Expenses (Sponsored by Mr. Stott)**

Mr. Stott explained that this is regarding the license plate issue...the previous plates had the Statue of Liberty in the middle, a new design has been in place for 9 years. This is the worst kind of tax, it is mandate, it is a \$25 cost to the taxpayers. There are 10s of 1,000s of hours lost by residents going to have to deal with this. He thinks a message should be sent that this community rejects this; it is not good legislation and this community objects to this kind of decision making. This is a money grab.

Chairman Rhinehart said that he agrees, but noted that the County does it also; there may be areas for discussion in the upcoming budget.

***A motion was made by Mrs. Rapp, seconded by Mr. Stanczyk to approve this. AYES: 8; NOES: 1 (Rhinehart).***

d. **Memorializing the Governor of New York State and the NYS Legislature Regarding the Enactment of Meaningful Campaign Finance Reform Legislation Targeting Donors Who do Business with Local Governments (Sponsored by Mr. Warner)**

Mr. Warner said that Mr. Buckel informed him that he wants to be listed as a co-sponsor on this item. Mr. Warner said that everyone was privileged to the mess that was in Albany a few months ago. The public has cried out for reform. He feels along with it is campaign finance reform. He has tried to get involved to write a law on the county level and the State said that they would take care of it, but have not. A few other counties have tried the same thing and have not been successful. If one thinks that a public official can be remain neutral when they are making a

decision after they have received thousands of dollars in campaign donations from a company doing business with this County, then they are dreaming. He is requesting that the State enact campaign finance reform soon or allow counties to do their own. He intends to do something about it, if the State does not.

**Mr. Kinne and Mr. Stanczyk asked to be listed as co-sponsors.**

***A motion by Mr. Warner, seconded by Mr. Stanczyk to approve this item. AYES: 8; NOES: 1; ABSTENTIONS: 1 (Holmquist). MOTION CARRIED.***

The meeting was adjourned at 11:55 a.m.

Respectfully submitted,

DEBORAH L. MATURO, CLERK  
Onondaga County Legislature