

Meeting Minutes Archive: June, 2007

Office of the Onondaga County Legislature

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ENVIRONMENTAL PROTECTION COMMITTEE MINUTES - JUNE 12, 2007

JAMES C. CORBETT, CHAIRMAN

MEMBERS PRESENT: Mr. Jordan, Ms. Chaplin, Mr. Kraft, Mr. Farrell, Mrs. Winslow, Mr. Rhinehart

ALSO PRESENT: Mr. Ryan, Mr. Meyer, *see also attached*

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

A motion was made by Mr. Rhinehart, seconded by Mr. Farrell to approve the minutes of proceeding from the previous committee meeting. MOTION CARRIED.

1. **LAKE IMPROVEMENT:** Ms. Sue Miller

a. ACJ Update

Midland:

- o Project is 82% completed, work being done on roof, interior painting started, riprap along creek in; hope to get Midland Avenue opened this summer

- o Have paid out \$44,016,134

Biosolids Handling Improvements at Metro

- o Replaced belt filter presses with centrifuges and gravity belt thickeners

- o System is now operational in its performance period

- o Any deficiencies that occur in performance period will be addressed

Sewer Separation 050

- o Construction will start in July; bid has been awarded to J.J. Lane for \$3.25 million.

- o Will take care of one CSO, it is near the park, involves 4,200 ft. of new sewers

- o Should be completed by fall 2008

- o An availability session will be held 6/19/07 at Southwest Community Center from 6:30-8:00 p.m.

- o Notices are going out to all residents on the streets involved

- o The residents will be notified again that work will commence

Mr. Kraft asked how many houses are involved; Ms. Miller said that there are 300 on the mailing list, but will check for the actual number of homes and report back.

- o Skimmer boat is in operation - there was some major vandalism within the first week of when it was put in, near the inner harbor, because of it, it has been relocated.
- o Lake Day was held
- o A DVD, *A Cleaner Onondaga Lake-How You Can Help* has been produced; 16 minutes long, drawn up for the school program--available for schoolteachers, particularly in the city and the watersheds. Stars Dave Eichorn and is related to weather--what happens when it rains, regarding non-point pollution.

Mr. Farrell referred to pages A8 & A9; asked for the breakdown on Clinton. Ms. Miller said that entire project has not been bid; \$111 million is authorized--have bid the pipe. Two bids received; have not made the notice of intent to award. It is in the Div. of Purchase; in two phases. Mr. Farrell asked about the oxygenation demo project. Ms. Miller said that nothing is occurring; the State decided that nothing has to be done at this time.

Mr. Kraft hopes that the project comes in less than \$111 million; there is \$10 million in contingency there, and hopes that is not spent. **He asked that every month a report be given on the status of the project.**

2. WATER ENVIRONMENT PROTECTION: Mr. Randy Ott, Commissioner

- a. **Create Typist II, Grade 5 @ \$27,807 - \$30,705 effective July 7, 2007; Abolish Stenographer I, Grade 4 @ \$25,909 - \$28,597 upon successful completion of the incumbent's probationary period**

The incumbent Steno I took an internal promotion; it has been the position of the County Personnel Department that Steno I titles are abolished once vacated.

A motion was made by Mrs. Rhinehart, seconded by Mrs. Chaplin. Out of room: Mr. Kraft. Passed unanimously. MOTION CARRIED.

3. Memorializing the Governor and the Legislature of the State of New York to expand the New York State Bottle Bill Law - Mr. Ryan

Mr. Ryan said that there is an obvious problem with litter; the amount of bottles being disseminated and not returned is increasing; sees them in gutters, trenches, etc. This resolution encourages the Governor and NYS Legislature to expand the bottle bill. He is hoping to get full support; good for economy and ecology. Unbeknownst to him on June 5th he was informed that the Governor has something similar to his proposal.

Mr. Farrell said that the intent of the resolution is good. He would like to know exactly how the present bottle bill works in terms of the monies - where they go and what would happen under the proposed changes.

4. Memorializing the Governor and the Legislature of the State of New York to expand the New York State Bottle Bill Law - Mr. Meyer

Mr. Meyer said that the issue is not about the dollar amount; the reality it is that it is more politically expedient for Albany to put fee on soda or beer bottles than on baby food jars. The difference in the resolutions is in the initial WHEAREAS - whether in the City of Syracuse or Town of Otisco, it is litter. The issue is if there is a redirecting of the funds, than it ought to be directed to the clean up. His intent is not to have it go to Albany in a black hole and to have them decide what to do with it. The towns, villages and city in Onondaga County have the vast amount of miles of road, have the vast amount of parks. His resolution directs that money for that cleanup; have the local official have the control of the direction of the problem areas.

Mrs. Winslow said that the only difference she found was that Mr. Ryan refers to the money deposited to support environmental program; Mr. Meyer's resolution refers to enhanced litter collection and distribution of the unclaimed deposit money to the cities, towns, and villages. Mr. Meyer said that he does not want Albany to say how the municipalities will use the money. He feels the local officials can do a better job of addressing the issues than someone in Albany. The State would distribute the money, but there would be local control.

Mr. Kraft said that he will not vote for any of these; they are a tax increase. He asked if anyone has looked into the economics of the current situation; wholesaler are rolling in the millions. He asked if anyone has figured out what it costs to do this. Part of the money goes to the people at the bottle return place that collects it; the bottler is not keeping it all. There are costs involved. There is a program that works, and as soon as government gets involved they try to figure out how to grab more money. He asked that if it is going to be done in Albany, why does Onondaga County have to be involved.

Mr. Ryan said that this is a memorializing resolution. When it goes to Albany, the amount of weight is sometimes nowhere near what it was hoped for. The environment program could include money going to towns and villages. He is concerned about dissemination of the money to towns and villages--whether or not they would actually use it for this purpose rather than augment some other budgets. A lot of municipalities play fast and loose with the monies they have. He is more comfortable encouraging

the State to do this and work it out as to how the money will be disseminated. The intent is to get litter off the street; the environment is key.

Mr. Jordan said that he generally supports the idea of expanding the bottle bill; concerned about the cost to distributors and local businesses for handling recycled bottles. The primary concern of his constituents is real property taxes. It is economically feasible for the government to retain or take a portion of the unclaimed bottled deposits. It should go to offsetting existing costs, not create a source for spending more money. He applauds all efforts toward cleaning up the environment.

Mr. Rhinehart said that he doesn't look at this as a tax; he looks at it as an incentive. OCRRA has provided results of what the original nickel deposit has achieved. He supports the bottle bill providing that it stays a nickel; the money should be used on the environmental side.

Mr. Farrell said that that he is adamantly opposed to a change where government takes this over. Once government does it, then it becomes invisible. If someone else is picking trash up, and individuals don't have to do it, then it isn't even thought of. This will pay for someone else to do what individuals can do. He believes that this is private. There is a thought that this is just a memorializing resolution; just a feel good resolution, but we don't even know what we are asking the State to do. If he has going to ask somebody to do something, then he wants to know what the ramifications of it are. The intent to improve the environment is a noble cause, but it should be done right. He questioned if anyone at the table knows what happens with the money; how much money; where the money goes, how much it costs to do it. If decisions are going to be made; they need to be done with the appropriate amount of knowledge and understanding of the issue.

Mr. Rhoads said that OCRRA's is looking for the expansion of the bottle bill to take include bottled waters, sports drinks, and teas. OCRRA is also endorsing no change to the nickel deposit on these products. He introduced Andrew Radin, who is the Director of Recycling for OCRRA. Mr. Radin said that this issue has been looked into at OCRRA for 5 years. This issue affects everyone in the community. The State looks to Onondaga County as leaders when it comes to recycling. Numerous trash studies have been done at OCRRA.--soda bottles are not in the trash; \$.05 deposit is a powerful incentive to recycle. The water bottles are in the trash and on the roadside. By adding the bottle bill returnable deposit to non-carbonated beverages, it will turbo charge recycling to an additional 1,000 tons per year coming out of the trash or roadside.

Mr. Kraft asked what happens to the \$.05. There are handling parts to returnable container act, the collector gets \$.025 to manage the program. Under the new proposal, it is going up to \$.03. Mr. Ryan asked if it covers their costs. Mr. Rhoads said that there is a larger pool of money, which is the unclaimed deposits. Mr. Kraft said that the bottler is also getting \$.025; Mr. Radin agreed.

Discussion continued re: revenue and cost to bottlers and collectors. **Mr. Farrell said that he would like a one-page explanation on where it comes from and where it goes.** Mr. Radin said that the costs to manage the program is working; the issue is unclaimed deposits, which are \$70-\$100 million/year. About 20% of the plastic and 30% of aluminum of the total are unredeemed. Mr. Rhoads said that the \$70-\$100 million remains with the bottlers, which is the main issue. Mr. Ryan said that they end up enriching themselves; it doesn't go to augment or subsidize the cost of handling is for anyone else who has to move these bottles around. He asked if the water bottles, which should be recycled, are seen in recycling bins or burnables. Mr. Radin said that most of them never make it to the recycling bin, 80% of the containers are going in the trash or roadways. Soda bottles are about 75% of the market; water bottles are about 25% of the market, trend is changing.

Mrs. Winslow said that regarding unclaimed deposits, the dollar amount, and putting a nickel on a water bottle can be discussed once the bill is past. This is about picking up the bottles-they will be picked up because they are worth a nickel.

Mr. Kraft suggested that there be a resolution that favors the expanded the bottle bill to include the other kinds of bottles, and leaves the deposit of \$.05 and other financial issues as they are. Mr. Ryan said that he hates to have the State take all this money and put it into more member items to enrich themselves. Mr. Meyer said that he agrees with keeping the deposit at a nickel, but feels there should be message saying that the emphasis be on local officials who know the streets and parks better than Albany does. Mr. Kraft asked if Mr. Ryan would remove the environmental program. Mr. Ryan said that if additional money is to be received, it should be put towards the environmental side. Mr. Meyer said that there are a lot of common parts to each resolution. Mr. Ryan said that Mr. Meyer's resolution is directing the money towards towns and villages; his resolution is asking that it go to an environmental program. Mr. Meyer said that he thinks that there has to be a local control. Mr. Ryan said the he is unsure if all communities would be made whole.

Mr. Jordan referred to the \$.025 to the handler and the distributor and asked where the money is coming from. Mr. Radin said that \$70 - \$100 million is unclaimed; distributors claim that they are using those funds to help manage the system. However, there is really no idea of whether that is the case or not.

Mr. Meyer and Mr. Ryan asked to be excused for a moment to collaborate on a resolution. Chairman Corbett said that the next agenda item would be taken and then the committee will return to bottle bill discussion.

5. **Informational: Project Watershed/Center for Nature Education**

Mr. Rhinehart introduced Patty Weiss, the Dir. of Center for Nature Education; Bill Legg, retiring Dir. of Project Watershed, and Matt Webber, Dir. of Project Watershed. Mr. Rhinehart said that in addition to the county appropriating money for this program Assemblyman Barclay and Sen. DeFrancisco have also contributed.

Ms. Weiss gave a Power Point presentation (*attachment 1*).

Chairman Corbett said that he has been involved with this program through the Fish and Wildlife Management Board; and it is very important project. Ms. Weiss said that it is the largest volunteer water quality program for monitoring in New York State. Mr. Rhinehart said that this group works closely with the Health Department. Ms. Weiss said that they incorporate into the non-point source pollution control program and develop a water quality strategy document each year.

4. Bottle Bill - continued.

Mr. Meyer and Mr. Ryan stated they are not supporting an increased fee for deposits. Mr. Ryan referred to a new RESOLVED clause - supports environment program including counties, cities, towns and villages as being part of, or one of, the environmental program to be considered for those communities that want to have extra pickups. About 32% of the bottles do not get returned. Mr. Meyer asked if the committee would accept this oral clause. Mr. Kraft asked if the issue of the \$.05 will be included; Mr. Ryan said that it can be put in.

Mr. Farrell said that this is saying to the State to change a substantial element of the exiting bottle law. He understands that \$70 - \$100 million will not go back to the State. Mr. Rhoads said that today the current unclaimed deposits reside with the bottlers. Mr. Farrell said that by stating in any resolution that we request that this monies be used for public purposes, we are there stating that we want that money transferred from the bottlers, in a new bottling bill, and pulled to the public side. It changes the way the money side of this works. This needs substantially greater focus, discussion, and study before it is voted on. He asked both sponsors to take a step back and consider what they are doing, they are asking the State to substantially change the way it does business and are adding a tax. Mr. Farrell said that the end result is correct, but now taking approximately \$100 million to state coffers. Before the State is asked to do it, he wants to know the impact. Mr. Ryan said that there is still 80% of the other 25% of the wastestream that is not getting back to recycling. It is as critical as the money part. Mr. Farrell said that the committee does not have enough information to make decisions on the money part.

Mr. Ryan asked if the committee could get answers to some questions at Ways & Means Committee.

Mr. Rhinehart made a motion to waive the rules for this committee to vote on an unwritten resolution, seconded by Mrs. Winslow. AYES: 4 (Rhinehart, Winslow, Chaplin, Corbett) NOES: 3 (Kraft, Jordan, Farrell). MOTION CARRIED.

A motion was made by Mr. Rhinehart to endorse a memorializing resolution that includes expanding the current bottle bill, that is a \$.05 charge to bottled water and other non-carbonated beverages and also resolves that our memorialization asks the State to provide money from unclaimed deposits, support environmental programs, and to support distributing money to the county, city, towns, villages or enhanced litter collection along roads, parks and other public areas; seconded by Mrs. Winslow.

Mr. Kraft said that if the bottlers do not receive the money, as proposed to go to the environment; they will have to raise their prices. If they don't do business in this state, then there is a loss. The way for them to get revenues is to collect money; pass it through to the state and additional money becomes a tax. This is a tax in disguise. This is not expanding the bottle bill; it is expanding taxes.

Mr. Ryan asked if other states take the unclaimed deposits; Mr. Radkin said that some do. **Mr. Kraft asked to be informed by Ways and Means Committee, as to how many states take the money.**

Mr. Farrell reiterated that this is asking the state to make a major financial change in the way it does business. Without having the appropriate information to be able to understand, it is reckless as elected officials to do so. He urged that this get set aside until Ways and Means when there is more information.

A vote was taken on the motion. AYES: 4 (Winslow, Rhinehart, Chaplin, Corbett); NOES: 3 (Kraft, Farrell, Jordan). MOTION CARRIED.

The meeting was adjourned.

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

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EDUCATION & LIBRARIES COMMITTEE MINUTES

JAMES DIBLASI, CHAIRMAN

June 12, 2007

MEMBERS PRESENT: Mr. Corbett, Mr. Holmquist, Mr. Kilmartin, Mr. Kinne, Mrs. Chaplin, Mrs. Winslow

OTHERS PRESENT: Ms. Latham, Ms. Jensen, Ms. Testut Smith, Ms. Mignano

Chairman DiBlasi called the meeting to order at 11:04 a.m.

A motion was made by Mr. Corbett, seconded by Mr. Kinne to waive the reading of the minutes; a motion was made by Mr. Kinne, seconded by Mr. Kilmartin to approve the minutes of the proceedings of the previous committee meeting. MOTION CARRIED.

1. OCPL: Ms. Joyce Latham, Executive Director

a. Amending the 2007 County Budget to accept State Construction Funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts to implement this resolution (\$42,258)

Will allow them to build a restroom in the Children's World area at the Central Library, requires a transfer from the fund balance.

A motion was made by Mr. Kinne, seconded by Mrs. Chaplin to approve this item.

Mr. Kilmartin asked when construction would begin. Ms. Latham said they would be ready to begin by the end of the week.

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

b. Amending the 2007 County Budget to accept State Construction Funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts to implement this resolution (\$44,968)

Item is reimbursement for an ADA accessible ramp that is in place at the entrance to Paine Branch Library.

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

c. Amending the 2007 County Budget to accept State Construction Funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts to implement this resolution (\$88,676)

For windows at the White Branch Library that have been replaced and to construct an ADA accessible ramp to replace an existing ramp at White Branch that has required serious repairs on numerous occasions and does not met ADA standards.

Mr. Kinne asked why these projects were picked over projects at other branches. Ms. Latham said they have other construction projects planned and are working on strategies to put them in place.

A motion was made by Mr. Kinne, seconded by Mr. Kilmartin to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

The meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Johanna H. Robb, Deputy Clerk

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JOINT MEETING OF WAYS AND MEANS COMMITTEE AND

EDUCATION AND LIBRARIES COMMITTEE - June 12, 2007

William H. Meyer, Chairman, Ways & Means Committee James DiBlasi, Chairman, Education & Libraries Committee

WAYS AND MEANS COMMITTEE - MEMBERS PRESENT: Mr. Corbett, Mrs. Rapp, Mr. Ryan, Mr. Kraft, Mr. Farrell, Mr. Warner

MEMBERS ABSENT: Mr. Stanczyk, Mr. Rhinehart

EDUCATION & LIBRARIES - MEMBERS PRESENT: Mr. Winslow, Mr. Corbett, Mr. Kinne, Mr. Kilmartin, Mr. Holmquist, Mrs. Chaplin

ALSO ATTENDING: Mr. Jordan, *see attached list*

The meeting was called to order at 11:00 a.m.

ONONDAGA COMMUNITY COLLEGE - 2007-2008 BUDGET PRESENTATION - Mr. Bill Emm, CFO

Mr. Emm stated that this supports the strategic plan that Dr. Sydow had presented to Ed. & Libraries and Ways Means Committees. Driving this year's budget is the increasing enrollment trend; 14% increase. OCC continues to be one of the most fiscally sound community colleges in NYS. Mr. Emm provided a power point presentation (*see attached*). The Board approved the proposed budget of \$57,488,300; budget reflects a 3% increase in enrollment over this year's projected enrollment; 6.7% increase over projected budget for 2006/2007.

Mr. Kraft congratulated the college on the enrollment increase, and asked about the economy of scale regarding costs. Mr. Emm said that the college is trying to get to 50% fulltime faculty; 40% adjunct. With increasing enrollments, they are having to hire more adjuncts. The operated cost per fte continues to go up, but at a slower level than other community colleges in the state.

Chairman Meyer asked what is included in the higher education index. Mr. Emm replied that for the past year it was 5%; it is basically the cost of operating higher education institutions, which has traditionally been higher than the consumer price index. OCC has traditionally been lower than that. All schools are included. Chairman Meyer asked if any SUNY's were less than OCC. Mr. Emm said that the schools displayed are school that OCC typically competes with.

Mr. Kilmartin asked if there is an assessment of profit per student that can be identified; does it increase as enrollment increases. Mr. Emm said that he hasn't looked at it from a profit perspective. When enrollment is up significantly and there are additional revenues, they have gone back to the original budget where things were cut in the previous year to balance the budget so that they can be managed. It is looked at as more of an investment back into the institution so that students do benefit. Mr. Kilmartin asked if there are ever reserve revenues that remain at the end of the year--where not all the revenue from tuition is 100% reinvested in program initiative. Mr. Emm said that the last several years there has been \$15,000 - \$20,000 put to fund balance. Generally speaking, each year they manage a balanced budget, so that they can invest every dollar that they possibly can back into the college to benefit the students.

Mr. Kilmartin said that the proposed budget involves the same dollars from the county; additional revenue should be projected from the increase in enrollment. Mr. Emm said that there will also be increased State aid of \$150 per fte.

Mr. Farrell referred to page 2-7; which indicates \$2.7 million of additional expenditures and revenue; he asked if during the course of the year, the board has approved \$2.7 million of additional expenditures. Mr. Emm said that "approved" would be a strong word. At the end of the fiscal year, they approve the actual budget; during the course of the year, they are kept informed. Mr. Farrell said that additional revenues are seen, and the administration expends those funds, subsequently for approval. Mr. Emm said that subsequently approve a resolution, but have approved dollars/expenses as the year progresses because the budget is reviewed with the board as the year progresses.

Mr. Mareane discussed profit generated by increased enrollment--this year's budget costs are up in part because there are more students going to school at OCC and because of the investment in technology. The combination of revenue is generated by enrollment and the fte aid, the state aid is tied to how many students go to school. Because of the increase in enrollment, both of those revenues have increased significantly and fully carry the cost of that increase in expenditure without an increase in sponsor share.

Mr. Kraft said that if the college gets more revenue, they find ways to spend it. Mr. Emm said that it is done with a plan in place, investing in things identified in the strategic plan. Mr. Kraft suggested adding some to the fund balance.

Mr. Ryan asked about the rate per credit hour. Mr. Emm said that it is \$129/credit hour for in-county students; out-of-county students originally are charged double that amount per credit hour. When they submit a certificate of residency from their home county, that has changed to the single rate, and the second part of the rate is charged to the County directly. Out-of-state students will be paying double tuition. There was an informal survey done amongst community colleges regarding the full-time rate, and OCC was 13th highest; 12 others were higher; 30 were surveyed.

Mr. Farrell referred to page 2-10, revenue trend analysis; and said that it is contrary to what Dr. Sydow presented. Mr. Mareane said that they look at how much in the way of local tax dollars will it take to balance this budget; look at expenses proposed, revenues available. The gap that is left to fund is done with local dollars. The goal is to keep it as flat as they can. The

expenses that the college proposed could be covered without having to increase the sponsor share. They were able to address their needs with revenues available to them without increasing sponsor share.

Mr. Ryan asked if capital projects are broken down by thirds. Mr. Mareane said they are not; the County splits the cost of capital projects with NYS. The 2008 County budget will include about \$286,000 in debt service; over the past 50 years the County has invested a lot there. It is in the County budget. Mr. Kilmartin asked if service is allocated for existing projects, not proposed projects. Mr. Mareane replied it is only for existing projects; it is actual debt service.

The meeting was adjourned at 11:45 a.m.

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

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HEALTH COMMITTEE MINUTES

KATHLEEN A. RAPP, CHAIR

June 13, 2007

MEMBERS PRESENT: Mr. Warner, Mr. Lesniak, Mr. Meyer, Mr. Kilmartin, Mr. Laguzza

MEMBERS ABSENT: Mrs. Winslow

ALSO PRESENT: see attached list (Attachment 1)

Chair Rapp called the meeting to order at 9:05 a.m.

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

Chair Rapp took the agenda out of order.

3. Requesting the Director of the Division of Environmental Health of the Onondaga County Health Department to conduct further examination of the emissions from the OCRRA incinerator - Mr. Ryan

Dr. Morrow, Health Department Commissioner, provided the committee members with a fact sheet with tables entitled Mercury Concentration in Soil (Attachment 2). Dr. Morrow reviewed the history concerning the incinerator, said that prior to a permit being issued for the incinerator, there was an exhaustive health assessment including an environmental impact study done by an independent contractor. In this assessment, projections were made and the conclusion was that there would be no significant adverse health effects. The Onondaga County Health Department has done monitoring of both ash and soil on an annual basis since the incinerator has been in place, soil samples are done twice a year; a summary of the monitoring is provided to the Legislators. Assessment done prior to the incinerator being in place was based on a mercury emission rate of 200 pounds per year, since 2000, mercury rates have been less than twenty pounds per year. Taking into account that much lower estimate, Dr. Driscoll's numbers and the Health Department's are remarkably similar; monitoring system is working well. Dr. Morrow said there are many causes of mercury in soil and the atmosphere; coal burning is number one, incinerators are another contributing factor. Concerning the national picture in urban areas, mercury levels range from 0.02-0.6; samplings by the Health Department and Dr. Driscoll's research confirm that we are on the low range of the national average. Dr. Morrow said comparable research peers are reviewing the results, she expects the results to be accepted.

Mr. Kilmartin asked if the soil is being studied on or off site. Dr. Morrow replied that all samples are off site, referred to the table that shows there are fourteen sites where they do soil samples, two of the sites are distant to the incinerator and those are their control sites. Dr. Morrow noted that the national average is .02 to .6; there is nothing on the table that is even close to a .6. Dr. Morrow confirmed Mr. Kilmartin's statement that the Environmental Impact Statement undertook an analysis of 200 lbs. per year and there was found to be no adverse environmental impact, now actual emissions are one tenth of that amount, evidence shows no negative health impact.

Mr. Laguzza asked if mercury has an impact on wildlife and vegetation; if so, what is the impact, do we have figures and do we still do random testing with roving vans. Mr. Sauda said the air portion was done for about ten years and did not reveal any negative findings to do with the incinerator; In 2003, when the program was restored, the air monitoring part was dropped based on the history, soil and ash sampling continues, there was never vegetation sampling; health risk assessment was based on

human health. Ms. Smiley, Health Department Deputy Commissioner, added that there was fish sampling at one time, all the changes that have been made to the monitoring program have come before the Legislature. Mr. Sauda said fish sampling was dropped a couple of years after the incinerator was in operation. Dr. Morrow said all of us hear the stories about mercury in the fish, that is happening across the globe; incinerators are not the sole source of mercury, the coal burning plants are a bigger source of mercury emissions.

Mr. Laguzza said what matters is the impact on our constituency today, asked if there is a safety hazard, should we be looking at this more intensely and doing something about it. Dr. Morrow said everything they have shows that we are below the level we expected to be with the Environmental Impact Statement, we are monitoring and we are comfortable that this study confirms the lower rates of emission and lower impact than what was predicted in 1994.

Mr. Meyer asked what the next step is, should we be changing our plan. Dr. Morrow said she has talked with DEC and looked at how effective the incinerator monitoring program is; at this point, she is reassured by this study that supports that our incinerator monitoring is doing what it should. Mr. Meyer asked if she needs any action or direction from the Legislature. Dr. Morrow said currently they get State aid (36% reimbursement) for the incinerator monitoring program, NYS Health Department thinks it is overkill. It is possible that next year the State will not reimburse because they feel that it is not a public health threat, may have to come to the Legislature for the money to cover that 36% (\$19,000).

Mr. Lesniak asked if the DEC is monitoring the fish in Onondaga Lake. Mr. Sauda said they do and they put out guidelines every year on eating fish; there are restrictions on eating fish related to mercury across the whole state including ponds in the Adirondacks. Dr. Morrow said DEC is increasing their monitoring of coal burning industries, will have a lot more information about mercury in Onondaga County in the future.

Mr. Kilmartin asked for more specifics regarding the parameters of Dr. Driscoll's study. Mr. Sauda said Dr. Driscoll has done a great amount of research on mercury in both fish and sediment, study showed that going back to the 1900's that mercury increased to a peak in about 1971 and then it has dropped back, there was a little uptick in late 1980's to 2000's in Glacier Lake at Clark Reservation State Park, soil samples are from the bottom of that lake. Mr. Kilmartin asked if any of the study was dedicated to air sampling; Dr. Morrow said not this study, air sampling was discontinued in 2003. Mr. Sauda said the Legislature decided to terminate the monitoring in 2003 during the budget process, they were asked subsequently to come back with a proposal for a modified program and the Legislature adopted that post budget. Mr. Sauda said all the modifications made to the program were reviewed by the State Health Department and they have concurred with the things that have been done. Mr. Sauda said there is no outside monitoring program; this is a unique program that we are doing in New York State and nationally.

1. MENTAL HEALTH: Mr. David Brownell, Commissioner

a. Amending the 2007 County Budget to accept funds from the New York State Office of Mental Retardation and Developmental Disabilities, the New York State Office of Mental Health and the New York State Office of Alcoholism and Substance Abuse Services and authorizing the County Executive to enter into contracts to implement this resolution (\$487,911)

Mr. Brownell provided an information sheet concerning the programs affected by the funds (*attachment 3*)

Regarding the first program, Mr. Brownell explained that the 2006/2007 New York State Office of Mental Health budget included funding for the development of a new initiative - Child and Family Clinic Plus. Initiative is an effort to enhance and improve the clinics across New York State, will allow for a more general screening of children and adolescence, a more thorough assessment based on that screening if indicated, and admission to treatment if indicated. Initiative will identify children earlier who can benefit from mental health treatment. St. Joseph Hospital Health Center Clinic and ARISE Child and Family Service have partnered with pediatric clinics at St. Joseph's and Upstate to do the screenings. Mr. Brownell said upon referral from pediatrician, a screening can take place, feels it is a much better place to engage the family and get cooperation if linked to a primary care health setting. Mr. Brownell said he is asking for an amendment to their budget to allow them to add to the contracts of the two agencies so they can recruit staff and get space to get started.

In answer to Mr. Laguzza, Mr. Brownell said the referrals would be done on site in the pediatric clinics. Mrs. Rapp asked if they would take private physician referrals as well. Mr. Brownell replied not at this time, have limited resources, will only be able to do 3,000 screenings; if program is successful, they can expand it. Mr. Laguzza asked if this would increase the numbers for referrals; Mr. Brownell said it would, it is a combination of state program funds, State Aid and Medicaid.

Mr. Meyer asked when this started; Mr. Brownell said it started in the spring/summer of 2006. Mr. Meyer asked if the client is brought in because there is an issue, Mr. Brownell said they are there for their routine pediatric care, if the doctor, nurse or family identifies behavioral issues, a referral for a screening can be done. Mr. Meyer asked about coverage when issues happen at odd hours. Mr. Brownell said this is not designed as an emergency program; they are trying to bring pediatric primary care in closer coordination with and to be a part of mental health care. Mr. Meyer asked for detail of how the \$146,298 for Child and Family Clinic Plus will be spent; Mr. Brownell said it is start-up costs to be divided between the two agencies to recruit staff, to

expand space if needed, to buy equipment needed to begin the program, one time non-reoccurring costs. **Mr. Brownell will supply Mr. Meyer with a list of how the money was spent.**

A motion was made by Mr. Warner to approve this item.

Mr. Brownell said the last two items on the information sheet are fiscal in nature. The second item concerns two programs at Crouse Hospital - an outpatient clinic and a methadone maintenance program. One way it is financed is via a form of the Medicaid program called Disproportionate Share. Federal government will match with Medicaid money 50% of cost to hospitals that serve a disproportionate share of people on Medicaid - a complicated formula with caps on what the state can receive, what hospitals can receive and rules about what programs are eligible. State Office of Alcohol and Substance Abuse Services no longer wishes to apply these funds for these particular programs, instead will replace those funds with State Aid, no impact on the programs, simply fiscal engineering.

The last item would allow them to increase the contracts they have with ARC, Enable, Exceptional Family Resources and Transitional Living Services to include the 2.8% cost of living increase in the amount of State Aid. Mr. Warner asked if it happens every year; Mr. Brownell said no, for many years there were no cost of living increases.

The motion was seconded by Mr. Lesniak to approve this item. A vote was taken and passed unanimously.

2. HEALTH:

a. Create Licensed Practical Nurse, Grade 1 @ \$27,471 - \$33,163 effective July 7, 2007

Abolish Assistant Nursing Supervisor, Grade 3J @ \$40,595 - \$49,732 effective July 7, 2007

Ms. Smiley said that currently they have five LPN's at the Justice Center and two at Jamesville. LPN's role is primarily to pass medications as well as other things such as assisting doctors during sick calls, transcribe orders, etc. Currently they have eleven uncovered shifts where RN's do the passing of meds. By creating an additional LPN, they will be able to cover ten of those shifts; will help them with recruitment and retention. Ms. Smiley said the Assistant Nursing Supervisor position is vacant, created assistant nursing supervisor titles some time ago with the idea that they could pick up some additional supervisory roles, hasn't materialized because of turnover and people calling in sick, they were doing RN work and are making more money being an RN.

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

In answer to Mr. Lesniak, Ms. Smiley said the County is successful in recruiting LPN's.

Mr. Laguzza asked the number of RN's and are there vacancies. Ms. Smiley said they always have vacancies. Ms. Dukat said they currently have eleven fulltime and one half time for the three shifts and they have three vacancies. Mr. Laguzza asked if she was telling him that a registered nurse has less of an expertise on how to pass meds than an LPN. Ms. Dukat, Nursing Director - Correctional Health, said for 300 people yes, one-on-one is no problem. Ms. Dukat said she needs RN's for assessment skills to work in booking, get the orders, and assess medical emergencies.

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

4. Informational: Forensic Lab - Dr. Corrado, Director

Dr. Corrado presented a Power Point (*on file with Clerk*).

Highlights:

The laboratory in the last seven years has obtained over 5.4 million dollars in grant funds that have reduced their budget requests for necessary equipment, supplies, and training

- Added four disciplines to services
- Firearms section: reduced backlog of over 800 cases to less than 300
- Drug section: helped in RICO prosecutions
- Latent Prints: All digital, now have a SAFIS site, now do latent prints on every single gun that is collected
- DNA: Used more and more on property crimes (50% of cases are property crimes), CODIS/Cold Case Task Force.

The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

* * *

PLANNING & ECONOMIC DEVELOPMENT

JAMES M. RHINEHART, CHAIRMAN

June 13, 2007

MEMBERS PRESENT: Mr. Stanczyk, Mr. Meyer, Mrs. Rapp, Mr. DiBlasi, Mr. Jordan, Mrs. Chaplin

ALSO PRESENT: Mr. Sweetland and see attached list (*Attachment 1*)

Chairman Rhinehart called the meeting to order at 10:40 a.m.

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

1. PLANNING: Ms. Linda DeFichy, Administrator - Community Development

a. Authorizing the Onondaga County Executive to file the 2007 Action Plan for the Community Development Block Grant, Home Grant, American Dream Downpayment Initiative and Emergency Shelter Grant Programs (\$4,512,840).

Ms. DeFichy distributed the 2007 Community Development Budget (*on file with Clerk*). Ms. DeFichy said this is their annual submission to HUD which consists of four different grants, the Community Development Block Grant, the Home Grant, American Dream Downpayment grant and the Emergency Shelter grant. The County will receive \$2.2 million and the Town of Clay will receive just under \$300,000, Town of Clay is meshed with their funding and they administer it. Housing Rehab has not been funded out of the CD grant this year because they have a \$3 million in a Lead Grant.

Mr. DiBlasi asked why the Town of Clay had separate funding. Ms. DeFichy explained that it is a function of population; any town over 50,000 gets their own grant.

Ms. DeFichy pointed out the following:

- CDBG Foat Loan for \$750,000 is just bookkeeping; if there expense rate isn't high enough, HUD allows them to spend the money twice; they can draw it down, spend it on an activity and as it gets paid back, they can use it again, they don't need to use it this year, their expenditure rate is fine.
- Home Grant - number of activities under it that are all related to housing
- American Dream Downpayment is President Bush's emphasis on home ownership
- Emergency Shelter Grant is for activities related to homeless
- Capital Projects funded under the Community Development Grant in the different towns and villages are geared to benefit low-income people. They have a couple contingent projects if any of the top twenty-three fall apart. Mr. Rhinehart asked how many projects showed interest; Ms. DeFichy replied just under fifty. Included in the handout is a description of each of the Capital Projects in detail.

Mr. Stanczyk asked about Housing Rehab. Ms. DeFichy said they are doing a great deal of housing rehab using Lead Grant money, balances from other years from CD funding, and State funding, used to do around 150 per year and are now up to 200. For the most part housing rehab is associated with lead. Mr. Stanczyk asked if they are doing the same number of elderly as in past. Ms. DeFichy said they; have had to shift emphasis to families with children under six, they are allowed to fund if there are grandchildren in the house. They did thirty homes last year, there is a significant waiting list for elderly and families without children under six. Mr. Stanczyk said he doesn't want the rehab associated with lead to detract from the low income elderly; one of key components of a neighborhood collapsing is elderly not being able to afford to take care of their homes, they fall into disrepair and dilapidated houses are bought by an absentee landlords. Mr. Stanczyk said they have to find a way to do the elderly and lead, no reason to have a backlog. Ms. DeFichy said it is a staffing problem, they do not have enough Community Development funds to maintain the staff they have, need the money from the Lead Grant to make up the difference.

Mr. Rhinehart asked if the monies for the Community Development Block Grant could be interchanged. Ms. DeFichy said all four grants have to benefit low-income people. Ms. DeFichy said the elderly could participate in their Neighborhood Rehab. Mr. Stanczyk asked about the waiting list; Ms. DeFichy said about a couple of years.

Mr. Meyer referred to Page 2 - 2007 CDBG Capital Projects, asked how they select the phasing and asked for elaboration on the match. Ms. DeFichy said they require a 25% match to make sure there is local commitment, have a steering committee made up of fifteen members. They are not able to fund the projects at the level they need all at once so it is phased; their limit is \$100,000 per year.

Mr. DiBlasi asked about the community tree project. Mr. O'Connor said it is based on a plan done after the Labor Day storm, they try also to get neighborhood associations to be a part of the process, try to focus on across the county, not just within the city.

A motion was made by Mrs. Rapp, seconded by Mr. Meyer to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

2. HOTEL: Mr. Edward Kochian

Mr. Kochian reviewed the handout entitled Westin at the Oncenter, Implementation Agreements June 2007 (Attachment2).

Mr. Rhinehart mention Mr. Ned Flint from First Albany Bank present at the meeting and asked what his role would be. Mr. Flint said he is working with the Industrial Development Agency putting together the financing plan, would be the underwriter on the bond issue for the IDA.

Mr. DiBlasi asked for confirmation that the County receives 11% of the Destiny fees and the City receives 89%; Mr. Mareane said that was correct.

Mr. Meyer asked about the start date; Mr. Kochian said they are still taking about fall 2007 with an 18-month period for completion. Mr. Meyer asked for elaboration on the pedestrian connection. Mr. Kochian said there is a connection to the garage that needs to look good, be safe, wide enough for people carrying luggage to the garage or the existing sky bridge to the Oncenter and there needs to be a vertical element right when you come into the Oncenter. The intent is to have this available when the hotel is opened. Mr. Meyer asked if the developer has waived the steam plant connections forever; Mr. Kochian replied yes. Mr. Meyer asked if there is any cost to the 15 ft. strip of land mentioned on Page 16. Mr. McAuliffe said in conversations with the city it was suggested that it was needed for the hotel and would be nice if transferred for free. The full request for the abandonment, which is a specific procedure on the City Charter, a letter was sent by the County Executive to the Planning Commission, Planning Commission would have to have a public hearing and then a formal recommendation to the Common Council. Mr. Meyer asked if the number on the room tax and sales tax are solid numbers, how much is new money. Mr. Mareane said they believe they will be restoring about \$20 million a year in convention activity; much of it will be new money. Projections of room tax and sales tax Comes right out of the proforma of the hotel plan; expected room revenue estimate is conservative, proforma assumed a lower room rate and occupancy level.

Mr. Stanczyk asked what the anticipated reimbursed payment is for the \$15 million grant money from the State. Mr. Mareane said that first \$10 million by 2009, last \$5 million by January 2010. **Mr. Stanczyk requested a page that breaks down the Debt Service.** Mr. Stanczyk asked what the anticipated interest rate for the bonding is; Mr. Flint First Albany Bank, said 6% taxable interest rate, in line with where market interest rates are today. Should be in the market early fall; right now it is 5.7%. Regarding the County Infrastructure Investment, Mr. Stanczyk asked why the commitment didn't shrink to \$5 million instead of \$7.3 million after the developer decided against the Steam Plant connection. Mr. Kochian said the pedestrian connection was yet to be designed. Mr. Mareane said at that time, there was a concern that connections to the Oncenter were inadequate, current plan is to create a much easier connection from the hotel to the garage, are kicking the money into an enhanced pedestrian connection instead of a second connection. Mr. Kochian said it is a huge public investment, there is not economic activity that happens in United States without some form of public pride initiative, that is what this is, we will get this money back as a community just as we will with the OCIDA bonds and grant anticipation notes. Mr. Stanczyk asked why the generated revenues by the hotel is listed when the pilot revenues are just paying off their debt. Mr. Mareane said the intent of the page was to show that there is a capacity within the project to pay for its costs, how much revenue will be generated.

Mr. DiBlasi referred to Page 18, column 3 (debt Service), asked with the \$15 million from the State does the Pilot get paid off early. Mr. Kochian referred to Page 11, third bullet, and said the excess Pilot revenues would be shared annually, the benefit of the \$15 million from the State is that by reducing the debt, there would be excess Pilot revenue that could be shared early.

Mr. Sweetland said he wanted to remind everyone that when we this agreement was passed in the legislature, we voiced a very strong concern about the connection, we agreed to an estimate of what it was going to cost, this legislature will approve and be involved with what those connections are, wants to make sure this Legislature is involved with how this gets done and ultimately approve to money to do it; most important, how convention goers come in, how they get across the street and where meetings are.

Mr. McAuliffe displayed drawings of what the hotel will look like.

a. Amending Bond Resolution No. 308-2004 for pedestrian connections and land acquisition

Mr. Kochian said we were originally going to spend \$1 million on a connection, now making a commitment to spend \$3.1 million, \$4.2 million for land - total \$7.3 million; if land costs more than \$4.2 million, they will come back to the Legislature.

Mr. DiBlasi made a motion to consider all four resolutions in one vote; it was not seconded.

Mr. Rhinehart said this resolution authorizes the County to bond up to \$3.5 mil instead of \$2.25. Mr. Mareane said there was a bond resolution passed in 2001 for first installment on the land (condemnation price) was authorized appropriated and spent. A second bond was authorized in 2004 for \$3.5 million, but wasn't appropriated. Mr. Mareane said by action on this resolution, instead of spending \$1 million on a pedway, \$2.5 million on the Steam Plant connection, \$3.5 million will be spent in combination of land and pedestrian connections; it doesn't affect the authorization, it affects the use of that authorization, also recognizes the new source of money the Destiny fees account, have already put \$800 thousand into a project account to do this.

A motion was made by Mrs. Rapp, seconded by Mr. Meyer to approve this item. A vote was taken; Ayes: 6 (Mr. Meyer, Mrs. Rapp, Mr. DiBlasi, Mr. Jordan, Mrs. Chaplin), Noes: 1 (Mr. Stanczyk); MOTION CARRIED.

b. Amending Resolution No. 306-2004, as amended, to authorize the County Executive to enter into an Amended Agreement for the development of the Onondaga County Convention Center Hotel

Mr. Herkala said the development agreement has been changed to Westin; Westin has entered into an operating agreement for a fifteen year period with the developer, they will bring their expertise directly into play, agreement has been changed from possible two pedways to one, have substituted the County Reserve Agreement for the Sublease. They will be putting an amended agreement on file. Mr. Herkala said there are changes to number of rooms (still an excess of 350, may be as many as 364), change in meeting space to 17,000 sq. ft. and change to the project schedule due to being put on hold because of the State financing. No greater County or OCIDA contribution to the project than was initially anticipated. **Mr. Stanczyk requested a summary sheet of the changes.**

A motion was made by Mr. Stanczyk, seconded by Mr. Meyer to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

c. Authorizing a Reserve Agreement and Pilot Mortgage Agreement with respect to the Oncenter Hotel

Mr. western said for an \$11,340,000 issue of bonds, Debt Service is \$1,462.100, if there is a failure to get the Pilot payment, if at the end of any given year if the Debt Service reserve pays the bond holders, we the County, under the Reserve Agreement, would have to make a contribution to bring the debt service reserve up to normal, bonds are not marketable without this. Mr. Kochian said the Pilot Mortgage issue has to be brought into the equation; additional security brought about by the Pilot Mortgage is critical to why we would even consider doing this project, unlike typical Pilots, you have a first instance claim on getting your money back, developer put in \$10 million of their own money, borrowed \$30 to \$40 million financial institution is unlikely in the scenario where there is a pilot mortgage to allow that property wipe out their debt, they are likely to pay that pilot mortgage. Mr. Kochian said there is a way for us to recover the pilot payment through the pilot mortgage; in the interim, there is the issue of the Reserve Agreement; if developer doesn't don't pay timely, debt service is called on to make sure the debt gets paid; if it has been depleted, that's when the call comes to the Legislature and Executive, It is vital for the county to stand behind it in the appropriation process in part because the project itself finances it; in the meantime, have the process going on with the Pilot Mortgage to fully recover the pilot money.

Mr. Stanczyk asked if they do not make a pilot payment, why wouldn't we foreclose, put in a claim to take the property. Mr. Western said he expects we would. Mr. Stanczyk said it is dysfunctional to talk about foreclosing on the property and yet put in money to pay off to prevent us from foreclosing, it makes no sense. Mr. Herkala said there are two agreements - the Pilot Mortgage and the County Reserve Agreement. Reserve Agreement substitutes in whole for the Sublease that was already approved by this legislature when we did the original hotel deal. Purpose of that Sublease and this agreement are identical, sublease payments that were going to be made from OCIDA to the County were the equivalent of any Debt Service shortfall; this Reserve Agreement requires us to replenish the Debt Service reserve funding. Mr. Stanczyk asked why we would want to do that. Mr. Kochian said it is a bond issue in part, do not want to be in default of the Debt Service, want to make the reserve fund whole and then recover through the mortgage process, not seeing this as a high risk proposition. Mr. Kochian said If there is a default in title payments, we have the rights under the Pilot Mortgage to commence a collection action against the developer, commence a foreclosure action, to bid at that foreclosure action, offer up our equity interests to offset the cost to buy the property if we want, to reach a negotiated settlement with the lender who is most likely going to step in on behalf of the developer who has an even larger interest in the property with a larger debt in the beginning years. Pilot mortgage lets us step in and protect our rights, Reserve Agreement says we have to make the same type of payment that we already agreed to do under the Sublease, just changing the structure.

Mr. Meyer asked if the lot the hotel would be sitting on pledged as security. Mr. Kochian said it is part of what they are using to get the State Aid. Mr. Herkala said the developer is allowed to go out with a ground lease and get what is called a leasehold mortgage on the structure he is going to build, subject to the ground lease.

Chairman Rhinehart asked if the developer is making a personal guarantee. Mr. Herkala said he is not aware of that.

A motion was made by Mr. Rhinehart, seconded by Mrs. Rapp to approve this item. A vote was taken; Ayes: 6 (Meyer, Rapp, DiBlasi, Jordan, Chaplin); Noes: 1 (Stanczyk); MOTION CARRIED.

d. A Local Law repealing Local Law No. 3-2005 regarding the sublease of property from the Onondaga County Industrial Development Agency with respect to the Oncenter Hotel

Mr. Herkala said this is to repeal the sublease local law. Since proposal is to enter into a Reserve Agreement, we don't need a sublease local law anymore.

A motion was made by Mr. Meyer, seconded by Mr. Jordan to approve this item. A vote was taken and passed unanimously; MOTION CARRIED.

Mr. Kochian said they would be back at some point concerning the 15 ft. strip of land after the City passes it.

3. Convention & Visitors Bureau Direction Plan - Mr. David Holder

Mr. Holder gave a presentation on the 2007-2010 Syracuse CVB Strategic Direction (*Attachment 3*)

The meeting was adjourned at 12:40 p.m.

Respectfully submitted,

Johanna H. Robb

Deputy Clerk

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PUBLIC SAFETY COMMITTEE MINUTES - JUNE 14, 2007

KEVIN HOLMQUIST, CHAIRMAN

MEMBERS PRESENT: Mr. Holmquist, Mr. Warner, Mr. DiBlasi, Mr. Kilmartin, Mr. Lesniak, *Mr. Kinne, **Mr. Ryan

ALSO PRESENT: *see attached list*

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

1. EMERGENCY MANAGEMENT: Mr. Peter Alberti, Commissioner

a. **Confirming appointment to the position of Deputy Coordinator and Fire Investigator and authoring reimbursement for expenses incurred in the performance of duties**

Charles Comb, Jr. was inadvertently left off of a resolution adopted earlier.

A motion was made by Mr. Lesniak, seconded by Mr. DiBlasi to approve this item. Passed unanimously. MOTION CARRIED.

2. DISTRICT ATTORNEY: Mr. Rick Trunfio, First Chief Deputy District Attorney

a. **Amending 2007 County Budget to provide the Office of the Onondaga County District Attorney with additional funds beyond the estimated dollars appropriated in the 2007 County Budget (\$41,291).**

State DCJS has appropriated to most counties in the State a grant for retention and retaining assistant district attorneys. Student loans for law school run between \$100,000-\$150,000, which averages out to be \$800-\$1,200 per month. Starting ADA salary is approximately \$45,000. This is a problem across the country. There is no ability to attract the best candidates to prosecute. A three-year commitment is signed, but they lose people when that expires. Many don't meet the 3-year commitment because of debt. For the last 3 years the State has put in \$6 million for loan redemption/loan forgiveness programs. An ADA has to be in the office for 4 years before even eligible and then it is about \$3,000 toward the student loan. The State has recognized that isn't enough. This program offers DA's money to use in their discretion to recruit and retain ADA's. It is a one-shot deal; if the State decides to provide additional money, they will use the same criteria.

Chairman Holmquist said that this program is long overdue, asked if there is a chance to be an annual program; can more money be received. Mr. Trunfio said that the DA's Association, in the last few years, has seen an exodus of talent. He said that first year associates in a big cities can make \$180,000; County ADAs handling serious cases and are making \$56,000. The problem is recognized on the federal level; Congress is trying to get a national student loan reduction package specifically for prosecutors and public defenders. The only other program available is the loan redemption program from the State, but it is minuscule.

Mr. Kilmartin asked to be a co-sponsor.

****Mr. Kinne arrived at the meeting.***

Mr. Kilmartin said that he has personal knowledge of this and has seen the turnover within the DA's office. There is an absolute need to recruit DA's and entice them to go into public service and stay there. There is a great deal of pressure with the student loan issues; it is often attractive to go into the private sector, where they can make 2 or 3 times that and address their student loan issues. This DA's office is unique from other county departments; other departments don't have nearly the turnover that the DA's office has. It is due primarily to the student loans that the young lawyers face. We want to make certain that the people prosecuting cases, i.e. arsons, rapes, homicides, etc. are the most experienced and feels this program will help that effort greatly.

*****Mr. Ryan arrived at the meeting.***

Mr. Lesniak asked how Onondaga County compares to other counties for salaries. Mr. Trunfio said that per capita of the largest jurisdictions, outside the NYC boroughs, Onondaga County is 3rd or 4th per capita on violent crime; ADA's per capita for number of staff and salaries is 9th on the list.

In order to get this money, the DA's office had to set up a plan. Decided to reward merit; set up 3 categories:

- o Those ADAs that have been here less than 3 years but came to us with prior experience (targeted 5)
- o People that are just reaching 3-year commitment being paid entry level who are looking to go
- o People who have made choices to be career ADA's

It gives 12 people \$3,440 gross; will be taxed & given in a lump sum; ends up at approx. \$3,000. They hope it will start the process to retain and sends a message that ADAs are being thought of and appreciated.

Mr. Lesniak asked if there is a requirement to track retention. Mr. Trunfio said that there is not, but they will be doing that through their accounting process. Mr. Lesniak said the process needs to be started and looked into further; need comparisons with other counties prior to budget. Maybe some positions need to be reclassified. Mr. Trunfio referred to a study that was done; will provide the numbers during the budget presentation.

Mr. Warner said that he sees potential for moral issues as to who gets but believes it will be handled properly. Mr. Trunfio said that they try to run the department like a business; do not plan on making the recipients publicly known; they are confident with the criteria established.

Mr. Kilmartin said that looking forward is very important. If this grant does go away, it is worthwhile to look at what we can do to address this problem for the DA's office; otherwise we will not have the most talented, best and brightest prosecuting the most serious crimes in our community.

Mr. DiBlasi asked if there will be any hooks in place for those that are recipients. Mr. Trunfio said that they plan to meet individually with each one of them and extend a commitment; 11 of the 12 positions are targeted towards people that are each the 3-year mark. It would be a 3-year moral commitment, it is not a contract.

Mr. Ryan asked if there is any correlation, percentage wise, between legal aid and the prosecutors. Mr. Trunfio said that he has never done an analysis. Regarding Das, he routinely hears that the it was the best job they ever had and wished they could have stayed. On the prosecutors side, it is a job that people really want to do and love doing it. He can't speak for the legal aid side; feels that maybe it is more a psychological grind.

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

b. **Approving the execution of an agreement between the County Executive and the State of New York for strategies to reduce crime**

Mr. DiBlasi requested to be a co-sponsor.

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

3. SHERIFF: Chief William Peverly

a. **Amending the 2007 County Budget to accept State Homeland Security funds for the Onondaga County Sheriff's Office (\$100,000)**

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

Mr. DiBlasi requested to be a co-sponsor.

b. **Amending the 2007 County Budget to authorize the Onondaga County Sheriff's Office to receive additional grant funds from the Division of Criminal Justice Services (\$5,000)**

This is grant money from Senators Kolb and Barclay. Offender Watch is a sex offender registration program that will be on the County's website; will be substantially upgraded from the State Offender Program.

Mr. DiBlasi requested to be a co-sponsor.

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

c. **Authorizing a Memorandum of Understanding with Oswego and Madison Counties relating to a Grant from the Office of Community Oriented Policing Services on behalf of All Police, Fire, and EMS Agencies within Onondaga, Oswego, and Madison Counties - Mr. Charles Gabriel, Consultant**

Application for the Sheriff's Department to apply for a COPS Technology Program for interoperable communications for 2007. If awarded, the County has a 25% local match. Points are awarded to applicants that they consider metropolitan statistical areas (MSAs) to apply for regional grants. Regionalization is becoming very big in interoperability and in receiving funds all over the country. Madison Co. signed a memorandum of understanding yesterday with Onondaga Co. to be allowed to serve as the lead agency to apply. Oswego Co. will vote tonight. The only one left is to get Onondaga Co. to participate and the County Executive to sign a memorandum of understanding. The deadline is June 29th.

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

Mr. Holmquist asked about other neighboring counties being involved; Mr. Gabriel said that this is a targeted program and they don't meet the criteria. This has to be a law enforcement initiative; the Sheriff's Department is working with him to put this together to meet the deadline.

Mr. Lesniak asked about the 25%; Mr. Gabriel said it is based on the breakout to each county. He is applying for the entire \$6 million. It will create a number of base-station repeater sights throughout the region. Mr. Lesniak said that this resolution wouldn't be adopted until after June 29th. Mr. Gabriel said that they have been allowed to apply and submit it; once the legislature approves, they will take the last signature (Onondaga County), and it will be sent in. Mr. Kilmartin asked if there was rough projection of what the grant and match might be. Mr. Gabriel said that hopefully the grant will be for \$4.2 million; based on population, but is anyone's guess. The match would come in this fiscal cycle.

A vote was taken on the motion; passed unanimously. MOTION CARRIED.

Chairman Holmquist referred to a letter received regarding the 25-year retirement for civil deputies; nothing has been prepared yet, but there may be a memorializing resolution presented at Ways & Means. Mr. Ryan said that there are negotiations going on right now with captains; concerned about opening this up. The State Legislature is done next week and we don't meet until July.

4. Discussion: Lawyer and non-lawyer justices presiding in Town and Village courts

Mr. Warner said there is an attempt by NYS Judicial Commission to remove lay justices from the court system. He has worked with attorney and non-attorney judges for years and found good and bad in both. This is moving along rapidly at the state level. It is imperative that the legislature act soon. For 300 years the system has been in place; to change the system is wrong and a slap in the face to all of the year the non-attorney judges have served in office, and done a great job. If this happens, the conversation that occurred earlier with the DA's office will magnify itself several times over. The intention is to give the non-attorney judges more education. Other counties have endorsed this; it has the endorsement of the Onon. Co. Bar Assoc. and the Onon. Co. Magistrates Assoc. He is unsure when the Commission will come out with a final recommendation.

Mr. Kilmartin concurred with Mr. Warner and asked to be listed as a co-sponsor. He has practiced before lawyer and non-lawyer judges; his experience of the performance of the non-lawyer judges has been very good. There have been long standing, non-lawyer judges in the county; they are honorable, reputable, experienced and knowledgeable. Additional training for all part-time judges in towns and village would be beneficial. All these judges are popularly elected. It is the local constituents electing these individuals; feels it is important to maintain a local town and village justice system, and also to make sure it is open and accessible to all those who wish to serve and the people decide that through elections.

Mr. Lesniak said that he totally supports this and asked to be listed a co-sponsor. He referred to a non-attorney judge in Lysander who has been sitting for at least 8 terms and is always accessible and reputable.

Mr. Ryan said that there has been talk about regionalization instead of having different courts; he asked if that is still going on. Mr. Warner said that he understands that the whole picture is being looked at including regionalization. Mr. Ryan said he would like to see all the items that are being discussed. Mr. Kilmartin said that he has read that there has been general discussion regarding district courts. The governor wishes to appoint many judges to the bench and remove from popularly elected positions; wishes to make it a mandate that all judges be lawyers.

Mr. Warner distributed a resolution. **Mr. Holmquist and Mr. Kilmartin requested to be co-sponsors.**

A motion was made by Mr. Warner, seconded by Mr. Kilmartin to approve this item. AYES: 4 (Kilmartin, Lesniak, Warner, Holmquist) NOES: 0; ABSTAINED: 3 (DiBlasi, Kinne, Ryan)

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

Respectfully submitted,

DEBORAH L. MATURO, Clerk

Onondaga County Legislature

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WAYS AND MEANS COMMITTEE MINUTES - June 15, 2007

CHAIRMAN WILLIAM H. MEYER

MEMBERS PRESENT: Mr. Stanczyk, Mr. Rhinehart, **Mr. Kraft, Mr. Farrell, Mr. Warner, Mr. Corbett, Mrs. Rapp, *Mr. Ryan

ALSO ATTENDING: Chairman Sweetland, Mr. Kinne, Mr. Jordan, Mr. Lesniak

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

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

10. **OCC: Mr. Joe Mareane, Onondaga County Chief Fiscal Officer**

a. **Adoption of Annual Budget for OCC for the fiscal year Sept. 1, 2007 to Aug. 31, 2008, accept the 2008-2013 Capital prog. and authorize the Co. Exec. to enter into contracts with other governmental units in which appropriations and revenues are approved by the adoption of the 2008 Budget**

Chairman Meyer stated the public hearing will be held at 11:30 a.m. today. The budget was presented to Education & Libraries Committee and Ways and Means Committee on June 12, 2007.

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

7a. **Amend 2007 Co. Budget to allow \$75,000 in funding for Alliance Bank Stadium Beautification Project and authorize the Co. Exec. to enter into agreements to implement this resolution-Mr. Sweetland**

Mr. Sweetland said that several months ago, the Syracuse Sports Corp. asked him for help to make the entrance to the Alliance Bank Stadium, parking lot, and grounds nicer. They wanted to raise money and get involved. He put together a committee that includes Syracuse Sports Corp., Syracuse Chiefs, Parks Department, City of Syracuse, Regional Market Authority, Centro, CNY Landscapers Assoc. and ESF. The meetings resulted in consensus that a long-term plan for beautifying the grounds as people enter from Hiawatha Blvd. and Park St. needs to be developed. Much of the property is owned by CENTRO or CNYRMA. They have agreed to contribute to this project; \$75,000 from funds balance will be held by the Parks Dept.; with the advice of this committee it will be used as seed money to hire someone to put together a long-term project plan. It allows other organizations to commit money for the project.

Mr. Farrell said that this is looking at \$75,000; looking at a facility, a resource for Onondaga County, which we have the responsibility to maintain and enhance with the best value to the people. To do that, there are many questions. One question is worth \$1.5 million (turf). There are other infrastructure issues; while the stadium is being maintained in good manner, there are

other things that need to be done, probably several hundred thousand dollars worth. There are issues with the existing relationship with the major tenant, which we are trying to attract people to the stadium; also several hundred thousand dollars. He questioned where the \$75,000 goes - it is to plan something; whatever is planned will cost several hundred thousand dollars. This is an issue of \$2.5 - \$3 million or more. The project needs to move forward, but we need to fix some things first. He question how much planning is bedding done with the \$75,000 He question if there should be a step taken back to look at the overall picture first.

Mr. Sweetland said that when the stadium was built there was a plan for the outside and inside of the stadium, which was never followed through. It is a County facility that needs to be taken care of. This is not just him, or county government coming to the table. He has 6-7 entities that want to be part of this, it is a way to leverage that support and not have it cost county taxpayers alone to accomplish a goal that needs to be accomplished. He wants the facility to be as nice as it can be. Currently all that is done is that the Regional Market mows the grass. It is a nice stadium, a big facility; wants people to feel like they are going someplace.

That is what all these other groups have said, which is why they came to him and asked for this to be discussed. Mr. Sweetland said d the County Executive has agreed to support this. There is a lot that needs to get done; it should have been started 10 years ago.

Mr. Farrell said that the language changed at his committee and asked if it created a misconception to spend \$75,000 on planning. Chairman Sweetland said that it did. The goal is to use a portion of this money to do something this year. Mr. Farrell said that it is admirable and makes sense, but what was brought forth has no indication of what it will be used for. Mr. Sweetland said that the committee has not decided--need to get someone out there that knows soils. There are species that will grow and some that won't grow in the soil there. There needs to be an investigation done about the lowest possible maintenance rather than having to hire people. This is not handing \$75,000 to a committee; it is money held within the Parks Dept.

Mr. Stanczyk said that a big mistake was made in sighting the stadium where it is rather than towards downtown. Other communities with baseball are tied more to the community, events inside and outside the ballpark. We need to whatever we can to make the outside as pleasant as possible to encourage use. It is horribly unsightly and any money spent will be in the right direction.

Mr. Rhinehart said that he is in favor of this; it is working together with 6 or 7 private businesses, and more public/private projects together are needed.

Mrs. Rapp said that this is a continuation of a commitment made to the community when the stadium was built. It still looks like a construction site and it is not inviting. There is a history in this community with public/private projects. If there is planning in place it will leverage economic development.

Mr. Sweetland said Terry Ettinger contacted him and said that the plants around the Civic Center and Everson can now be split, taken to other places and planted, so possibly not a lot of plants will have to be purchased.

A motion was made by Mr. Stanczyk, seconded by Mr. Rhinehart to approve this item. AYES: 6 (Meyer, Corbett, Rhinehart, Rapp, Stanczyk, Warner); NOES: 1 (Farrell); ABSTAINING: 1 (Kraft). MOTION CARRIED.

1. BOARD OF ELECTIONS: Helen Kiggins, Edward Szczesniak, Commissioners

a. **2007 Transfer of funds from Acct. 650-9650 Contingent Account in the amount of \$15,000 to Acct. 215 Furniture & Equipment to purchase an automated phone voice answering system (\$15,000).**

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

2. SHERIFF: Chief William Peverly

a. **Amending the 2007 County Budget to accept State Homeland Security funds for the Onondaga County Sheriff's Office (\$100,000).**

A motion was made by Mr. Warner, seconded by Mr. Corbett to approve this item. Passed unanimously. MOTION CARRIED.

b. **Amending the 2007 County Budget to authorize the Onondaga County Sheriff's Office to receive additional grant funds from the Division of Criminal Justice Services (\$5,000).**

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

c. Authorizing a Memorandum of Understanding with Oswego and Madison Counties relating to a grant from the Office of Community Oriented Policing Services on behalf of all police, fire, and EMS agencies within Onondaga, Oswego and Madison Counties - Mr. Charles Gabriel, Consultant

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

Mr. Gabriel said that Oswego County unanimously endorsed similar legislation last night. This allows the MSA, according to federal guidelines for Onondaga, Oswego and Madison Counties, to apply for COPS 2007 Technology Program. It is a new initiative; announced May 21st, were notified on the 29th. One provision allows for 3 counties to work on an interoperable communications network. The City of Syracuse was the original invitee, because of the guidelines. The City acquiesced to the County of Onondaga to allow the county to become the lead agency to apply, providing Oswego and Madison Counties concurred. They have both unanimously endorsed moving forward. Will apply for \$6 million grant; there is 25% match per county. It is the first major attempt to pull 3 counties together. There were approx. 350 invitees across the nation; only 45 will be selected.

Passed unanimously; MOTION CARRIED.

3. WATER ENVIRONMENT PROTECTION: Mr. Randy Ott, Commissioner

a. Create Typist II, Grade 5 @ \$27,807 - \$30,705 effective July 7, 2007; Abolish Stenographer I, Grade 4 @ \$25,909 - \$28,597 upon successful completion of the incumbent's probationary period

A motion was made by Mr. Corbett, seconded by Mr. Rhinehart. AYES: 7; NOES: 0; ABSTAIN: 1 (Kraft) MOTION CARRIED.

4. OCPL: Ms. Joyce Latham, Director

a. Amending the 2007 County Budget to accept State Construction Funds for the OCPL and authorizing the County Executive to enter into contracts to implement this resolution (\$42,258)

A motion was made by Mr. Farrell, seconded by /Mr. Stanczyk to approve this item. Out of room: Mr. Kraft; Passed Unanimously; MOTION CARRIED.

b. Amending the 2007 County Budget to accept State Construction Funds for the OCPL and authorizing the County Executive to enter into contracts to implement this resolution (\$44,968)

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

c. Amending the 2007 County Budget to accept State Construction Funds for the OCPL and authorizing the County Executive to enter into contracts to implement this resolution (\$88,676)

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

Mr. Warner asked about documentation of old cemeteries. Ms. Latham said that on Oct. 27, 2007 a conference, Grave Concerns, will be held - it will be a cemetery summit about indexing all of the cemeteries in the County and make them available.

Chairman Meyer asked about the new system, which will be discussed at budget time. Ms. Latham said that everything is on time so far; running as usual, the big problems have been identified and addressed. Expect to hit the target date of June 23rd.

5. DISTRICT ATTORNEY: Mr. Rick Trunfio, Chief Deputy District Attorney

a. Amending 2007 County Budget to provide the Office of the Onondaga County District Attorney with additional funds beyond the estimated dollars appropriated in the 2007 County Budget (\$41,291)

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

The State is giving \$41,000 to address a nationwide a problem in district attorneys offices, which is attracting quality graduates from law school and keeping quality DA's in public service. The debt from law school is \$150,000-\$200,000, and are paying \$1,000 in student loans. DA's across the state are hemorrhaging ADAs. They are paying their bills with credit cards because the

salary in public service does not meet their student loans. The state is giving counties this money to give DA's discretion on how to retain or recruit people with money that it not in the local budget.

Mr. Warner asked what happens if the money goes away; Mrs. Walter said that this is off schedule, such as a one-time.

Mr. Rhinehart asked if any consideration has been given to hiring less attorneys and paying them more. Mr. Trunfio said that it is not an option with the crime statistics that we have, of the top 11 counties outside of the NYC boroughs, Onondaga County is one of them, rated numbers 3 and 4 in violent crime; rated 9 or 10 for ADA's per capita.

AYES: 7 NOES: 0; ABSTAINED: 1 (Stanczyk). MOTION CARRIED.

b. **Approving execution of an agreement between the Co. Exec. and the State of NY for strategies to reduce crime**

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

Along with IMPACT money comes an analyst, Dr. Robert Warden, who looks at how things are being done for efficiency - looks at deploying officers, crime stats, helps map out ways to be more efficient with the resources that they have. His contract is paid by the State; he hasn't been paid this year. This is from IMPACT 2007 money for \$17,000.

Mr. Warner asked if Project IMPACT has reduced the homicide rate. Mr. Trunfio said that it has; he will be going to Albany to do a presentation with Chief Cowin, SPD, soon. Shots fired are down from 2005 to 2006. Dr. Robert Warden analyzed it and determined it is because of IMPACT detail on the street. Handguns are a problem, need to get a handle on registered handguns. Have collected several hundred guns. They have found that most crime guns originate in Onon. County--stolen from burglaries and sold on the street. He has heard that there are 40,000 gun permits in Onondaga County, each permit may have 4 or 5 handguns on each permit.

Mr. Kraft asked for a one-page summary of the agreement prior to session.

Mr. Farrell asked if there have been improvements regarding legal handguns making their way into peoples' hands because of locks, etc.; should more onuses be put on the gun owners. Mr. Trunfio said that there should be; a Gun Task Force that looks at this issue.

Passed unanimously; MOTION CARRIED.

6. TRANSPORTATION: Mr. Mark Lynch, Commissioner

a. **Amending the 2007 County Budget to accept additional CHIPS funding as a result of the 2007-2008 adopted NYS Budget (\$232,860)**

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

This is money being put into the work plan to make up some of the costs for the plan that was previously approved. The amount of funds to borrow has been reduced.

Mr. Farrell asked if DOT will be able to accomplish all of the work plan this year. Mr. Lynch said that it is still early in the process; fuel escalations have gone up. Right now, they feel they can complete the work plan--if the numbers keep going up, that will change.

Passed unanimously; MOTION CARRIED.

b. **Amending the 2007 County Budget to accept additional revenue for plowing state roads during the winter of 2006-2007 (\$633,324)**

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

c. **Authorizing the County Executive to enter into agreements with Cayuga County for the placement of a traffic control device (flasher) on Marcellus - West County Line Road (Old Seneca Turnpike), County Road Number 133 at the intersection of County Line Road (\$9,500)**

Mr. Rhinehart asked to a be a co-sponsor.

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

d. **Upgrade Traffic Signal Repair Worker 2, Gr. 7 @ \$32,429 - \$35,841 to Gr. 8 @ \$35,269 - \$38,996, effective July 7, 2007**

The Traffic Signal Repair Worker 2 filed a JAQ and had the job evaluated by the Personnel Dept. A determination was made that the position's work is comparable to labor crew leader, which is a grade 8. The Personnel Dept. determined that was reasonable to raise these 4 individuals to a grade 8 from a grade 7.

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

Mr. Rhinehart addressed increasing the payroll; it is a challenge to find ways to do more with less, which is done in the private sector--it needs to be done in county government.

Mr. Stanczyk stated that we run a very frugal government; we have in the past and will continue to in the future. If workers are working out of their grade, have grieved the issue, and it is obvious that they should be paid more, then we have to pay workers a fair pay.

AYES: 6 (Meyer, Corbett, Farrell, Rapp, Warner, Stanczyk); NOES: 0 ABSTAINING: 2 (Kraft, Rhinehart). MOTION CARRIED.

e. **A Local Law authorizing the sale of County property to the Jamesville Fire District**

A motion was made by Mr. Stanczyk, seconded by Mr. Farrell to approve this item.

This is to sell county-owned property to the Jamesville Fire Dept. The County owns approximately 13 acres across from the penitentiary on East Seneca Turnpike. The fire Department is requesting to purchase 5.53 acres for a new firehouse. They are offering to pay the appraised value.

Mr. Rhinehart asked if there was ever consideration of giving the fire department the property. Mr. Lynch said not by him. It was noted that county property cannot be given away by law.

****Mr. Ryan arrived at the meeting.***

Passed unanimously; MOTION CARRIED.

7. PARKS: Mr. Robert Geraci, Commissioner

b. **A Local Law amending Local Law No. 3-1996 to establish a value up to \$10,000 for gifts, contributions and donations from friends groups**

A motion was made by Mr. Stanczyk, seconded by Mr. Corbett to approve this item.

Now the law states that donations valued over \$1,500 must be brought to the County Legislature; a lot of things are accepted as donations. This local law gives the budget director the ability to receive items without coming to the legislature every time. The department will report to the legislature 4 times/year on everything received. Anything valued over \$10,000 will be brought to the legislature first.

Mr. Warner asked if anything can be donated. Mr. Geraci said that before Mr. Mareane accepts it, it would have to be appropriate for County Parks. Mr. Warner asked if a donated item can be sold later on at auction by the department. Mr. Geraci said that he hasn't done that and it is not his intent to do so. Mr. Warner asked about property donations; Mr. Geraci said that once property is accepted and turned into parkland it can't be sold. If it is not for park land, it wouldn't be given to the Park's Department.

Mr. Kraft said that there was discussion in committee about the department looking to do this so that they can facilitate urgent situations, i.e. equipment to take care of an animal, without waiting a couple of months to go through the legislature. Section 6 was added during the committee meeting.

Mr. Farrell asked how many times in the past year were the donations valued between \$1,500-\$10,000. Mr. Doyle said approximately 6 times, with about 6 pending. Mr. Geraci said that is just at the zoo. Mr. Farrell feels there is more value to people providing the gifts, if there is visibility within the legislature.

Chairman Meyer stated that the Law Dept. has informed him that this law only applies to 4 friends groups.

AYES: 8; NOES: 1 (Meyer). MOTION CARRIED.

8. HEALTH: Ms. Jean Smiley, Deputy Commissioner

a. **Create Licensed Practical Nurse, Grade 1 @ \$27,471 - \$33,163 effective July 7, 2007; Abolish Assistant Nursing Supervisor, Grade 3J @ \$40,595 - \$49,732 effective July 7, 2007**

Ms. Smiley said that this will allow for enough lprns to pass medications; will save \$12,822.

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

9. MENTAL HEALTH: Mr. David Brownell, Commissioner

a. **Amend 2007 Co. Budget to accept funds from the NYS Office of Mental Retardation and Develop. Disabilities, the NYS Office of Mental Health and the NYS Office of Alcoholism and Substance Abuse Svcs. and authorize Co. Exec. to enter into contracts to implement this resolution (\$387,911)**

This is all state aid; no local dollars. There are 3 parts to it: enhancement/expansion of clinic treatment services for children and their families; financial matter of substituting one type of financing for another-state aid; ability to add a cost of living increase to certain agencies that are contracted with.

A motion was made by Mr. Kraft, seconded by Mr. Corbett to approve this item.

Under Child Family Clinic Plus expansion and enhancement, the goal is to provide a wider screening of children in connection with pediatric clinics. As part of normal check up, if the doctor felt there was indication, a child could be screened. The earlier children can be identified, the better chance for successful treatment. The treatment is a combination of home-based and clinical. Chairman Meyer said that this is brand new, predominantly Medicaid based; he asked what the impact will be on the budget for next year. Mr. Brownell said it is all state aid; perhaps the 2008 budget will be the deficit financing and program financing from the state, which is what they contract for. It will pay for certain services that are not being paid for and reimbursed by Medicaid.

Mr. Rhinehart asked if this is something that the State will start off as a new program and down the road not fund it. Mr. Brownell said that it would be highly unlikely. It is well established. The cost of public mental health programs are not primarily ones that are the County's responsibility. The County contributes a lot of money by virtue of the share of Medicaid paid by property tax payers.

Mr. Warner asked what types of problems are expected with the screening. Mr. Brownell said that they are primarily emotional disturbances, children who are acting out or showing bizarre behavior, which can be due to a psychiatric or psychological problem.

Chairman Meyer encouraged the committee to support this; early diagnosis and treatment is a very positive thing.

Mrs. Rapp said that a few months ago Mr. Brownell stated that 1 out of 5 children are going to the pediatrician for emotional/psychiatric problems. This issue is completely unaddressed in our community, and this is a step in the right direction. Mr. Brownell added that pediatricians are overwhelmingly supportive of this.

Mr. Ryan asked if there is a litany test of the mental health programs. Mr. Brownell said there are many types and kinds of severity of mental illness with a variety of diagnosis. The diagnosis will dictate the type of treatment; some of which are not clinical or medical. In the last 10 years there is more research that has demonstrated that if certain models of treatment are used and certain things are done, there will be a good result on a consistent basis. It is not the same as physical medicine.

Passed unanimously; MOTION CARRIED.

11. WAYS & MEANS MISCELLANEOUS:

a. **Amending the 2007 County Budget to provide the Department of Aging and Youth - Office for the Aging with additional State funds beyond the estimated dollars appropriated in the 2007 County Budget and authorizing the County Executive to enter into contracts (\$64,715)**

Ms. Alfred, Commissioner, said this allows additional funding for Nutrition Services Incentive Program, for 3 Meals on Wheels locations, serve additional meals at each site (\$62,715); \$2,000 long term care ombudsman services, a contract with Interfaith Works, the additional funding will be used to support an electronic database.

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

b. **Memorializing the Governor and Legislature of the State of NY to enact Assembly Bill A7935 and Senate Bill S5425 providing for an expansion of the NYS Rehabilitation Tax Credit Program - Mr. Sweetland**

A motion was made by Mr. Meyer, seconded by Mr. Rhinehart to approve this item; passed unanimously; MOTION CARRIED.

c. Providing continuous individual & family dental and health insurance benefits through Dec. 31, 2008 at County expense to those Co. officers and employees during their active military duty and amend Res. No. 213-2006 - Mr. Sweetland

Chairman Meyer said that inquires have come in for those being deployed now; the current resolution runs through 2007, but these people will be gone in 2008.

A motion was made by Chairman Meyer, seconded by Mrs. Rapp to approve this item. Passed unanimously; MOTION CARRIED.

d. Authorizing Onon. Co. to pay the difference in pay between military pay and base County salary to Co. officers and employees while performing ordered military duty and amending Res. No. 212-2006 - Mr. Sweetland

A motion was made by Chairman Meyer, seconded by Mr. Warner to approve this item. Passed unanimously; CARRIED.

All members requested to be co-sponsors.

e. Memorializing the Governor and the Legislature of the State of NY to expand the NYS Bottle Bill Law

Mr. Ryan said that there was frank discussion at the committee meeting. The resolution was changed to incorporate a WHEREAS clause where there is potential for some or all of the money to be sent to cities, counties, villages, and towns to enhance their litter collection. His resolution was more generic for the Governor to budget money for cleanup. The \$.05 deposit was defined so that it doesn't go up to \$.10.

Chairman Meyer said that Mr. Kraft also has a resolution that will be considered at this time.

f. Memorializing the Governor and the Legislature of the State of NY to Expand the NYS Bottle Bill - Mr. Kraft

Mr. Kraft said that the highlights of his resolution are to meet the desire to clean up the litter in the environment by getting the bottles into the bottling system and not just throwing them around and sending them off to OCRRA, which is unnecessary transportation and expense. The concept is to recycle. The other issue is to avoid any concept of a tax or a passage of monies to the government. It keeps the deposit at \$.05 and maintains the current financial arrangements for unclaimed deposits.

Chairman Meyer said that there are many issues in Albany right now and they go on for pages about the size, color, etc., and have different focus.

Mr. Farrell said that he is supportive of Mr. Kraft's resolution. This is about \$1 million being shifted from the private sector to the public sector. There are 2 things going on in the private sector: there is a high degree of competition; they are working their way to make a profit, but there is excess profit. If money is taken out of them, they will still need to make a profit and the competition will balance it, but the price will rise to the consumer. The other option is that it is fairly well insulated, it is monopolistic in nature, even a suggestion of collusion. If that money is shifted to the State, they will increase their prices to the consumer. The consumer loses in either case.

Mr. Warner said that this has been an unintended windfall for the businesses; they were never intended to get this money to start with. The citizens of this county should see that money coming back to the county; he supports item 11e.

Mr. Stanczyk said that he would love to see all the money used of environmental concerns. It is not a tax, the people that have paid this deposit and then chosen to wrongly dispose of it rather than recycle are burdening the whole system; they are forfeiting this money and the money should go to take care of environmental concerns. The companies should not have the money; it should be reclaimed for governmental support.

Mr. Rhinehart said this is long overdue. This is a windfall for the big bottlers; they end up with huge profits, which was not the intent. He supports 11e.

Mr. Warner asked to be a co-sponsor.

Mr. Kraft said that in this state there are continuous discussions about people and businesses leaving here. Some of it is because of State laws, State regulations, State fees; yet now there is discussion about encouraging State fees and taxes. The details of the 5 cents in and the 5 cents out are not known; none of the bottlers have come in to explain their side of the story. He asked happens to the bottle once returned to the store. It will be boxed our housed and tractor-trailers will pick it up and take it

somewhere. Some recyclables are disposed of at a profit and some at a loss. Over the years he doesn't know if they got money or had to pay to get rid of the bottles. There is unclaimed deposits--no one knows what the costs are. His constituents will pay in the end.

Mr. Stanczyk said that there was a 2-cent handling fee put into the law. The state from time to time makes mistakes; the law has an unintended consequence. It is incumbent on government in general to fix it. He referred to the Empire Zone unintended consequences and now there is a push to change that also.

Mr. Ryan said that we haven't heard from the bottlers for good reason--no one contacted him. If they were having a real problem with the bottle bill, it would be heard of. There are private redemption centers; people are making money on this.

Mr. Kraft said that there is a 2-cent fee in addition to the 5 cents. When the consumer returns the bottle and gets 5 cents, the store waits to get their 5 cents from the distributor. Then they get paid 2 cents more for doing the work. The 2 cents is coming from the pot that Mr. Ryan wants to spend.

Chairman Meyer said that it will cut down the amount of waste in the waste stream; will the haulers be convinced to lower fees due to less material in the blue bins. Mr. Rhoads replied that there will be about 1,000 tons less per year locally.

Chairman Meyer noted that he has a ruling from the Law Department that both items can be voted on today.

A motion was made by Mr. Ryan, seconded by Mr. Stanczyk to approve item 11e. AYES: 6 (Meyer, Corbett, Rhinehart, Warner, Ryan, Stanczyk); NOES: 2 (Kraft, Farrell); ABSTAINING: 1 (Rapp). MOTION CARRIED.

A motion was made by Mr. Kraft, seconded by Mr. Farrell to approve item 11f. AYES: 2 (Kraft, Farrell); NOES: 6 (Meyer, Rhinehart, Rapp, Warner, Stanczyk, Ryan); ABSTAINING: 1 (Corbett). MOTION DEFEATED.

13. **COMMUNITY DEVELOPMENT:**

a. **Authorize Onon. Co. Exec. to file the 2007 Action Plan for Commun. Dev. Block Grant, Home Grant, American Dream Downpayment Initiative and Emergency Shelter Grant Programs (\$4,512,840)**

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

12. **ONCENTER HOTEL: Mr. Edward Kochian, Deputy County Executive**

a. **A Resolution Superseding Res. No. 308-2004 and authorizing additional land costs and the construction of various improvements in conjunction with the development of a new hotel in and for Onondaga County, NY, and authorizing the issuance of \$3,500,000 bonds of said Co. to pay costs thereof**

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

The silhouette has changed a little; the design has advanced. The \$15 million is confirmed from the State--will come in on installments on a reimbursement basis. The sublease has been changed to the reserve agreement. There is a pedway, instead of 2, it has been enhanced. There is a vertical connection added from the OnCenter. The County's commitment has not changed. Regarding State aid, there is an approach for a grant anticipation note; the County would purchase. It saves approximately \$1.8 million over if IDA bonding the whole thing. The PILOT mortgage has not changed. It has been enhanced--more money coming in and coming in sooner than originally anticipated. The developer's obligations have not changed - \$10 million of equity is in; any additional that he needs is his responsibility. The excess PILOT annually will go to City and County based on rough tax formula, which has not changed.

Mr. Kochian referred to pg. 15 of the agreement, which shows how it has changed from the original proposal. The price of land may go up slightly although they believe it is capped by the condemnation.

Mr. Farrell said he needs further consideration to determine how substantial the changes are from the original agreement. He referred to the part of the lot that was going to be undeveloped and will now be developed. Mr. Kochian stated that the original RFP called for the entire lot to be developed for the hotel. Mr. Farrell said that the changes take a while to absorb and understand and didn't think this should be rushed through at this time. He referred to the several items that have changes, and urged that time be spent looking at all of it. He suggested that the committee table this item for one month. A good decision cannot be made on a \$75 million project in 5 minutes. Mr. Kochian said that decision was already made by the legislature. Mr. Farrell said that they are substantive changes to the project. Mr. Kochian said that every month delay is costly in construction. Also the cost of delay in getting conventions signed up is very pressing. He said that his door is open at anytime to get answers to Mr. Farrell's questions.

A recess was taken at 11:30 a.m. to attend the 2007-2008 OCC Budget Public Hearing; reconvened at 11:40 a.m.

Mrs. Rapp said there was a great deal of discussion on this at the Planning Committee meeting, as well as a meeting at the Chamber. She said that there has to be a certain comfort to vote on this today, and Mr. Farrell was just handed it. However, she suggested that the rest of the members that are up to speed pass it today.

Mr. Kraft said that he will be voting against it; he has been against the project from the beginning because of the commitment of taxpayers' money with the ultimate ownership to the hotel developer without any profits or returns coming back. His reason for opposition has no connection to the changes.

Mr. Stanczyk has serious problems and reservation about the financing package--the would-be owner is putting up \$10 million and the public is putting in \$33 million. Upon sale of this hotel the \$33 million of public monies put into this project will be taken out as private profit. There should have been some provision in this that this community had some type of equity from the building when it is sold. There is a \$73 million hotel, built with \$33 million of public funds. He wants to see it done; thinks it will be a good development, but the right from the start the mix of the structure was flawed. Mr. Kochian corrected Mr. Stanczyk and said that number is roughly \$30 million; \$23 million of OCIDA funding and \$7.3 of county infrastructure.

Mr. Ryan said that there is a huge investment; it is tough sell being in the northeast. The money needs to be put up--need to get a hotel. There is no idea of what Hotel Syracuse is going to do. This is our chance to control our destiny for our investment for our community. This is a move for the development of Onondaga County and the City of Syracuse in the right direction

****Mr. Kraft left the meeting.**

Mr. Rhinehart said this is needed for this community to get back in the convention business. Will add 200 jobs to downtown Syracuse.

A vote was taken on the motion. AYES: 7 NOES: 0 ABSTAINING: 1 (Farrell)

b. Amending Resolution No. 306-2004, as amended, to authorize the County Executive to enter into an Amended Agreement for the development of the Onondaga County Convention Center Hotel

A motion was made by Mr. Stanczyk, seconded by Mr. Ryan to approve this item. AYES: 7; NOES: 0; ABSTAINING: 1 (Farrell). MOTION CARRIED.

(A copy of the agreement is on file with the Clerk.)

c. Authorizing a Reserve Agreement and Pilot Mortgage Agreement with respect to the OnCenter Hotel

Mr. Kochian said that PILOT agreement has not changed. The reserve agreement, originally the sublease agreement, considers on an annual basis, if debt service reserve would be called upon because of a delay. The County would be asked to consider an appropriation to replenish the debt service reserve. It is a separate document--important to the enhancement of the OCIDA bonds.

Mr. Ryan asked when the project will start. Mr. Kevin McAuliffe, Greene & Seifter, said that he can't guarantee that it will start in October. There are about 50 events that have to occur between now and then. Right now they have cleared most of the unknown things, i.e. test borings, design is 50% done; Westin is on board. They are aiming for an August closing and to start construction in October. Mr. Ryan asked about parking. Mr. Kochian agreed there is a need for additional parking, and they are working with SMTC and the City on it. Mr. Ryan said it should be brought back to the legislature; possibly busing may be needed. Mr. Kochian pointed out the parking spaces in the garage--there is a sharing of 370 spaces. Westin has asked for a reservation of a larger number. Mr. Ryan asked if the parking garage can go up 1 or 2 floors. Mr. Kochian said that it was not designed to be built going up; doesn't believe it cost effectively can be done.

Mr. Warner asked about the debt service reserve fund. Mr. Kochian said that when the initial borrowing was set up, they borrowed twice the annual debt service and put in a debt service reserve fund. If a PILOT was late, there wasn't sufficient money to pay the debt service or PILOT, there is a draw down to the debt service reserve fund. Once that happens, there would be a request to this legislature to replenish it, subject to appropriation. It is something that was contemplated and passed in the sublease in 2005. The lender to Wilmorite is not going to have the County taking control of the hotel property; they are going to make up those funds. Mr. Warner said that if it is drawn upon, it will be taxpayers' money. Mr. Kochian said that it could be room tax dollars generated and set aside as a potential for the future; they would be put up but gotten back. Mr. Warner asked if this scenario has occurred in Onondaga County. Mr. Kochian doesn't know of any other project like this here; but sees this as a highly unlikely scenario. It will be a valuable property and they will not want us to take control over it. However, it would be a decision of the legislature.

Mr. McAuliffe said that there will be \$35 million mortgage on this property. The PILOT mortgage provides the County more security than just a normal tax. It starts off with a funded debt service reserve which covers one year's payment; have the right to foreclose after one-year's payment. No lender will let it for \$1.6 million; it doesn't happen. Where there are normal taxes and

the lender would have a 2 or 3 year leeway before the County or City can step in and sell a piece of property, they are not going to advance the money for 2 or 3 years, they would try to do a work out in the meantime. In this case, there is only a one-year leeway; the chances for the county having to replenish the debt service reserve is very small. Mr. Stanczyk agreed, the chances of replacing it small.

A motion was made by Chairman Meyer, seconded by Mr. Rhinehart to approve this item. AYES: 6; NOES: 1 (Stanczyk) ABSTAINING: 1 (Farrell). MOTION CARRIED.

d. **A Local Law repealing Local Law No. 3-2005 regarding the sublease of property from the Onondaga County Industrial Development Agency with respect to the OnCenter Hotel**

A motion was made by Mrs. Rapp, seconded by Mr. Rhinehart to approve this item. AYES: 7; NOES: 0; ABSTAINED: 1 (Farrell). MOTION CARRIED.

The meeting was adjourned.

Respectfully submitted,

DEBORAH L. MATURO, Clerk,

ONONDAGA COUNTY LEGISLATURE

Related Documents

- [6-13-07 Planning Attach 2](#)
- [6-13-07 Planning Attach 3](#)