

Office of the Onondaga County Legislature

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**COUNTY FACILITIES COMMITTEE MINUTES
BERNARD KRAFT, CHAIRMAN, November 14, 2008**

MEMBERS PRESENT: Mr. Kilmartin, Mr. Jordan, Mr. Kinne Mr. Laguzza, Mr. Masterpole

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: Mr. Meyer and see Attachment 1

Chairman Kraft called the meeting to order at 11:05 a.m. ***A motion was made by Mr. Laguzza, seconded by Mr. Masterpole, to waive the reading of the minutes and to approve the minutes of the proceedings of the previous committee meeting; MOTION CARRIED.***

1. TRANSPORTATION: Mr. Brian Donnelly, Commissioner

a. Authorizing an Agreement with the State of New York for Snow and Ice Control Services on State Highways for the 2008-2009 Season

Mr. Donnelly noted that there are approximately 213 miles of State roads that the County plows on their behalf.

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

In answer to Mr. Laguzza, Mr. Donnelly said the amount anticipated in the 2009 County Budget was \$1,569,000; subsequent to Budget time, they received notice from the State that the amount is being amended upward another \$146,000, due to labor and material increases.

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

b. Amending the 2009 County Budget to Accept Additional Revenue pursuant to the Agreement with New York State to Provide Snow and Ice Control Services on State Roads and Appropriating such Funds (\$146,169)

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

Mr. Donnelly explained that the Towns of Salina and Elbridge elected not to participate in the snow plowing contract in 2005, County picked up an additional 12 miles to plow. Would like to give the miles back to Elbridge and Salina and an additional 4 miles to Fabius (approximately 13.6 miles total - \$74,000), and the remainder put in their Supply line to address the increases in salt and Clearlane, the additional revenue would allow them to buy an additional 11,000 tons of Clearlane.

Mr. Kraft asked if the balance of salt and Clearlane would then be similar to the past. Mr. Donnelly said "no", last year they did not use any salt. They proposed 40,000 tons of untreated salt and 9,000 tons of Clearlane in the 2009 Budget; with these funds, they will reduce the number of tons of salt and buy more Clearlane (will go from 9,000 to 20,000 tons). Mr. Kraft asked if the roads have been better served with the Clearlane. Mr. Donnelly said Clearlane has certain advantages to road salt, it works at lower temperatures, also tends not to get clogged up in the hoppers; salt is tried and true, works fine. In answer to Mr. Kraft, Mr. Donnelly said he doesn't have the historical background regarding whether Clearlane produces a better result, will check on it.

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

c. Amending the 2008 County Budget with respect to the Road Machinery Budget to Adjust for Higher Fuel Prices and Higher Budgeted Costs of Maintenance and Repairs (\$174,171)

Transfers are needed to address higher fuel prices and higher than anticipated maintenance and repairs. Fuel was \$2.13 for leaded when this resolution was prepared; it is now down to \$1.88 as of their last invoice. They are asking for \$150,000 transfer to cover the fuel deficit, but believe it will be lower; Management and Budget suggested leaving the amount as is with the intention of adjusting it by Ways and Means; hopefully, it will go down to about \$90,000. Surpluses in the employee benefit accounts of both Transportation (\$111,000) and Social Services (\$63,000) will be used in this transfer.

Mr. Laguzza noted that this was not discussed at the Social Services committee meeting, is concerned that they are going into another department's administrative accounts, whether it is surplus or not, gas prices are going downward and they don't know where it will end for the rest of November and December, seems premature. Because of the change in fuel, Ms. Smiley said they hope to correct this before Ways and Means; also, they need the money in the accounts to ensure that they can pay the bills. Mr. Laguzza noted that there are six more weeks to find money in their own budgets, that is why they have the second meeting in December, doesn't want Social Services (DSS) shortchanged.

Mr. O'Shea explained that Mr. Seitz, who handles the employee benefits accounts, consulted with the budget analyst for DSS, the surplus they were projecting was probably substantially higher than this amount of money, they felt they could transfer the amount from DSS without a problem. Mr. Laguzza asked what balance would be left in the DSS account. Mr. O'Shea thought it would be in the neighborhood of \$200,000 to \$300,000. Mr. Laguzza said he was concerned that it wasn't looked at earlier and that the Social Service committee was not made aware of this.

Mr. Kilmartin asked if this transfer is for current bills and those in the immediate future; are they not in the position to hold off on this, because of the necessity for it in the next 35 to 40 days.

Mr. Donnelly said it is needed between now and December 31st, didn't feel they could wait until the December meeting because of the deficits they were looking at. They weren't expecting gas and diesel to drop in price; that is why they plan to come back at Ways and Means with an accurate number at that point.

A motion was made by Mr. Kilmartin, seconded by Mr. Masterpole to approve this item.

Mr. Kraft said he doesn't want to hold this up, bills have to be paid, and he doesn't have any objection to interdepartmental activity, it is done all the time, can't run a billion dollar business with no adjustments. Mr. Kraft conferred with Mr. Donnelly, and then asked Mr. Laguzza if he would like to amend the resolution to delete the \$63,000 from DSS. Mr. Laguzza asked if DOT would be able to pay the bills. Mr. Donnelly said it would hold them until December.

A motion was made by Mr. Laguzza to amend the resolution to delete the \$63,000 transfer from the Department of Social Services; Mr. Kraft accepted it.

Mr. Kraft said this is possible because there should be a decrease from \$150,000 to \$90,000, due to a lower price of fuel. If the price goes back up or money is not available, the committee will have to take further action, this will get them through the December meeting.

A motion was made by Mr. Laguzza, seconded by Mr. Kinne to approve this resolution as amended; passed unanimously; MOTION CARRIED.

2. PARKS: Ms. Kate Skahen, Administrative Director

a. Amending Res. No. 139-2003 to Increase the Amount of Cash Funds Available for the Purpose of Providing and Making Change at Jamesville Beach Park and Oneida Shores Park

Ms. Skahen said the current change funds at each to these parks is \$500; they are asking to

double those, based on the last couple of summers and having enough on hand to make change for people.

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

b. Transfer of Funds from Professional Services Account 408 to Maintenance, Utilities, and Rent Account 413 (\$30,000)

Had a lot of unanticipated things that had to be addressed in their Maintenance, Utilities and Rent Account – some paving projects at Onondaga Lake Park (due to huge potholes), water supply issues at Jamesville Beach and Highland Forest, and a lightening strike at Oneida Shores (had to replace a transformer).

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

Mr. Jordan asked why the costs were lower for Employee Leasing, Administration and Groundskeeper for Alliance Bank Stadium. Ms. Skahen said Employee Leasing was lower because of the reduced slate of outside events, due to the new grass field this year. Regarding Administration, they did not need money that was built in for miscellaneous services. They had budgeted \$75,000 for a groundskeeper, negotiated a \$65,000 contract. In answer to Mr. Jordan, Ms. Skahen said they have made an adjustment in their 2009 budget for community use of the stadium and for the groundskeeper.

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

c. Transfer of Funds from Employee Benefits Account 120 to Supplies and Materials Account 300 (\$83,000)

Transfer is based on the cost of gasoline and diesel, an increase in food for the Zoo and Carpenter's Brook and some unanticipated higher expenses associated with the grass field at the stadium. Since they put this transfer together based on the price of gasoline and diesel at that time, they have already downward adjusted the transfer by \$25,000 to reflect the price coming down, will work with Budget between now and Ways and Means if a further adjustment is warranted.

In answer to Mr. Kinne, Ms. Skahen said they have already overspent their gas and diesel budget by \$27,000; they exceeded their budget during those months when gas and diesel was high.

Mr. Jordan referred to the surplus in Employee Benefits, asked if that is a permanent reduction to that line. Ms. Skahen said the Budget department is showing that those costs are coming down for their department, believes it will hold for 2009 as well.

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

d. Authorize the County Executive to Enter into a 25-Year Lease with the Syracuse Chargers Rowing Club for Property Located at Onondaga Lake Park

Mr. Smiley said the Syracuse Chargers have a long-standing relationship with Onondaga County; they currently have a small building at Onondaga Lake Park. Over the years, they have increased the number of students and adults who participate in crew. Discussions began with the past administration and the rowing club; for the last few months, they have been working on a lease relationship, have been meeting with Syracuse University concerning the layout of the building, where it would be most appropriate and not impede any of their plans. If the Legislature approves the 25-year lease agreement and memorializing resolution, it would then go to the New York State Parks Department for review and then to the State Legislature for approval. They would enter into the lease with the Chargers once all the steps are in place, and then would start construction. Syracuse Chargers Rowing Club is fundraising in the meantime, received a member item for \$150,000.

Mr. Kraft asked what would happen if the committee approves these items and then they are not successful with the fundraising efforts. Ms. Smiley said they would have to modify the current lease; they can't do anything until they get all the approvals. Mr. Murphy referred to Page 4,

Section 8 of the lease agreement where it says the tenant or landlord may (but shall not be obligated to) cancel this lease if permits are denied or are not obtained within two (2) years from the last execution of this lease. Mr. Kraft asked who would make the decision. Mrs. Tarolli said the resolution states that the execution of the lease is subject to State legislative action; it can't go forward without that approval. If the State follows its usual procedure, it will have to come back to this Legislature for a Home Rule Request.

In answer to Mr. Laguzza, Mr. O'Leary said Mr. Stirpe was able to get the \$150,000 member item, they have been told that Mr. Valesky and Mr. DeFrancisco will move forward with it, Mr. Magnarelli has been very supportive and they have also met with Ms. Christensen. Mr. O'Leary noted that there are four high schools in the county that have teams – City of Syracuse, Liverpool, Baldwinsville and Fayetteville Manlius, and mentioned the growth of the sport and the many scholarship opportunities.

Mr. Masterpole asked if any of the \$500,129 is County money. Mr. O'Leary said they have agreed to move forward with private fundraising, thinks it is a "can't lose" for Onondaga County; facility will be open to anybody in Onondaga County. Mr. O'Leary noted that Saratoga just had a race with 11,000 people competing; thinks they could attract similar events.

A motion was made by Mr. Masterpole, seconded by Mr. Kilmartin to approve this item.

Mr. Jordan said he supports the intent of 2.d and e, but is not prepared to move forward, at this point, without having the chance to look at the terms of the ground lease, asked if it could be put off for a month. Ms. Smiley said the Albany process is long, would like to get that started. Ms. Tarolli said it doesn't hurt, at the state level, to have the commitment from the County. Mr. Kilmartin asked if there is any opportunity between now and Session for comments to be made on the lease or for revisions to be made. Mr. Kraft said by passing this, the committee is agreeing to a SEQRA and a lease, asked if they would they have another look at this. Ms. Tarolli said every other time she has seen this, the State has required the County to do a Home Rule message, it would come back to this legislature for that. Mr. Kraft noted that the lease says "the Tenant or Landlord may (but shall not be obligated to) cancel this Lease if permits are denied or are not obtained within two (2) years from the last execution of this Lease", the debate goes on about who is the "County". Ms. Tarolli said under this lease, it would be the County Executive. Mr. Kraft said the Legislature is supposed to play a role.

A motion was made by Mr. Kraft to amend the resolution with a provision that says an extension of the two-year term be subject to the approval of the County Legislature.

A motion was made by Mr. Masterpole, seconded by Mr. Kilmartin to approve the amended resolution; a vote was taken, Ayes: 5 (Kraft, Kilmartin, Kinne, Laguzza, Masterpole); Noes: 0; Abstained: 1 (Jordan)

e. Memorializing the New York State Legislature to Adopt Legislation Authorizing a 25-Year Lease of Part of Onondaga Lake Park Property to the Syracuse Chargers Rowing Club

A motion was made by Mr. Masterpole, seconded by Mr. Laguzza to approve this item subject to the previous resolution being amended, passed unanimously; MOTION CARRIED.

f. A Local Law Amending the Local Law Adopted August 18, 1994 to Limit the Term of the Stadium Lease to the Community Baseball Club to Run Through December 2011

Mr. Kraft said it is the desire of all parties, including the Chiefs, to renegotiate the stadium lease; hopefully, by action of this local law it will cause it to come here for review by the Legislature. To his knowledge there is no objection to this.

A motion was made by Mr. Kraft, seconded by Mr. Jordan to approve this item. Mr. Kilmartin asked if there are discussions going on now. Ms. Smiley said they have not had any discussions on the new lease with the Chiefs, but the Chiefs have indicated they want a new

lease. Ms. Smiley said the Executive side is having internal discussions and looking at all the costs related to the facility. Ms. Smiley confirmed to Mr. Kraft that the committee would continue to be informed as needed. Mr. Kraft asked if they are continuing their efforts regarding a scoreboard. Ms. Smiley said they have drafted an RFP; as they have talked to scoreboard companies, one possibility is purchasing the scoreboard and reimbursement, also looking at other options in terms of a mix of payment; they are gathering the data and, hopefully, will meet with Mr. Kraft in the next couple of weeks. They have not had any discussions with the Chiefs regarding the scoreboard, the Chiefs were planning to gather some additional information and provide it to the County Executive's office; they have not.

Mr. Kilmartin expressed concern that this action might be inconsistent with the prior agreements and contracts. Mr. Jordan said the resolution made reference to it being extended upon mutual consent; his feeling is that it would not be inconsistent.

Mr. Masterpole asked what this would do differently than what is already in place. Mr. Jordan said the current lease provides for it to end December 31, 2011 with the option to extend it and renew it. This is basically saying the contract is going to end on December 31, 2011, and they would then have to negotiate a new lease. Mr. Kraft noted that it says it will come to the Legislature for approval, that is all; it is rescinding the Executive's authority to do the lease without the Legislature's approval, nothing changes until 2011, the Executive's authority remains. Ms. Tarolli said the lease agreement that is now in place states that it runs for the initial term with the ability by mutual consent to renew for an additional 14-year period. Mr. Masterpole asked Ms. Tarolli if her interpretation of mutual consent does not include the Legislature. Ms. Tarolli said she thinks someone could make the argument that it is the County Executive when interpreting mutual consent in the agreement. Mr. Kraft said this local law is not taking anything away from the current contract, the current ability to amend that contract through 2011; it is just saying don't renew it for another 12 years without getting the Legislature involved. Mr. Masterpole asked Ms. Smiley if the Executive Branch has an opinion on this item. Ms. Smiley said she has not been directly involved, thinks the concern is taking powers away from the County Executive, doesn't know if there have been discussions about it.

Mr. Kilmartin said his basic understanding of the agreement is that is upon mutual consent of the parties the term can be extended. If he were with the baseball entity he might be under the distinct impression that he has a right, with mutual consent with the County, to extend that lease, could very well qualify as a contractual right. If this takes the authority away from the Executive, it does a second thing; it takes the ability away from the other party to extend the lease by consent with the Executive. Concerns him that this resolution in essence also takes a contractual right away from the tenant. Mr. Jordan noted that it says mutual consent; it doesn't say at the option of the tenant, there is no right to an extension; it's an ability to extend it. Mr. Kilmartin posed a hypothetical situation – the County Executive and the baseball organization come to mutual consent for extension terms either before or around that time this resolution passes; it is a concern to him, as a representative of the county, that the party could say they have had a right taken away; all they needed to do was come to an agreement with the County Executive, now can't extend the lease because of a different legislative action that modified the contract, that they have a contractual right that they were stripped of.

Mr. Kraft said what he is saying concerns him, but leaving this Legislature without a role in a 12-year lease coming down also concerns him, it is worth it to the Legislature to make a public statement that we would like the County Executive to include us in this arrangement. Mr. Kilmartin said the Legislature might be able to accomplish exactly what we want without exposing the County to legal liability. Mr. Kraft said he would like to advance it today, if Mr. Kilmartin comes up with something between this time and Session that is agreeable to all, he would be glad to drop this and move forward with that.

A vote was taken on this item; Ayes: 4 (Kraft, Jordan, Kinne, Laguzza); Noes: 2 (Kilmartin, Masterpole); MOTION CARRIED.

3. CNYRTA:

a. Recommending Appointments to the Central New York Regional Transportation Authority

Mr. Meyer reviewed that the City of Syracuse on numerous occasions made recommendations for

appointments; in 2006 the Legislature unanimously provided a couple of names; for some reason the names from the City and the County were lost. Mr. Meyer received a request from the Governor's appointment office that they have two vacancies; he is in the process of trying to determine if the past requests from the City and the County have been validated or expired, whether they need new names. It has also been determined that initially there was a miscommunication on the number of names requested per vacancy (10 or 2); hopefully, that is cleared up. Mr. Meyer said he would like to have this introduced, but not voted on today in order to have a chance to confer with Ms. Gonzalez. Mr. Laguzza asked how many vacancies there are. Mr. Meyer said there are two County vacancies; he believes there is a City vacancy as well. In answer to Mr. Laguzza, Mr. Meyer said there is an opportunity to look at other names.

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,
Johanna H. Robb
Deputy Clerk

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HEALTH COMMITTEE MINUTES – NOVEMBER 12, 2008
ROBERT D. WARNER, CHAIRMAN

MEMBERS PRESENT: Mrs. Rapp, Mrs. Winslow, Mr. Buckel, *Mr. Kilmartin
MEMBERS ABSENT: Mr. Laguzza, Mr. Lesniak

Chairman Warner called the meeting to order at 9:10 a.m. ***A motion by Mrs. Rapp, seconded by Mr. Buckel, to waive the reading and approve the minutes of proceedings of the previous committee. CARRIED.***

1. MENTAL HEALTH: Robert Long, Commissioner

a. Transfer of Funds from Regular Salaries Account 101 to Hospitalization Account 534 (\$246,441)

Hospitalization is difficult to predict from year to year. This year it exceeded the budgeted amount of \$530,000; estimated expenditure is \$776,000. Two sections under State Law allow for hospitalization. Sections 508 & 402 of Corrections Law, deal with pre-sentence and post-sentence of inmates. It is removal of sick prisoners from the jail. If someone in jail has a psychiatric breakdown, and it is something that the County can't manage, then they are hospitalized. The second area is Section 730 of the Criminal Procedure Law, which has to do with incompetency to stand trial. If an inmate is pending trial and the attorney doesn't feel that they can assist in their defense because of mental illness, then the attorney requests that the judge order examination. Two psychiatrists, or a psychiatrist and a psychologist, examine the inmate. If determined that a person is unable to assist in their defense because of mental illness, then the individual is committed to a state hospital. They tend to be long stays and the County gets billed back 50% of the cost for each day they stay in the hospital.

Chair Warner asked if the County pays for hospitalization for people off the street. Mr. Long said "no". If someone goes to a State hospital and there is 3rd party payer, the hospital tries to bill for it. If not, State or Medicaid absorbs it. Chair Warner asked if it is the State's cost if someone goes to CPEP. Mr. Long said that it is--the only time it would not be is if a person were arrested, taken to the Justice Center, and hospitalized.

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

2. VAN DUYN: Peg Frigon, Director, Fiscal Management

a. Transfer of Funds from Regular Salaries Account 101 to All Other Expenses Account 410 (\$100,000)

There was unanticipated increase in security costs, laundry costs, personnel advertising and postage. There is surplus money in 101 do to fewer LPNs and nurse supervisors on payroll than anticipated. In answer to Chair Warner, Ms. Frigon said that the Securits service rates increased

in late 2007 and again in June 2008. They had budgeted \$260,000; the estimated cost is \$285,000. There is a countywide bid for security.

*Mr. Kilmartin arrived at the meeting.

A motion was made by Chairman Warner, seconded by Mrs. Rapp to approve this item. Ayes: 4 (Warner, Rapp, Buckel, Winslow); NOES: 0; ABSTENTIONS: 1 (Kilmartin). MOTION CARRIED.

b. Transfer of Funds from Reg. Sal. Acct. 101 to Furn. and Other Capital Outlay Acct. 215 (\$120,000)

A number of unanticipated purchases are needed: some irreparable equipment; bladder scanner \$10,000; floor cleaning machines \$13,000; alarms in elevators \$15,000; sidewalks and railings for safety and security, est. \$90,000; fuel tanks engineering services, est. \$30,000; potable water system \$41,000. In answer to Chair Warner, Ms. Frigon said that about \$440,000 is left over in the 101 acct. prior to the two transfers today.

A motion was made by Mrs. Winslow, seconded by Chairman Warner, to approve this item.

Mr. Buckel said that the two transfers total \$220,000 from 101 and asked what accounts for that. Ms. Frigon said that they have had difficulty recruiting LPNs. The initial salary plan was to replace the RNs through attrition with LPNS, and they have been unable to bring in LPNS. They are over budget in overtime and contract nursing has increased. Ms. Haun said that there is a nursing shortage in the area. It is particularly difficult for Van Duyn, because there are so many opportunities for RNs and LPNs. Mr. Buckel said that as the year goes on, these positions may or may not be filled and asked what happens through the budget period. Ms. Frigon said that overtime and contracted nurses are used. Mr. Buckel said that program cuts across from the State will be occurring. Some accounts are not being fully utilized. If there is \$220,000 surplus, he would love to see it reserved instead of shuffled over to something the else.

Mr. Kilmartin asked if the physical work that needs to be done is absolutely necessary or discretionary. Ms. Frigon said that the sidewalks are cracked and are a safety issue. There are numerous residents that go outside and family members take them outside; it is a hazard. Ms. Haun noted that these items were cut out of the 2009 budget, before the budget came to the legislature, because they wanted to do them sooner. They were then included in the 2008 budget. Mr. Kilmartin asked about a shortfall in overtime; Ms. Haun explained that it has been taken care of with executive authority. Mr. Kilmartin asked about the net affect on overtime and other matters that these transfers are allocated for. Ms. Haun and Ms. Frigon said that did not have the number with them. Ms. Haun said that when it is all netted out; they will still be under budget.

A vote was taken motion. Passed unanimously; MOTION CARRIED.

3. HEALTH: Linda Karmen, Deputy Commissioner

a. Authorizing the County Executive to Execute Agreements and Amending the 2008 County Budget to accept DNA Lab Grant Funds for the Purchase of a Comprehensive Management System (\$159,283)

Funding from the DNA Capacity Enhancement Grant has exceeding what it did in the 2008 adopted budget, \$159,283. Funds have been received through this grant for several years to support ongoing efforts to create the Laboratory Inventory Management System, an evidence tracking system that will provide for all of the agencies involved; to share and access evidence in a much more efficient and effective way.

Chair Warner asked if Onondaga County still does a lot of outside work for other agencies. Ms. Karmen said that it does. Chairman Warner asked if work being done for outside agencies will be tracked through this system. Mr. Kinder explained that they will be able to connect through a web portal.

Mr. Buckel asked if this grant covers the complete system. Ms. Karmen said that it is in addition to the funding previously allocated, \$534,000. In the 2008 budget \$413,322 was allocated. The \$159,283 will cover the cost of the system and provide some money for unanticipated roadblocks. Mr. Buckel asked if there has been budgeting for associated costs – personnel and management. Ms. Karmen said that this system will make the process more efficient – in the

laboratory there has already been one position eliminated. Mr. Buckel asked if this system is for DNA. Ms. Karmen said that it is not just DNA information; it is any information that is evidence related to a case. It could be any evidence collected at the scene, any testing done in the lab, information obtained by ME through autopsy report. It is a way of bringing the evidence in, giving it a bar code, and then tracking it through the system. Mr. Buckel asked if federal government will be using this. Mr. Kinder said "no". In answer to Mr. Buckel, Mr. Kinder said that this is not duplicating any system; nothing exists right now. The State is using this system for their own laboratories. Other agencies are using the system, but they are not interconnected. Mr. Buckel said that he is interested in the fee schedule that is charged to outside counties. Mr. Kinder said that there is one for fee services, but it has nothing to do with this system, which doesn't benefit any outside counties.

Mr. Kilmartin said that last year there was discussion about an evidence tracking system that all police agencies and DA's office could tap into. Ms. Karmen said that this is it.

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

4. Local Law Prohibiting Sale of Tobacco Products or Herbal Cigarettes, Rolling Papers or Pipes to Anyone Under the Age of 19 Except Persons Serving in the U.S. Military, including Natl. Guard & Reserves

Chairman Warner said that this exact law was vetoed by the County Executive a few months ago. Since then, there has been a very extensive budget process. The number one issue with the budget has been Medicaid, \$560 million plus per year for Onondaga County. It is the single highest cost to taxpayers in the county. He said that the law was vetoed for two reasons:

1. Convenience store owners would lose money. It confirms that 18-year olds are the largest group buying cigarettes in Onondaga County. Convenience store personnel told him that it seems that 18 year olds are largest group that they sell cigarettes to. He said that the 18-year olds are not just smoking them; they are taking them to schools and giving or selling them to 15, 16, 17-year olds and getting them addicted. The County ends up with them 20-30 years later on the Medicaid rolls. His doctor told him that the cost for someone addicted to tobacco can easily be \$1 million. If this law saves just a few of the kids, then 20-30 years down the road, we have done more with a law that costs virtually nothing to implement.

2. The County Executive didn't feel the law would do all that much – it would be "nibbling around the edges". He said that to nibble just a little bit would save tremendous future Medicaid costs.

Mrs. Winslow referred to judgment of younger people in the schools. Adults need to step out and save those that have become victims of the addiction to tobacco. There are kids bringing drugs from medicine cabinets in to younger children. These kids need more time to make informed decisions about what they want to take on. Keeping cigarettes out of schools until the 19 year olds move on, would be a good thing for the younger students. It needs to be kept out of the hands of younger students until they are able to make a better judgment call about using tobacco products or anything else.

Mr. Buckel said that he has been an avid supporter of public health matters including this bill. It is disturbing that our region still has one of the highest infant mortality rates in the nation and the way convenience stores are set up. Cigarettes and drug paraphernalia are right at the counter. These stores are not fulfilling their stated purpose and mission to sell goods and materials that promote health as opposed to harm it. Other communities have removed tobacco sales entirely by ordinance from these stores and established regional stores that are tobacco only, so that who buys them can be regulated. Wegman's has removed tobacco entirely from their stores, and calls upon other stores to voluntarily do the same. He feels that the local law is a reasonably fair, balanced measure and supports it.

Mr. Kilmartin said that the County Executive raised some relative points that there might be other effective means to address this problem. However, they don't necessarily need to be exclusive. If this legislation has an incremental benefit, it could reap great rewards in the long run and feels it is worthwhile to move forward with this local law at this time.

Chair Warner noted that two members of the committee are absent today, who have been previous supporters.

A vote was taken on the motion. AYES: 4 (Warner, Winslow, Buckel, Kilmartin); NOES: 0; ABSTAINED: 1 (Rapp). MOTION CARRIED.

3b. Informational: Laboratory Inventory Management System - Paul Kinder, Dir. of Operations, Forensic Lab.

Mr. Kinder provided a Power Point presentation (copy on file with Clerk).

Chairman Warner said that the system is amazing and asked if with the \$534,000 if it is all paid for. Mr. Kinder said that it is along with some contingency. Chairman Warner inquired about their meetings. Mr. Kinder explained that right now they are down to a work group, which will meet for full days for the next 2 days to discuss the details. The meetings are held at the CSF.

Mr. Kilmartin asked about ongoing costs. Mr. Kinder said that training will be handled by in-house staff. The vendor will provide user training and systems administrator training. They have hired a systems administrator for the CFS through the IT Department. IT is also assigning someone to be responsible on the Civic Center side. The annual maintenance fee for the system is \$45,000. It includes immediate response from the vendor and any progressive versions. The vendor has virtual private network to get into the system to fix it remotely. There is a users meeting once per year, which provides training on the newest parts of the system.

Mr. Kilmartin inquired about integration with the DA's office. Mr. Kinder replied that it would be determined by the DA's office. Rick Trunfio has been an integral part of the decisions.

Mr. Kinder said that this system is poised to be connected to the Records Management System in the Sheriff' Dept. The Sheriff's Department and other agencies are working to create a comprehensive records management system for all law enforcements. It is not duplicative; the evidence property management system does a lot of complex things for the laboratory, which a records management system wouldn't. However, the police on the street will be able to enter information about evidence and property right into the records management system, which will be on their laptops. Once entered, it will automatically be put in the BEAST and populate fields.

Mrs. Winslow referred to bar codes and asked how susceptible the system is to human error. Mr. Kinder said that a bar code can be scanned and you get the right piece of evidence, but then a bar code can be scanned and put in the wrong location. It happens once in a great while; it happens at the laboratory. It used to take them 3 – 4 days to track property and evidence in the property vault. Now it can be done in 3 hours and fix all of the mistakes. He feels that law enforcement will decrease their workload by half. Mrs. Winslow asked if there is a paper back up. Mr. Kinder said that there will be. There will be an electronic chain of custody. Right now there is a sheet of paper with the item listed and where it went until it gets to court. It will be replaced with a digital chain. Both servers would have to go down for something to happen.

Mrs. Winslow asked about how widely used the system is. Mr. Kinder said that the laboratory module, which is separate, is used in about 50-100 labs across the country. It is used in all laboratories across the State. The problem is that it is not connected anywhere else. It is installed in 350 police departments across the country. It is not a novel system; it is a novel approach to bringing it all together and making it work. In Onondaga County, it is set up perfectly for everyone to work together for a common cause.

Mrs. Rapp asked about the cost savings that could be afforded the County. Mr. Kinder said that the consultant created a cost benefit analysis. It was based on what they knew at the time, but it is not accurate. The resources that are overtaxed such as property rooms, will hopefully ease burden. He can't put a number on it; it will be a savings of staff time of some sort. Mrs. Rapp said that one person will not be replaced so there is a savings of at least one position.

Mr. Kilmartin inquired about the net savings in terms of personnel. Mr. Kinder said that it is hard for him to estimate the saving in another person's agency. Dr. Morrow added that eventually it may not be a decrease in personnel, it may be a decrease in time to solve a case; it may efficiencies across the board. Mr. Kinder said that everything done in the system is tracked.

Mr. Buckel asked who is actually doing the work. Mr. Kinder said that he is the project manager. The vender will come on site with a team of people to collect all information on the numbering system, barriers between departments, security from one another, passwords, etc. Mr. Buckel said that when these systems work, they are phenomenal. He hopes that they are an example for the rest of the County; these kinds of systems are used throughout the private sector. He asked about concerns raised by courts over the chain of custody for the evidence used, or if it has been consistently applied, certified, accepted. Mr. Kinder said that it was one of the biggest issues raised. Over the 7 years they have been following court cases that dealt with electronic chain of custody. There is no doubt that this will be accepted in the court system here, as it has in many other areas.

Chairman Warner asked how many cases have been dismissed or thrown out because the lack of chain of control of evidence in the Districts Attorney's office. Mr. Kinder did not know. Mr. Warner said that it is vital information in a case.

The meeting was adjourned at 10:25 a.m.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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SOCIAL SERVICES COMMITTEE MINUTES – NOVEMBER 13, 2008
CHAIRMAN SAM LAGUZZA

MEMBERS PRESENT: Mr. DeMore, Mr. Stott, Mr. Buckel, Mr. Holmquist, Mr. Warner

MEMBERS ABSENT: Mr. Lesniak

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

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

Chairman Laguzza noted that next month DSS will provide a presentation and flow chart on how the department handles complaints.

1. SOCIAL SERVICES – INFORMATIONAL: David Sutkow, Commissioner; Steve Morgan, Deputy Commissioner

a. Day Care Initiatives

Mr. Sutkow distributed handouts (*attachments nos. 1 -3*),

- \$14 million spent per year to provide day care
- Eligible: household families receiving health care benefits but participated in a work preparation program; individuals receiving welfare that are working; low income individuals
- Goal: to ensure access to quality child care so that they can work and participate in community
- Have seen a reduction in slots available at day care centers, especially in urban centers
- Some urban centers have a high percentage of clientele that are on subsidy, sometimes participation is not consistent; 2 or 3 have closed in last couple of years

Chairman Laguzza asked to be provided with the percentage of suburban vs. urban slots that have been reduced for day care and the locations of the urban day care centers that have closed.

- Numbers show those receiving subsidy through DSS have been stable; beginning of 2007 just over 1,100 cases, 1,185 cases as of 11/2008. On average -- about 3,100 children/month

- Earlier this year provided 4% rate increase for contracted centers
- Barriers to care – requirement by NYS that low income families apply for child support. Westchester County asked for a waiver, as did Onondaga County and it was granted; too early to tell impact of it
- Reducing parent fee--currently fee is the highest that can be imposed; feel it can be reduced to increase enrollment
- Loathed to having a waiting list for services

Chairman Laguzza asked if with a decrease in parent fee, and an opportunity to retain and hire people because of 4% rate increase, will the number of caseloads increase dramatically. Mr. Morgan said that they have not seen it yet. Chairman Laguzza said that the reduced parent fee won't take effect until next year. Mr. Morgan said that the hope is that caseloads increase. Chairman Laguzza asked if it will cost the County more money down the road, and if that has been projected. Mr. Sutkowy said that the numbers are monitored every month; they feel confident now that they can do this within their financial means.

Mr. Buckel asked if the money allocated for day care is covered by state or federal grants. Mr. Morgan said that the gross amount is \$14 million, of which the County pays about \$1.2 million; the rest is from the Federal and State. Mr. Buckel asked for the amount from the State; Mr. Morgan said that it is difficult to tell because the money is matched together. Mr. Buckel asked about the impact of the State budget cuts yesterday. Mr. Sutkowy said nothing happened yesterday, but they know that they are not out of the woods. Mr. Buckel asked how County is planning on to deal with the cuts when they are made. Mr. Sutkowy said that they don't have anything specific planned out at this time. Mr. Morgan said it would depend on the action taken. Mr. Buckel encouraged that scenarios be dealt with earlier rather than later.

Mr. Stott asked what percentage of actual resources are utilized, i.e. facilities, people, etc. If the percentage were reduced, how much day care can be handled by the department. Mr. Sutkowy said that financially they are close to it; they receive an allocation every 6 months. Long term planning is difficult because the allocation changes and funding is unstable. Right now they know that they have enough money to support the initiatives, but going forward he doesn't know. There is different care: informal care, registered care, group care, center based care, and there is a different rate structure. Many individuals in the welfare program are using center based care, but many people are also using family providers because they are working at night and weekends. Mr. Stott asked if it is prudent to make changes now until it is determined what the Governor is doing. Mr. Morgan said that the only thing that they have not done is reduce the parent fee, which was passed in the 2009 budget and they should have a good idea by the time it would be enacted. Mr. Sutkowy said that if the public does not adequately fund low-income child day care, it threatens the integrity of the entire welfare work initiative. Much of the money that the State receives is from the federal government.

Mr. DeMore asked about the change in child support requirement. Mr. Sutkowy said that several years ago the State required individuals who were applying for low-income childcare to pursue child support. DSS was getting information from childcare providers that a number of families were hesitant to apply because of it. Mr. Buckel asked if a child support decree is unsatisfied, does DSS have a right to it. Mr. Sutkowy said that DSS would establish an order, and if the non custodial parent was not paying, there are enforcement tools; i.e. revoking driver's license, intercepting tax returns, arrests, etc.

b. No Wrong Door/Service Accessibility

- The idea was coined in Nassau Co.--anywhere a person enters the system, they will have their needs met. Nassau has one building, one common area, they literally have one door to access benefits; Onondaga County is physically different.
- Accessibility is not having one door, it is eliminating doors--getting into the community to make services more accessible
- Population is aging, a lot of people on fixed incomes, a lot more people will need services, and DSS is not positioned wonderfully to address the growing population
- No Wrong Door is software – Nassau Co. contracted with an organization and developed a case management system, that supports the philosophy
- Saw model in Nassau and Jefferson Counties; software is free to the County; it will allow for much better tracking and communication throughout the system
- With appropriate securities in place, to ensure privacy rights are met, they are able to communicate with organizations about individuals coming to their attention; what their relationship is with DSS; what it could be with DSS; how to facilitate application and interaction with DSS.

Chairman Laguzza asked about confidentially. Mr. Sutkowy said it has to be worked out; but it is taken very seriously. Mr. Morgan said that there are agencies now that access child welfare information—it is a State system. Huntington, Catholic Charities, Dunbar, Salvation Army are part of the State Connection System and have access to child welfare information.

Mr. Buckel said it is a powerful tool and is also being used in the medical sector; there are protections in place. Mr. Sukowy said that the concept of out stationing DSS staff is a dinosaur. It is expensive to outstation staff, not as effect, have to staff to anticipated need; need to cover for vacations, illnesses, staff with equipment. This kind of technology allows accomplishment of the same goal, without investing in that type of infrastructure. They recognize that privacy and security is very serious and not negotiable.

Mr. Sutkowy said that regarding weatherization, there was a reported possible 40% increase in home heating costs. The federal government pushed through more money to the States. Locally there was discussion with the Co. Executive's office, Aging & Youth, Community Development, and DSS. They talked to National Grid about simple, easy to install, high yield energy saving items. The County came up with \$65,000 and is purchasing 4,000 energy savings kits. Each kit will contain 8 CLF light bulbs, a low flow showerhead and outlet covers. Each kit cost \$16; each kit can generate a savings of \$250 for the first year. They think they can generate an \$800,000 saving in our community. The money mostly came for a Community Development grant. Additionally, DSS will make a concentrated effort to get the word out about HEAP and food stamps. They are marketing www.mybenefits.ny.gov, developed by NYS Office of Temp Disability; it is a self-screen tool. It takes 5 minutes, and will let a person know what types of services they are eligible for.

Mr. Stott referred to food stamps and asked if there is way to market them as being similar to a debit card. There is a stigma attached to food stamps and he would like to have people see that there is a difference.

c. Uninsured Children Initiative

- NYS Dept. of Health estimates 400,000+ children in NY who are low income and qualify for public health care benefits and not coverage; there are 7000-8000 children in Onondaga County
- Working with ACTS and Health Dept.
- Identified the population as individuals that at one time were eligible for benefits, and then allowed them to lapse.
- They compared children who receive food stamps with children who receive Medicaid and there were significant number of children receiving food stamps but not Medicaid.
- They are trying to reach households and encourage families to maintain coverage; some of the kids, when they get sick, end up in emergency rooms.
- Our county is a leading county in addressing the issue & the State is very interested in working with Onon. Co.
- Facility enrollers--employees under contract with Health Dept. and Managed Care, they are in the community taking applications for Medicaid and Child Health Plus. There is a more efficient way for facility enrollers on the application front; very little is being done to help on renewals. Facility enrollers can stay with family and ensure that they renew coverage.

d. Operational Improvements

They try to work their way out or problems and a lot has to do with technology. DSS is not just in the business of Medicaid, welfare, foods stamps, and childcare; also in the business of information. They collect, document, move, and make decisions based on information. By making information flow more efficiently and effectively throughout the system, more improvements and efficiencies are achieved both internally and in customer satisfaction. One example is the Task Based Call Center, which was implemented in Food Stamps and Temp Assistance this year. It provides an increased customer service.

Mr. Warner said that we continue complain about high Medicaid costs and other costs within DSS, but also it seem to solicit customers to take advantage of it. Every time we sign up someone our costs go up--wonders about the long-range implications. Mr. Morgan said that in the Medicaid arena, with the cap in place, it doesn't cost the County any more. It is \$3 million per year and it is set. Enrolling someone now doesn't necessary impact Medicaid expenses. Mr. Sutkowy explained that right now the Medicaid expense would be more than the cap. Before the cap was put in place, and the County paid 25%. Mr. Morgan said that based on what they are seeing right now, their ability to come in under the cap is very limited. Enrolling more people would give the County less of a chance of coming in under the cap, but the chances of doing that

now are very slim. The last few years it has been \$3 - \$4 million over the cap. Chairman Laguzza said that prior to the cap, the cost skyrocketed. Chairman Laguzza said this goes back to the long-term benefits of the program, if we don't take care of the people that are in need today at X dollars, what is the burden going to be 5-15 years from now.

Mr. Buckel said that in the strange world of medical economics by paying a short term outlay, the community can benefit by maintaining the structure of the whole medical industry, so that hospitals aren't eating huge charges and passing them on to the rest of us. It is short term paying for long-term gain.

Mr. Sutkowy said that if a child is enrolled in managed care, the County pays a \$200-\$300/month premium, which covers everything except medication. There are 4 plans: Total Care, United, Fidelis, and Excellus.

They are also using more technology in the field; deploying laptops to child protective workers, so that they can input data into the State system from their car or while in the field. They can dictate their notes and do assessments right on line. The State provided 80 laptops; the County has to pay for the wireless connection.

The meeting was adjourned at 10:06 a.m.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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PUBLIC SAFETY COMMITTEE MINUTES - NOVEMBER 14, 2008
KEVIN A. HOLMQUIST, VICE CHAIRMAN

MEMBERS PRESENT: Mr. Buckel, Mr. DeMore, Mr. Warner, Mr. Masterpole, Ms. Williams

MEMBERS ABSENT: Mr. Lesniak

ALSO PRESENT: *see attached list*

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

1. HILLBROOK: Mary Winter, Commissioner, Probation Department

a. Transfer Funds from Contracted Svcs. Acct. 570 to Maint., Utilities and Rent Acct. 413 (\$38,000)

There is not enough money to pay the utility bills. They have a new heating, air condition and ventilation system. The system requires that more air be brought in; there is more air to heat and cool. They didn't have 12 months to analyze the system and project the cost, and it was budgeted too low. Additionally, the rates have gone up. They have savings in non-secure detention and would use it to the utility bill.

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

2. PROBATION: Mary Winter, Commissioner, Probation Department

a. Transfer Funds from Contractual Expense Acct. 570 to Travel and Training Acct. 401 (\$40,000)

There is not enough money to pay travel. The federal reimbursement rate went from 48¢, which was budgeted last year, to 58.5¢. Also more probation officers were sent to Albany for mandatory training. They have a savings of \$40,000 in PRISM budget, to use to cover these expenses.

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

Vice Chairman Holmquist stated that the agenda would be taken out of order.

4. STOP DWI: Barry Weiss, Administrative Officer

a. **Amending 2008 Budget to Reappropriate 2007 Surplus Stop DWI Funds (\$36,325)**
More money from fines was collected; it goes into a grant project.
A motion was made by Mr. Warner, seconded by Mr. Masterpole, to approve this item.
Passed unanimously; CARRIED.

3. SHERIFF: Chief William Peverly

a. **Amending the 2008 County Budget to Receive Grant Funds in the Amount of \$173,000 from the Bureau of Justice Assistance in Support of Local Law Enforcement, and Authorizing the County Executive Enter into Contracts to Implement this Resolution (\$173,000)**

These funds are made available to assist local law enforcement with the coordination, collection, and sharing of criminal justice information. Funding will be used:

- To install air cards in the computers for police vehicles. The radio system has dead spots; air cards have been tested and work well in about every location in the County
- 911's upgrade of the radio system for the County will require a new radio for Air 1--removing current radio, installing new radio system, and new configuration
- Purchase additional 5 license plate readers and extended warrantee on them

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

In answer to Mr. Warner, Chief Peverly reported that Edward Byrne was a NYC police recruit officer, stationed in a car in NYC where the city had witnesses in a drug investigation. When they went to relieve him, he was found dead in the car, shot in the back of the head. The grant money has been received for 20 plus years.

Mr. Buckel asked if there is associated overhead--training or personnel costs with the equipment costs. Chief Peverly said "no"; paying for airtime on cards through Verizon at about \$42/month. In-house training is done on license plate readers, the Air 1 radio is just simulation.

Mr. Masterpole asked if the grant is specific to equipment; could it be spent someplace else. Chief Peverly said that it is for the collection and sharing of criminal information.

Mr. Warner asked if the license plate readers have memory and if it is stored. Chief Peverly answered that they do, but does not know the length of storage on them. They have been able to use them successfully in criminal investigations. They have 6 right now and are excellent tools. They are fairly expensive, as is the maintenance and service of them, which is why they get the extended warrantees using grant funds. They want to have them regionally throughout the county. They cost about \$16,000 - \$17,000 each.

Mr. Masterpole seconded the motion. Passed unanimously. MOTION CARRIED.

b. **Amend '08 Budget and Authorize Co. Exec. to enter into an Agreement with the Fed. Government to Accept Funding for Technology Improvements for the Onon. Co. Sheriff's Office (\$1,122,360)**

This grant was facilitated through Congressman Walsh; who has been a real advocate for the Sheriff's Dept. for a number of years. This is for a records management system; a significant imitative for coordinating all criminal justice records management needs. This will take over and continue development of CNYLEADS. Additionally, it provides administrative type management systems – personnel, financial and fleet. It will be used by the entire law enforcement community in the County. An RFP will go out.

Mr. Buckel questioned why there is a need to go to the vendors and who they are. Chief Peverly said that they need is to look at different systems, how they are put together, and where they are operationally. It is one thing to evaluate the bids coming in and evaluate the cost; it is another to see the systems in operation that have been in place. Vendors have come to the department for the last year or more; have had demos from a variety of vendors. The next phase is to put the project out there, let them bid on it. The process is sophisticated, it is automated; they respond on line, they respond to questions; there are values in the program. The program will read out

and provide scores. From that they will sit down with the top group of vendors, have further discussion and negotiation, go to sites where their systems are in operation, get feed back from their clients and customers, so that they can make a solid judgment on the project. Mr. Buckel asked who and where are the vendors, and what is budgeted for this. Chief Peverly replied that they won't know that until they get responses and determine who the top bidders are. They do know that many vendors have operations in the capital area, D.C., and Virginia. He was unsure of the cost of the visits. Mr. Masterpole said that he would take exception if the visits were in, for example, Miami in February and there are expensive flights and fancy hotels. Chief Peverly said that it would not be in their best interest to take exotic trips, because the money would take away from the product they are trying to put together. The more money they have for the product, the better product they can buy because many systems come with various options at a cost. The intent is to maximize ability of the system; they do not have interest in taking exotic side trips.

A motion was made by Mr. DeMore, seconded by Mrs. Williams, to approve this item.

AYES: 5 (Holmquist, DeMore, Warner, Masterpole, Williams); NOES: 0; ABSTENTIONS: 1 (Buckel). CARRIED.

c. Amend 2008 Budget to Authorize the County Sheriff's Office to Receive Addl. Grant Funds in the Amount of \$17,000 from the Bureau of Justice Assistance in Support of Local Law Enforcement, and Authorize the County Executive to Enter into Contracts to Implement this Resolution (\$17,000)

Byrne grant funds - federal monies passed through to the State, a special enforcement grant, which will be used to complete the purchase of that Air 1 radio system (\$13,000). Also, it will be used to purchase four laptops for the Warrants unit (\$4,000).

A motion was made by Mr. Masterpole, seconded by Mr. Buckel, to approve this item. Passed unanimously. CARRIED.

d. Amend 2008 Budget to Authorize the County Sheriff's Office to Receive Additional Grant Funds in the Amount of \$38,000 from the Bureau of Justice Assistance in Support of Local Law Enforcement, and Authorize the County Executive to Enter into Contracts to Implement this Resolution (\$38,000)

Byrne grant funds – used to purchase in car video systems and replacement hard drives. They cost about \$6,000 each; will allow them to purchase 6. As they age, the hard drives have to be replaced.

Mr. Warner asked if they are turned on and off at will or on for the 8-hour shift. Chief Peverly replied that it is a combination; they are connected to the emergency lighting system. Anytime the siren is activated, it comes on; it has audio and video. In addition, it has a staging area. It is videoing 3 seconds before the system is activated. The officer can also activate the system. The microphone system is encouraged for use even when the video isn't available. They can turn the video system and activate the audio component--can capture conversations taking place.

A motion was made by Mr. Warner, seconded by Mr. Buckel, to approve this item. AYES: 5; NOES: 0; OUT OF ROOM: 1 (DeMore). MOTION CARRIED.

e. Amending the 2008 County Budget to Receive Funds in the Amount of \$8,820 from the Bureau of Justice Assistance State Criminal Alien Assistance Program and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$8,820)

These are SCAT fund, from federal government for the cost of lodging incarcerated, undocumented aliens. This is 2006-2007 money finally coming through. Requires to be used for correctional purposes. Will be used for some overtime costs. Also, periodically send people out to recruiting programs and recruiting literature.

Mr. Warner asked if the Sheriff's Dept. goes to labor camps, i.e. vegetable farms. Chief Peverly said it is left to Immigration. If they got a call or complaint, they would respond. They would call in the Immigrations people to work with them and back them up. Mr. Warner asked if Immigration is going to the labor camps; Chief Peverly did not know.

A motion by Ms. Williams; seconded by Mr. Warner to approve this item. Passed unanimously. CARRIED.

f. DISCUSSION: Local Law Increasing Compensation of the Sheriff and Amending Res. No. 126-2006

Mr. Holmquist stated that this was a late addition to the agenda; the committee will not vote on it today; will have full discussion and send it on to Ways and Means Committee. Mr. Buckel questioned why Public Safety Committee would not vote on it. Mr. Holmquist stated that he discussed it with the Chairman of the committee, and they both decided that because of the late addition to the agenda; it would not be fair to the members of the committee. Members have not had time to read it, as we just received it.

Mr. Buckel stated that he would like a chance to vote on this item as a committee. He would like to take an adjournment to find out the appropriate procedure or prevail on the Chairman to reconsider. Mr. Holmquist said that he has decided that this will not be voted on today.

Mr. Buckel asked for a 5-minute adjournment to review the process. Mrs. Tarolli that there are really no rules of the legislature that governs committee, other than the fact that legislation has to be in writing unless waived by the committee. Historically, the Chairman has made his/her own call. The chairman has determined how they want to proceed. Mr. Buckel said that precedent doesn't apply; it is the rules that apply – the rules of the legislature. Mrs. Tarolli said that she is talking about how this legislature has interpreted its own rules. Mr. Buckel said unless it is in writing, he will not be bound by what someone has done in the past vs. what the rules might say. Mr. Buckel asked for a break and return at 9:40 a.m.

Mr. Masterpole said that if it is going to be voted at session, it should be voted here. Mr. Holmquist said that he feels that the committee should hear the proposal, have questions and discuss it.

Mr. Buckel made a motion to have a five-minute adjournment, seconded by Mr. Masterpole.

Mr. Buckel stated that he would like to take a 5-minute break to review the rules. Mr. Holmquist said that he would like to hear the proposal. Mr. Buckel said that what has been interpreted as the past, is not the rules of this Legislature. There are rules and procedures. It is a matter of personal courtesy to extend 5 minutes to review how the legislature should properly operate, as opposed to the whim of an assistant chairperson. He said that this is arbitrary and setting a precedent, it is not only undiplomatic and impolite to the members of the legislature, but doesn't follow the rules. Mr. Warner said that there is an option of sending this item directly to Ways & Means. Mrs. Tarolli stated that a local law does not need to go to committee or be considered by a committee; it can be put on the floor by a sponsor regardless of what happens.

Chairman Holmquist said that he did not want to entertain the motion. Mrs. Tarolli said that the Rules of the Legislature, with respect to committee, do not provide rules. Chairman Holmquist stated that he would like to hear the proposal. He suggested that Mr. Buckel can do his research and the Committee would hear the proposal from Chief Peverly.

A motion was made by Mr. Buckel, seconded by Mr. Masterpole, to approve item 3f.

Chief Peverly provided a packet of information and reviewed each handout:

Sworn members of the Onondaga County Sheriff's Office recently received financial equity adjustments for the ranks of Deputy, Sergeant, Lieutenant, Captain, Assistant Chief, Chief and Undersheriff. These adjustments, which included retroactive payments, have resulted in a wage disparity for the Sheriff with his Command staff. The following points out the disparity based upon adopted salary schedules

	Sheriff	Chief	
2008	\$101,543	\$85,843 (15,700 Salary differential before 2008 adjustments)	
2008	\$101,543	\$91,301 (10,242 Salary differential after 2008 adjustments)	
2009	\$104,581	\$95,206 (\$9,375	
2010	\$107,718	\$99,278 (\$8,440	
	Sheriff	Undersheriff	
2008	\$101,543	\$ 94,845	(\$6,698 - salary comparison before 2008 adjustments)

2008	\$101,543	\$100,109	(\$1,434 less than the Sheriff)
2009	\$104,581	\$104,352	(\$229 less than the Sheriff)
2010	\$107,718	\$108,856	(\$1,138 more than the sheriff)

The Undersheriff's salary exceeds his immediate subordinate Chief by over 9%.

	Undersheriff	Chief	
2008	\$100,109	\$91,301 (9.65% - \$8,808 more than Chief)	
2009	\$104,352	\$95,206 (9.6% - \$9,146 more than Chief)	
2010	\$108,856	\$99,278 (9.65% - \$9,578 more than Chief)	

The Office of Sheriff's annual salary should be adjusted to 10% above the Undersheriff.

	Undersheriff	(+) 10%	Sheriff
2008	\$100,109	\$10,011	\$110,120
2009	\$104,352	\$10,435	\$114,787
2010	\$108,856	\$10,886	\$119,742

- All Union and non-union members received payment of wages retroactive to January 1, 2008.
- The Sheriff's salary adjustment would not be retroactive.
- The proposed adjustment for the Sheriff would not take effect until December 13, 2008.
- The financial impact for 2008 would be \$388.29
- To maintain the 10% differential between the Sheriff and Undersheriff the following salary schedule would apply

<u>Salary</u>	;	<u>Adjustment</u>	<u>Adjusted Salary</u>
2008 \$101,543		+8.447%	\$110,120
2009 \$110,120		+4.238%	\$114,787
2010 \$114,787		+4.317%	\$119,742

Onondaga County Sheriff's Office
 Sheriff Office Data Comparison – Salaries
 Per Capita Cost by Population

AGENCY	Salary	Population	per capita	Sq. Miles
1. Putnam	\$124,782	100,000	\$1.25	265
2. Livingston	\$105,800	67,000	\$1.58	638
3. Cortland	\$ 66,204	48,000	\$1.38	500
4. Madison	\$ 76,651	69,441	\$1.10	650
5. Cayuga	\$ 70,000	82,000	\$.85	700
6. Oswego	\$ 74,207	123,765	\$.60	970
7. Saratoga	\$ 99,115	212,000	\$.47	815
8. Rockland	\$127,315	286,750	\$.44	173
9. Dutchess	\$123,000	285,000	\$.43	816
10. Broome	\$ 76,696	200,000	\$.38	715
11. Albany	\$103,660	295,000	\$.35	540
12. Onondaga	\$110,120	460,000	\$.24	827
13. Westchester	\$165,500	900,000	\$.18	450
14. Monroe	\$123,030	736,000	\$.17	721
15. Suffolk	\$154,796	1,500,000	\$.10	99
16. Nassau	\$122,590	1,300,000	\$.09	300

**BOLD are 2006 salaries, ITALICS are current 2008 salaries,
 Onondaga County is based upon proposed 2008 wage adjustment**

Onondaga County Sheriff's Office
 Sheriff Office Data Comparison – Salaries
 Per Capita Cost for Employees

AGENCY	Salary	Employees	per capita cost
1. Putnam	\$124,782	103	\$1,212

2. Madison	\$ 76,651	77	\$ 995
3. Livingston	\$105,800	144	\$ 735
4. Cortland	\$ 66,204	112	\$ 591
5. Cayuga	\$ 70,000	124	\$ 565
6. Westchester	\$166,500	306	\$ 544
7. Oswego	\$ 74,207	142	\$ 523
8. Saratoga	\$ 99,115	214	\$ 463
9. Albany	\$103,660	240	\$ 432
10. Broome	\$ 76,696	229	\$ 335
11. Rockland	\$127,315	505	\$ 252
12. Dutchess	\$123,000	550	\$ 224
13. Onondaga	\$110,120	645	\$ 171
14. Suffolk	\$154,796	1,123	\$ 138
15. Monroe	\$123,000	1,034	\$ 119
16. Nassau	\$122,590	1,421	\$ 86

BOLD are 2006 salaries, *ITALICS* are current 2008 salaries

Onondaga is based upon proposed 2008 wage adjustment

Onondaga County Sheriff's Office
Historical Salary Review with Syracuse Police Chief

<u>Year</u>	<u>Sheriff</u>	<u>Syracuse Police Chief</u>	<u>Difference</u>
1992	\$64,000 * Dillon		
1993	\$64,000 * Dillon		
1994	\$67,520 * Dillon		
1995	\$67,520 * Walsh		
1996	\$67,520 * Walsh	\$ 76,693 Foody	\$9,173
1997	\$67,520 * Walsh	\$ 79,542 Foody	\$12,022
1998	\$67,520 * Walsh	\$ 80,284 Foody	\$12,764
1999	\$69,546 Walsh	\$ 84,170 Foody	\$14,624
2000	\$71,632 Walsh	\$ 84,917 Falge	\$13,285
2001	\$73,781 Walsh	\$ 90,110 Falge	\$16,329
2002	\$75,994 Walsh	\$ 91,575 Duval	\$15,581**
2003	\$85,113 Walsh	\$ 91,575 Duval	\$ 6,462
2004	\$90,220 Walsh	\$101,148 Duval	\$10,928
2005	\$92,926 Walsh	\$103,931 Thompson	\$11,005
2005	\$92,926 Walsh	\$103,931 Miguel	\$11,005
2006	\$95,714 Walsh	\$111,000 Miguel	\$15,286**
2007	\$98,585 Walsh		
2008	\$101,543 Walsh		
2008	\$110,120 Walsh (Proposed)		

[1] Legislator / Citizen Committee recommend increase to reduce disparity with City Chief (2003 raise) but acknowledged they could not do it all at one time. Suggested partial adjustment this term (2003 – 2006) and address the remainder next term (2007 -2010)

2 Chief Miguel salary for 2006 based upon 8% arbitration award to PBA and state law requiring Chief of Police to receive salary increase equal to next ranking member represented by a union.

Mr. Buckel asked what Erie County's numbers are. Chief Peverly said that the Sheriff is making approximately \$79,000; his salary has been frozen for 10 years. They have a local law that elected officials cannot get a pay raise in a year that there is a tax increase.

Mr. Holmquist asked for clarification and asked if the local law, voted on a couple of years ago, was for 3% for 4 years, and are currently in year 2. Chief Peverly said that was correct. Mr. Holmquist asked if the proposed local law asks for 3 adjustments for years 2008, 2009, and 2010. Chief Peverly said that it does and would repeal the local law raise of 3% that was scheduled for 2009 and 2010. The proposed local law would replace it. Mr. Holmquist asked if there is both a 3% and 8% increase in 2008. Chief Peverly said that the Sheriff already has the

3%; the 8.447% is on top of that; the adjustment to \$110,120 would be effective December 13th. However, it is not retroactive, so that the Sheriff's pay through Dec. 13th is \$101,543. The financial impact in 2008 is \$388. Mr. Holmquist said that in 2009 and 2010 the 3% increases go away and the proposed local law would take place. Chief Peverly agreed. If the adjustment is made for 2008, then the salary adjustment for 2009 and 2010 are slightly over 4% per year, which keeps him consistent with the pay differently with the undersheriff. Mr. Warner asked if the undersheriff is contractual. Chief Peverly said that he is not; he is M/C and his salary is set by the Legislature. Mrs. Walter said that the Legislature adjusted it last month.

Mr. Masterpole noted that he supports this raise, much like he supported a raise for the district attorney; he would like to support a raise for the County Legislature and Comptroller as well. He referenced the CFO being advanced step hired in order to make more than his deputy. The Comptroller deserves more compensation because he will be in the same situation with the M/Cs, wherein his deputies make more than he does. The Legislature needs to get its arms around this and compensate County employees accordingly. He feels the legislature should stay consistent with the message that the employees whether appointed, elected, and everyone, will be compensated adequately.

Mr. Buckel said that he has a motion on the table. Mr. Holmquist stated that he is not accepting any motions at this time; it is the Chairman's decisions. Mr. Buckel noted that the Chairman's prerogative is over stated and the rules of the legislature have been violated.

Mr. Buckel made a motion to suspend the rules, seconded by Mr. Masterpole.

Mr. Holmquist said that he would not accept the motion. Mr. Buckel referred to Rule 11, noting it is a mandatory motion. Mrs. Tarolli stated that Rule 11 is a rule that applies to session. Mr. Buckel noted that he believes what the Chairman has done is illegal and improper. Mr. Holmquist stated that it is the same procedure as has been done for decades.

5. EMERGENCY MANAGEMENT: Joe Rinefield, Director, Fire Bureau
a. Confirming Appointments to the Position of Deputy Coordinator and Authorizing Reimbursement for Expenses Incurred in the Performance of their Duties

The deputy coordinators work with 57 fire departments; help deliver training and coordinate emergencies and events in the field. They do not receive compensation, other than occasional mileage, and are supplied with equipment.

Mr. Warner asked if any were new appointments; Mr. Rinefield noted that Larry Byrnes, Ronald Wheatley, Joseph Markham, and James Baxendale are new replacements.

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

The meeting was adjourned at 9:50 am.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

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EDUCATION & LIBRARIES COMMITTEE MINUTES
PATRICK M. KILMARTIN, CHAIRMAN, November 14, 2008

MEMBERS PRESENT: Mr. Corbett, Mr. Stott, Mr. Holmquist, Mr. Kinne
MEMBERS ABSENT: Mr. DeMore, Mrs. Winslow
ALSO PRESENT: Mr. Meyer

Chairman Kilmartin called the meeting to order at 1:09 p.m.

A motion was made by Mr. Corbett, seconded by Mr. Stott to waive the reading of the minutes and to approve the

minutes of the proceedings of the previous committee meeting. **MOTION CARRIED.**

1. ONONDAGA COUNTY PUBLIC LIBRARY: Ms. Sally Carmer, Dir. of Administrative Services

a. Amending the 2008 County Budget to Accept New York State Division of Library Development Funds for the Onondaga County Public Library and Authorizing the County Executive to Enter into Contracts to Implement this Resolution (\$4,757)

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

Ms. Carmer said this grant is for OCPL's Conservation and Preservation of Library Research Materials project. Funds will be used to purchase environmental data loggers and related software that will enable staff to monitor environmental conditions in the local history and genealogy area and to ensure that the fragile, rare materials that are housed there are preserved.

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

In answer to Mr. Corbett, Ms. Carmer said they have received most of their 2008 State Aid; they are assessing how they can manage within their 2008 budget if that remaining funding is not received.

2. SALT CITY PLAYHOUSE: Mr. Joseph Lotito, Executive Director

a. Transfer of Funds from the Contingent Account 650 to Salt City Playhouse Account 848 (\$14,057)

Mr. Lotito explained that they missed the budget meeting because their new contact information was mistakenly not provided to the Legislature. Mr. Lotito noted that they have done theater in the city of Syracuse for 30 plus years; provided an outline concerning all the plays they have produced throughout 2008 and a copy of their most recent program. They have had performances at St. Claire Gardens Theatre as well as a number of other places. Mr. Lotito said they produced the tenth year of "A Dickens of a Christmas" last year; a number of the children and teenagers who participated were later nominated for a SALTY Award. Other shows produced last year were "The Cocktail Hour"; "You're a Good Man, Charlie Brown"; "Michael and Elizabeth, Vivian and Peter"; "I Love You You're Perfect Now Change" and "Side by Side by Sondheim". Planned for 2009: "Widow's Pique" in January and "Jesus Christ Superstar" (13th annual production) in April, the rest of the 2009 schedule is still to be determined. Mr. Lotito explained that they go back to 1968 when they did their first production at the Warehouse Theater and later moved to the Temple building where they set up the Community School for the Arts and did performances until June of 2006, they do not have a permanent home at this time.

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

Mr. Kinne asked about using the Lincoln Auditorium at Central Tech as a permanent home, if it were remodeled. Mr. Lotito said they would be happy to consider that.

Mr. Stott asked what portion of their budget the \$14,057 is. Mr. Lotito said their annual budget is a little over \$60,000.

Mr. Corbett asked how they maintain their organization, aside from donations. Mr. Lotito said their biggest fundraiser is "Jesus Christ Superstar". Mr. Corbett said their program has been in existence for 30 plus years and is viable.

Mr. Kilmartin asked the number of shows they had in 2008 and the number planned for 2009. Mr. Lotito said they did six last year; would probably do 4 to 6 in 2009, as space becomes available. Shows are based upon where they can perform, what is available at that time. Mr. Lotito said some of the proposed facilities are Cazenovia Theater, Glenlock, Jazz Central and the State Fair facility. Mr. Kilmartin asked how their budget is broken out. Mr. Lotito said most is for royalties and facilities; they have a volunteer staff.

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

The meeting was adjourned at 1:30 p.m.

Respectfully submitted,
Johanna H. Robb
Deputy Clerk

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WAYS AND MEANS COMMITTEE MINUTES – NOVEMBER 25, 2008
CHAIRMAN JAMES M. RHINEHART

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

ALSO PRESENT: Chairman Meyer, Mr. DeMore, see attached list

Chairman Rhinehart called the meeting to order at 9:33 a.m.

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

1. Finance: Karen Carney, Director, Real Property Tax Svcs.
 - a. Calling for a public hearing on the assessment roll for Southwood-Jamesville Water District
 - b. Calling for a public hearing on the assessment roll for Warners Water District
 - c. Onondaga County Sanitary District General Apportionment
 - d. Onondaga County Sanitary District 2009 City Abstract
 - e. 2009 City Drainage District Abstract
 - f. Bloody Brook Drainage District Tax – General Apportionment
 - g. Bloody Brook Drainage District Tax – Town of Clay Apportionment
 - h. Bloody Brook Drainage District Tax – Town of Salina Apportionment
 - i. Allocation of 2009 Onondaga County Water District Special Assessment among zones of assessment and fixing composite rates for the several towns and the City of Syracuse within said District
 - j. Onondaga County Water District 2009 City Abstract
 - k. Bear Trap – Ley Creek Drainage District Tax – General Apportionment
 - l. Bear Trap – Ley Creek Drainage District Tax – Town of Clay Apportionment
 - m. Bear Trap – Ley Creek Drainage District Tax – Town of DeWitt Apportionment
 - n. Bear Trap – Ley Creek Drainage District Tax – Town of Salina Apportionment
 - o. Meadowbrook Drainage District Tax – General Apportionment
 - p. Meadowbrook Drainage District Tax – Town of DeWitt Apportionment
 - q. Authorizing General Apportionment of Harbor Brook Drainage District Tax
 - r. Harbor Brook Drainage District Tax – Town of Geddes Apportionment

A motion was made by Mr. Stanczyk, seconded by Mr. Warner, to approve items 1a – 1r.

Mr. Kraft asked how much the sewer unit charge is; Mrs. Carney replied that it is \$318.37 for county residents; for city resident is \$321.56. Last year's rate was \$310.98. Mr. Seitz said that the number is consistent with what was adopted in the budget; the overall number of units went up slightly.

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

2. Ways & Means Misc.:

- a. **Requesting the Onondaga County Personnel Commissioner to waive application fees for civil service examinations for Onondaga County residents who have honorably served or are honorably serving in the Armed Forces, National Guard and Reserves (Mr. DeMore)**

Mr. DeMore stated that the subcommittee changed the definition of veterans to be more inclusive. Currently they would pay \$15, \$18, or \$20 for an exam; it will be waived for all people who have served or are serving in the armed forces, Guard and Reserves. The cost to the County in income is about \$4,600; fees that will be lost are about \$2,500, not including current people. He has asked our State representative to waive the fees, and it seems like they are interested. This is a way of thanking veterans for their service.

Chairman Rhinehart asked to be listed as a co-sponsor.

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

b. **2008 Transfer of funds from Acct. 650 County General Contingency to Acct. 825 War Memorial/OnCenter in the amount of \$10,000** (Mr. Meyer)

Chairman Meyer said that in October 2007 the Legislature asked the veterans group of the War Memorial/OnCenter complex to investigate those that serve in various conflicts but were not originally from Onondaga County to be included at the War Memorial. Secondly, there was a request that people who served in other conflicts, i.e. Panama, Granada, also be included. Unfortunately, Washington, D.C. sometimes takes 10 - 15 years to define the conflict dates.

*Mr. Kinne arrived at the meeting.

Mr. John DeSpirito stated that the Memorial Hall, which was what the War Memorial was actually built around, contains 1,845 of KIAs of residents of Onondaga County. The second floor, the honor wall, has approximately 62,100 names of residents of Onondaga County who served in WWI, WWII, Korean, and Vietnam eras. Res. 269 from October 2007, asked that residents of Onondaga County, that did not join the military from Onondaga County, be looked at—those that joined in service from a different area and then moved here. Questionnaires were sent to 40 nationally accredited veterans groups in the county. Res. No. 169 included veterans that lived in the county for at least 10 years. There are 313 names so far which fall into that category. Res. No. 235 included the other conflicts: Lebanon, Granada, Panama, Afghanistan. The names would be put on the kiosk. The other names will be on the site of the honor roll. The cost for the kiosk is estimated to be \$7,000; in the future they would like to put all veterans names on it.

Mr. Warner asked if Civil War veterans that were residents of Onondaga County and killed in other areas, are recognized in the county. Mr. DeSpirito replied that there are some plaques and monuments at cemeteries. There is not one particular area, and there is nothing at the War Memorial. Mr. Warner suggested it be looked into. Mrs. Rapp suggested that they could be added to the kiosk.

Mr. Kinne asked if it matters if a person was drafted from this county and came back here, but discharged from some place else. Mr. DeSpirito explained that it doesn't matter. The criteria is that they enter the military from Onondaga County and were a resident of Onondaga County.

A motion by Mr. Corbett, seconded by Mrs. Rapp, to approve this item. Passed unanimously.

3. **HILLBROOK:** Jackie DeNero, Dir. Juvenile Justice/Detention Svcs.

a. **2008 Transfer of funds from Acct. 570 Contractual Expense to Acct. 413 Maintenance, Utilities & Rents in the amount of \$38,000 to cover higher than anticipated utility costs (\$38,000)**

In answer to Mrs. Rapp, Mrs. DeNero said that they have 20 kids today; the budget is estimated at 24.

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

4. **PROBATION:** Mary Winter, Commissioner, Probation

a. **2008 Transfer from Acct. 570 Contractual Expense to Acct. 401 Travel & Training in the amount of \$40,000 to Cover Increased Mileage Reimbursement Rates & Peace Officer Training costs**

Forty-eight cents per mile was budgeted; and the federal reimbursement rate was raised to \$.58; also more Probation Officers than average had to attend mandatory training.

Mr. Kilmartin asked if the federal rate fluctuates every year. Ms. Winter said that it is done occasionally, sometimes a couple times per year; she expects that it will go down.

Mr. Stanczyk asked what was not contracted for in order to have the savings in acct. 570. Ms. Winter explained that they had salary savings in the PRISM program, a cooperative program with the Salvation Army.

Chairman Rhinehart asked how much of the budget is state funded; Ms. Winter said it is 17% overall but there is also Juvenile Justice money, which they receive 65% on--cuts are expected.

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

5. **Stop DWI:** Barry Weiss, Coordinator

a. **Amending the 2008 County Budget to Reappropriate 2007 surplus Stop DWI funds (\$36,325)**

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

Mr. Stanczyk asked what this money will be spent on. Mr. Weiss explained that it will sit in a grant project, and used based on

applications from law enforcement, DA, Probation; it is then reviewed by the County Executive and the Stop DWI Advisory Board.

Mr. Kilmartin asked if there are any substantial trends in the prosecution of DWIs, whether the judges are imposing greater fees, or more convictions, etc. Mr. Weiss said "no"; it has been pretty consistent.

Mr. Weiss explained that in the past year they produced a DVD for all high schools and parents on drinking and driving. Mr. Kraft asked further about the distribution of the money and if it is known what it will be spent on. Mr. Weiss said that they do not know. The State requires that the County keep the funds; it cannot be distributed; it has to be a contingency. In the event there were no DWI arrests then the program would have to run for a year or so without any money coming in. The money is based on the disposition of the arrests. Including the money in this resolution, there will be \$85,000 in the project.

Mr. Rapp asked what other things the money has been used for. Mr. Weiss said that they did the Gone Forever exhibit.

In answer to Mr. Stanczyk, Mr. Weiss said that the budget for STOP DWI is \$930,000. Mr. Stanczyk asked that a one-page detail be provided to the committee on this program. Mr. Kinne asked that the number of arrests could be included. Mr. Warner said that Mr. Weiss does not decide by himself where the money is going; it goes through the Stop DWI Board and has good checks and balances all the way through.

Passed unanimously; MOTION CARRIED.

6. **County Clerk:** Ann Ciarpelli, County Clerk

a. **Mortgage Tax Apportionment**

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

Mrs. Ciarpelli said that it is down about 20%–25%, about \$1.347 million from last year. Right now they are in comparison with 2002, which is what she based her 2009 budget on. All other years from 2002 were higher.

Passed unanimously; MOTION CARRIED.

Mrs. Ciarpelli said that there are twice as many civil actions (divorces, leans, judgments) as they normally would at this time.

7. **OCPL:** Sally Carmer, Dir. Admin. Services

a. **Amend 2008 Budget to accept NYS Division of Library Development funds for the Onondaga County Public Library and authorizing the County Executive to enter into contracts (\$4,757)**

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

8. **Economic Development:** Greg Hitchen, Interim Director

a. **Amend 2009 Budget to provide funding for the Economic Development Marketing Plan (\$75,000)**

This is to transfer the County's portion of the marketing fund from the contingency fund to the grant fund effective Jan. 1st to continue the marketing program.

Chairman Rhinehart noted that a very detailed presentation was given to the Planning & Economic Development Committee.

A motion was made by Chairman Rhinehart to approve this item.

Mr. Kraft asked about scoring the County's success by using this money. Mr. Hitchen said that the presentation included a scorecard, which shows how the money was used and the results. Over this period of time, a number of companies have opened up; no one can say if there is a direct correlation.

Mr. Kinne asked if a hotel would be helpful to this area; Mr. Hitchen said "absolutely".

Mrs. Rapp seconded the motion. AYES: 8; NOES: 0; ABSTAINED: 1 (Kraft). MOTION CARRIED.

9. **Emergency Management:** Peter Alberti, Commissioner

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

These are volunteers that get reimbursed for mileage and some expenses.

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

In answer to Mr. Stanczyk, Mr. Alberti said that the budget for the expenses is under \$5,000. Most do not apply for their

expenses.

Mr. Corbett, Mrs. Rapp, Mr. Warner, Chairman Rhinehart requested to be co-sponsors.

Mr. Kinne asked if there has been consideration of studying the overlap of services that departments provide. Mr. Alberti said that just about every town and village is looking into this. Mr. Holmquist agreed that this is going on countywide. In the Town of Manlius, there is a Task Force that is on version 4 of a memorandum of understanding to bring the Fayetteville and Manlius Fire Departments together. It could happen in 2009.

Passed unanimously; MOTION CARRIED.

10. **Authorized Agencies – Salt City Playhouse** – Peter Seitz, Deputy Director, Management & Budget
- a. **2009 Transfer of funds from Acct. 650 Contingency to Acct. 848 Salt City Playhouse in the amount of \$14,057 to cover 2009 operating deficits (\$14,057)**
A motion by Mr. Kraft, seconded by Mr. Corbett to approve this item.

Chairman Meyer said that this went through Education and Libraries Committee. Mr. Kilmartin said that there were 3 representatives at committee and they explained that there was miscommunication at the time of budget. At committee they gave a positive presentation on what they have done and what they plan to do.

Passed unanimously; MOTION CARRIED.

11. **Metropolitan Water Board:** David Fitch, Administrative Director
- a. **'08 Transfer from Acct. 495 Insurance Div. to Acct. 410 All Other Expense to Cover Costs Associated with Asbestos Removal for the Main Boiler at MWB Treatment Plant in Oswego (\$12,000)**
A motion by Mr. Kinne, seconded by Mr. Corbett to approve this item. Passed unanimously; CARRIED.

- b. **Confirming an Amendment to the Currently Effective Schedule of Fates to be Charged for Water and Water Service Provided by the Onondaga County Water District**

Mr. Fitch noted that this was discussed during the 2009 budget review. There have been declining water sales, increased cost for power, increased cost for chemicals, and setting aside increasing amounts of money for provision for capital improvements to reinvest in equipment and infrastructure. A 2009 rate increase was proposed. It is about 2.5¢/1,000 gallons. They raised wholesale water rates from \$.97/gallon to just under a \$1.00/1,000 gallons. The impact on a typical, residential consumer would be less than \$2.50/year. The revenue was adopted in the 2009 budget. A public hearing is scheduled for December 2nd.

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

12. **Sheriff:** Captain Roy Graiten
- a. **Amend '08 Budget to Receive Grant funds in the Amount of \$173,000 from the Bur. of Justice Assist. in Support of Local Law Enforcement and Authorize Co. Exec. to enter into contracts**

This grant is to assist local law enforcement with coordination, collection and sharing of criminal justice information. It will be used to purchase air cards for laptops in patrol cars; right now they have to go to a hot spot to obtain information. Chairman Rhinehart asked about the radio upgrade for Air I; if there were to be a consideration for a smaller helicopter or if it is sold, could the radio be transferred to a different unit. Mr. Graiten believes that it could be moved to a different ship. Mr. Graiten explained that license plate readers are attached to patrol cars. The car drives down the road and it reads license plates that it passes; gives an alert for stolen vehicles, provides data on the car. It only hits on stolen cars, suspended registrations, etc. Mr. Kilmartin added that the City uses them for parking violations, vehicle and traffic violations that are outstanding. Mr. Graiten said that they have 6 in place.

In answer to Mr. Stanczyk, Mr. Graiten said that the cost of radio installation for Air 1 is \$38,000 for the radio and \$13,000 for installation. Mr. Stanczyk questioned if the items that will be purchased were spelled out in the grant when it was applied for. Mr. Graiten said that they are. The radio was left out of the County radio project by mistake; funds were not put in it, so it became an expense of the Sheriff's Department.

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

- b. **Amend '08 Budget and Authorize the Co. Exec. to enter into an agreement with the Fed. Gov. to accept funding for technology improvements for the Onondaga Co. Sheriff's Office (\$1,122,360)**

This is COPS Technology funding for a records management system to be developed for all law enforcement agencies in the County. It will improve the CNYLEADS system. An RFP has been issued--due back Jan. 15th.

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

Mr. Corbett asked about the vendors. Mr. Graiten said that they used a consultant to put together an RFP to identify vendors; the RFP is out now.

Chairman Rhinehart asked if all law enforcement in the county is participating. Mr. Graiten said that they are; they do not contribute; the grant covers the whole project.

Mrs. Rapp asked if millions of dollars have been put into CNYLEADS already; this is almost doubling that. Mr. Graiten said it will be a more complete product. It is operating now; it has modules; it can track accidents, arrests, auditing; booking, calls for service, fleet maintenance, personnel records. It is all encompassing, wherein CNYLEADS is more of a more of an electronic reporting system. It will become a part of the new RMS, but this expands it.

Mr. Kinne asked about the platform it is being built on; will it be around for a while; are there service agreements. Mr. Graiten said that they have a consultant to identify trends in the business so that they don't make that mistake; they work with the consultant to identify needs and who would be best able to provide it. Mr. Kinne asked if this is approved will more money be needed and will the department inform the committee about the system. Mr. Graiten said that he does not foresee needing more money; he can come back and give an update. In answer to Mr. Stanczyk, Mr. Graiten said that the consultant is paid by grant funds.

A vote was taken on the motion. AYES: 8; NOES: 0; OUT OF ROOM: 1 (Kraft). MOTION CARRIED.

c. Amending the 2008 County Budget to Authorize the Onondaga County Sheriff's Office to Receive Additional Grant Funds in the Amount of \$17,000 from the Bureau of Justice Assistance in Support of Local Law Enforcement and Authorizing the County Executive to Enter into contracts

This will purchase 4 laptops for the Warrants Unit; and the balance for the Air 1 radio.

A motion was made by Mr. Corbett, seconded by Chairman Rhinehart, to approve this item. AYES: 8; NOES: 0; OUT OF ROOM: 1 (Kraft). MOTION CARRIED.

d. Amend '08 Budget to Authorize the Sheriff's Office to Receive Additional Grant Funds in the Amount of \$38,000 from the Bur. of Justice Assistance in Support of Local Law Enforcement and Authorize Co. Exec. to Enter into Contracts (\$38,000)

This will purchase six in car video systems for patrol vehicles and replacement hard drives.

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

Mr. Corbett asked about the audio on the system. Mr. Graiten said that if it is activated, it will actually record the previous minute. If the lights are activated, involved in an accident, or if turned on manually, the previous minute is captured.

Passed unanimously; MOTION CARRIED.

e. Amend '08 Budget to Receive Funds in the Amount of \$8,820 from the Bur. of Justice Assistance State Criminal Alien Assistance Program and Authorize Co. Exec. to enter into contracts (\$8,820)

This provides reimbursement to localities for costs incurred for housing incarcerated, undocumented criminal aliens. It must be spent on correctional activities; budget 80% for overtime; and 20% for recruitment.

Mr. Stanczyk said that this refers to a reporting period of 7/1/06 – 6/30/07. Mr. Graiten said that the reporting period is the time when they housed the inmates. They identified the criteria--they have to be incarcerated, undocumented criminal aliens with at least one felony, or 2 misdemeanor convictions by violation of state or local law, and incarcerated for at least 4 consecutive days during the reporting period. In a reporting period it ranges from 18-34 inmates that qualify in a year.

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

13. **Water Environment Protection:** Mike Lannon, Deputy Commissioner

a. 2008 Transfer of funds from Acct. 410 All Other Expenses to Acct. 300 Supplies & Materials in the amount of \$320,000 to cover higher than anticipated chemical and fuel costs (\$320,000)

The largest portion is \$200,000 for increased chemical costs; about \$100,000 is for increased fuel costs.

A motion by Mr. Corbett, seconded by Chairman Rhinehart, to approve this item.

Mr. Stanczyk asked what is anticipated for the sludge management account for 2009. Mr. Lannon said that they have

experienced a downward trend regarding costs related to new dewatering equipment that was installed. Also, there is a new contract with the biosolids processor, which has created a downward adjustment cost also. They expect to continue downward to \$300,000; about \$300,000 less was budgeted for 2009 for biosolids processing.

Mr. Corbett asked if the vendor is also incurring costs for upgrades – Mr. Lannon said that they will start soon, the cost is about \$2.4 million; they will install additional odor control system, and facility improvements, and improve to the mixing equipment.

Chairman Rhinehart said that fuel costs are dropping and asked for more detail. Mr. Lannon explained that for the 2008 budget unleaded fuel was budgeted at \$2.13; currently paying \$2.92; average is \$2.99. There is an upward adjustment for 2009 at \$3.17. For diesel, the 2008 budget was \$2.24, currently paying \$2.37; the average has been \$3.73. They budgeted \$3.90 for 2009.

Mr. Kraft asked what is being paid today; Mr. Lannon said that he did not have recent invoices. Mr. Gottstein, DOT, said that they paid \$1.67 for unleaded on the last bill, which was November 11th. for last bill. The last bill for diesel was October 31st for \$2.41.

Mr. Kilmartin referred to chemical costs in 2008 and asked if it will be similar for 2009. Mr. Lannon said that increased costs are expected. Chemical contractors now like to rebid every year because of increased costs.

Passed unanimously; MOTION CARRIED.

b. **Authorize Co. Exec. to enter into a contract with the United States of America, Department of the Interior, for the Operation and Maintenance of Stream Gauging Stations in the County of Onondaga**

This a contract with USGS for maintaining 11 gauging stations; there is a 10+ year history. The County would contribute 60% of the cost, USGS would contribute 40%.

Mr. Corbett made a motion, seconded by Chairman Rhinehart to approve this item. AYES: 7; NOES; 0; OUT OF ROOM: 1 (Rapp). MOTION CARRIED.

14. Health: Linda Karmen, Deputy Commissioner

a. **Authorize County Executive to execute agreements and amend the 2008 County Budget to accept DNA Lab Grant funds for the purchase of a Comprehensive Management System (\$159,283)**

Center for Forensic Sciences applied for additional funding for a Laboratory Information Management System.

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

15. Mental Health: Bob Long, Commissioner

a. **2008 Transfer of funds from Acct. 101 Regular Employee Salaries to Acct. 534 Hospitalization in the amount of \$246,441 to cover higher than anticipated hospitalization costs (\$246,441)**

The hospitalizing account was under budgeted by \$246,000.

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

These are court ordered hospitalizations of inmates in the jail. Mr. Kraft asked if the department can speak in court; Mr. Long said that they don't. Psychiatric examiners are appointed by the court; they report back to the court and the court determines whether or not to order the hospitalization for the inmate. Mr. Kraft asked if anything can be done. Mr. Long said that they have tried to educate attorneys and judges on the impact of this, when it is appropriate and when it isn't appropriate. The Mental Health Department monitors people after they go to the hospital to try to reduce the length of stay.

Mr. Kinne seconded the motion.

Mr. Stanczyk asked if the deputy commissioner was budgeted for, as there are now salary savings. Mr. Long said that it is budgeted but there is not a person in place; there is a freeze on. The 101 account was reduced next year. Mr. Stanczyk said that the position was not eliminated, but the department was told not to fill it. Mr. Long agreed. Mr. Kinne asked how the department is fairing. Mr. Long said it is a struggle, but are doing it.

Passed unanimously; MOTION CARRIED.

16. Van Duyn: Roberta Sprague, Commissioner

a. **'08 Transfer of funds from Acct. 101 Reg. Empl. Sal. to Acct. 410 All Other Exp. in the amount of \$100,000 to cover higher than anticipated security, laundry, and personnel advertising costs, etc.**

Increase in several areas: Atlas Linen, up about 4% and had budgeted 2%. It ties to the census; more residents, more laundry. Securits, County contract for security officers, increased in late 2007; and again in June 2008, which cost about \$25,000 more than anticipated.

A motion was made by Mr. Kinne, seconded by Mr. Stanczyk.

Mr. Stanczyk asked about the IGT money, and asked where Van Duyn will be with these activities. Mrs. Sprague said that they are not always privy to knowing if/when they will get the IGT money, which was the scenario. The government took the grants for the public nursing facilities--they reduced it and then came up with the IGT. At this point, Van Duyn has received \$18 million. It is still unknown as to what will be done with it going forward. The money has to be used for expenses at Van Duyn. Mr. Stanczyk asked where Van Duyn will be in 2 years. Mrs. Sprague said that the County Executive is going to take a look at the future of Van Duyn. At this point, she is not privy as to when those meetings will begin.

Chairman Rhinehart said that he thought laundry was done in-house at Van Duyn. Mrs. Sprague explained that personal laundry is done in house; all sheets, bibs, etc, are done by Atlas Linen.

Mr. Corbett asked about increased cable costs. Mrs. Sprague said that cable TV rates went up about 6%; about 4% was budgeted; the Time Warner bill was about \$7,000. Mr. Corbett asked if patients contribute to the cost. Mrs. Sprague said "no" cable costs have been included in the budget many years prior to her going to Van Duyn. With the austerity plan, they are going to explore if it is something that should be put to the resident. She said many residents only get \$50/month allowance to use for personal expenses. Mr. Corbett asked if Van Duyn is charged per usage or is this an increase in the amount of ports that are available to use. He questioned how many times Van Duyn is being charged when a resident isn't using it in their room. Ms. Frigon said that they are charged for the number of ports. Mr. Stanczyk asked how much is paid per month; Ms. Frigon said that she would have to report back on that number. Mr. Stanczyk said that there should be a discussion with Time Warner. Mrs. Sprague said that about 2 years ago they had discussion with them; at that time Time Warner could not reconfigure anything for them. Another tie in is the phone service. Right now it takes 4 -8 weeks for a resident to get their phone turned on. She has been working with the County and the phone company to see how to get it done more effectively. Mr. Stanczyk asked Mrs. Sprague to report to the Health Committee about telephone and cable service. Mrs. Sprague explained that there are alternatives, but she has not had the ability to move forward on her capital plans, which means an entirely new phone system is needed. Chairman Rhinehart said that residents also can get a pre-paid cell phone. Mr. Kraft said that there are other alternatives, such as Direct TV; Mrs. Sprague said that there have been discussions about that. She said that she is as frustrated as the committee is with regard to the phones and the cable. She reminded the committee that other facilities are competing with Van Duyn for the residents. If a person can't come in and get a phone, or cable, they are not as attractive as the next person.

Passed unanimously. MOTION CARRIED.

b. **2008 Transfer of funds from Acct. 101 Reg. Employee Salaries to Acct. 215 Furn. & Other Capital Outlay in the Amount of \$120,000 to Cover Higher than Anticipated Costs Associated with Replacement of Medical Equipment, Sidewalk Repairs, Etc. (\$120,000)**

This is for items that they could not anticipate. The bladder scanner broke \$10,000; floor cleaning machines needed to be replaced \$12,000. On the capital, it is anticipated that they will get about 80% back on the Medicaid reimbursement.

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

17. **Transportation:** Brian Donnelly, Commissioner

a. **Authorizing an agreement with the State of New York for Snow and Ice Control Services on State Highways for the 2008-2009 Season**

County will plow approximately 213 miles of State roads. Mr. Stanczyk asked if the reimbursement has increased. Mr. Donnelly said that it has; it is in item 17b--budgeted \$1.569 million for '09; and it has gone to \$1.716 million.

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

b. **Amend '09 Budget to accept additional revenue pursuant to the agreement with New York State to provide snow and ice control services on State roads and appropriating such funds (\$146,169)**

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

c. **Amending the 2008 County Budget with respect to the Road Machinery budget to adjust for higher fuel prices and higher budgeted costs of maintenance and repairs (\$111,000)**

The transfer is needed to handle the additional cost of fuel and road repairs.

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

Mr. Corbett asked if there is any opportunity to make up the costs in months where not as much was spent. Mr. Donnelly said that they are confident that this will cover them for the end of the year. It will depend on the severity of the weather and how often they have to go out and plow between now and the end of the year.

Chairman Rhinehart asked how the County bills back to for other agencies—school buses, fire depts., etc. Mr. Gottstein said that the County bills back based on what the DOT costs are. The total amount paid out per gallons; billed quarterly.

Mr. Kraft asked about the contracts with towns/village and the cost of fuel. Mr. Donnelly said that the price for fuel will fluctuate based on actual costs. The towns and villages are paid twice per year; in January and at the end of the season, based on actual. The fuel is flexible; salt is fixed with the exception if the price of fuel goes through the roof, they have a right to put on a surcharge; labor it fixed.

Chairman Rhinehart asked if the 2009 budget was based on what was paid this year. Mr. Donnelly said that \$390 was budgeted for diesel; \$3.17 for gas. Chairman Rhinehart said that in June there should be money going back to the general fund.

Passed unanimously; MOTION CARRIED.

Chairman Meyer interrupted the meeting at this time. Mrs. Smiley said that she was just advised by Emergency Communications, that they are currently experiencing problems with the CAD. It is down, as well as the computerized telephone system. They are currently doing business at 9-1-1 the old way—regular telephones, taking information, getting it dispatched. People are on their way to the back up site now; the CAD is down at the back-up site as well. 9-1-1 is functioning; various experts are on site to determine what is happening. It was down at approximately 9:50 a.m. Mr. Stanczyk said he is very curious as to why both systems are down simultaneously.

18. Parks: Kate Skahen, Administrative Director

a. **Amending Res. No. 139-2003 to increase the amount of cash funds available for the purpose of providing and making change at Jamesville Beach Park and Oneida Shores Park**

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

Mr. Stanczyk asked about the cost of parking. Ms. Skahen said that the '09 budget included a pricing change for admission during each season--\$4 weekday; \$5 weekends. When the beach is closed, there is no fee.

Passed unanimously; MOTION CARRIED.

b. **2008 Transfer of funds from Acct. 408 Professional Svcs. to Acct. 413 Maintenance, Utilities & Rents in the amount of \$30,000 to cover unanticipated maintenance and repair expenses (\$30,000)**

This is needed to deal with some unanticipated maintenance and repairs at various parks. Lightening struck a transformer at Oneida Shores that needed to be replaced; a water project was completed at Jamesville Beach; extra paving to repair dangerous potholes at Onondaga Lake Park. The items combined caused a deficit of approximately \$30,000.

Mr. Kraft asked if the 413 will be expired by the end of the year. Ms. Skahen indicated that it will be.

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

c. **'08 Transfer from Acct. 120 Emp. Ben. to Acct. 300 Supplies & Matls. in the Amount of \$83,000 to Cover Higher than Anticipated Costs Associated with Fuel, Grass Field Supplies & Animal Food**
Mr. Kinne made a motion to approve this item.

Chairman Rhinehart asked how the employee benefits line has a surplus. Ms. Skahen replied that utilization is down, which has a correlating impact on employee benefits. Mr. Seitz said that it is across the board; there was a significant reduction in the bill for employees' retirement for 2008 in late August. There is a reduction in health costs as well. It is factored into the 2009 budget; the State dropped less than 8% of payroll for 2009. It was about a \$3 million gross savings; which is in the budget. Mr. Stanczyk asked how much surplus is there across the board; Mr. Seitz said that just in retirement there is about \$3 million. Mr. Stanczyk asked for an estimate on how much will be taken up by items like this transfer and how much will fall to the bottom line. Mr. Seitz said it is about \$2 million for the general fund, about 60% local, about \$1 million-\$1.2 million local impact. At least \$200,000-\$300,000 will be taken for shortfalls. In answer to Mr. Stanczyk, Mr. Seitz indicted that the estimated close for the year is between \$0-\$2 million.

Mrs. Rapp asked how the County doing with the sales tax projection for the last quarter. Mr. Seitz said that it wouldn't be known

until January 15th, when the 4th quarter is reconciled. The November and December payments are advances, and are based on last year. The last quarter sales tax check is projected to be up over \$2 million over last year. Gas was up significantly in September and October and a little of November.

Mr. Kraft asked if the transfer is approved, is a year-end surplus expected in the 300 account. Mrs. Skahen said that if they do, it will be slight; the transfer is needed at this time to pay current bills.

Chairman Rhinehart seconded the motion. Passed unanimously; MOTION CARRIED.

Chairman Meyer interrupted the meeting for Mrs. Smiley to update the committee on 9-1-1. Mrs. Smiley stated that she just received a report that the systems are coming back on line, not all are up yet. Regarding the back up phones and radios; all agencies were notified at the time. At this point in time, they don't believe that any calls were missed. Mr. Warner stated that a full report should be given at committee about this.

19. Personnel:

a. **2008 Transfer of funds from Acct. 101 Regular Employee to Acct. 410 All Other Expenses in the amount of \$22,000 due to an increase in candidates taking civil service exams (\$22,000)**

A per candidate fee is paid to NYS every time a candidate is tested for civil service exams. They had more candidates than they had anticipated; budgeted 4,000 candidates and tested 6,000.

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

There is a revenue over estimate, they budget for \$80,000, and it will be approximately \$120,000. The money goes directly to the general fund; the department cannot spend the revenue. Mr. Seitz said that a resolution could have been processed and revenue appropriated or they could transfer available funds from another account. It could be done either way.

Mrs. Rapp seconded the motion. Passed unanimously; MOTION CARRIED.

b. **Accepting & Approving Contract Between Co. of Onondaga and the IUOE Local 832S, AFL-CIO**

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

These employees are at Van Duyn, Correction and Facilities Management.

Mr. Kraft said that he is concerned about the 5-year programs. It is not know where the economy is going or what will happen.

Mrs. Walter reported that there are 39 employees in this group. This is basically the same numbers as were negotiated for CSEA. This group had a one-year deal for 2008, so this contract starts in 2009, as opposed to CSEA which was retroactive for 2008. There are still 3 units out: Building/Trades, Nurses, and DSBA.

Passed unanimously. MOTION CARRIED.

20. Management & Budget:

a. **Amend '08 Budget to Provide Funds for the Salary & Wage Accounts for Departments that are Reimbursed by Federal Aid, State aid, Other Revenues and Transfers to Other Funds (\$565,947)**

This is the federal and state aid portion, plus Transportation and Libraries share of MC, CSEA, LPN, and Captain's agreements. The rest are done by executive transfer. This is standard-. They budget just the local share and come back and appropriate additional federal and state aid and transfer local share to DOT and Library. This is consistent with the raises that were adopted. He will be back next month amending the 2009 budget for the agreements that were passed for the multi-year units.

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

21. Law Department:

a. **Settlement of Claim**

A motion was made by Mr. Corbett to leave regular session and enter into executive session to discuss the pending case of Robert F. Paninski V. Onondaga County Department of Correction, Timothy H. Cowin, Commissioner. Chairman Rhinehart seconded the motion. AYES: 8; NOES: 0; ABSTAINING: 1 (Stanczyk). MOTION CARRIED.

A motion was made by Mr. Corbett, seconded by Chairman Rhinehart to exit executive session and enter into regular session. AYES: 7; NOES: 0; ABSENT: 2 (Kraft, Stanczyk). MOTION CARRIED.

A motion was made by Mr. Corbett to approve a resolution entitled "Authorizing the Settlement of the Federal Court Action of Robert F. Paninski V. Onondaga County Department of Correction, Timothy H. Cowin, Commissioner."

Chairman Rhinehart seconded the motion. AYES: 7; NOES: 0; ABSENT: 2 (Kraft, Stanczyk). MOTION CARRIED.

The meeting was adjourned at 11:15 a.m.

Respectfully submitted,
DEBORAH L. MATURO, Clerk
Onondaga County Legislature