



Onondaga County Legislature

JAMIE McNAMARA
Clerk

JAMES J. ROWLEY
Chairman

TAMMY BARBER
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
Phone: 315.435.2070 • Fax: 315.435.8434 • www.ongov.net/legislature

RESOLUTION NOS. 109 - 114

OFFICE OF THE CLERK

September 5, 2023

Livestream Available: <https://www.facebook.com/OnondagaCountyLegislature>

Listed below are the resolutions presented to the County Legislature at the September Session. The meeting was held at **1:00 p.m. on Tuesday, September 5, 2023.**

- A. CALL TO ORDER
- B. CALLING OF ROLL MEMBERS
- C. INVOCATION – **Mr. Burtis**
- D. SALUTE TO THE FLAG – **Ms. Gunnip**
- E. PREVIOUS SESSION MINUTES APPROVED
- F. PRESENTATION OF COMMUNICATIONS
 - 1. **Public Comment:**
 - a. Public comment period had 0 speakers
- H. REPORTS OF STANDING COMMITTEES - None
- I. REPORTS OF SPECIAL COMMITTEES - None
- J. CALL OF RESPECTIVE LEGISLATIVE DISTRICTS (District 3)

3rd DISTRICT – MR. BURTIS, PLANNING & ECONOMIC DEVELOPMENT

- 1. **No. 109** Calling for a Public Hearing on the Proposed Inclusion of Viable Agricultural Lands Within Certified Agricultural Districts Pursuant to Section 303-B of the New York State Agriculture and Markets Law (October 5, 2023 at 3:55 p.m.) (16-0-1 Bush)
- 2. **No. 110** Amending the 2023 County Budget to Make Surplus Room Occupancy Funding Available for Use in Support of a Public Arts Program (\$500,000) (14-2 Kuhn, Kinne -1 Bush)

6th DISTRICT – MS. ABBOTT, ENVIRONMENTAL PROTECTION

- 3. **No. 111** A Resolution Calling for a Public Hearing in Connection with the Proposed Adoption of an Amended Schedule of Sewer Rents for the Onondaga County Sanitary District (October 10, 2023 at 12:55 p.m.) (16-0-1 Bush)

10th DISTRICT – MR. OLSON, PUBLIC SAFETY

- 4. **No. 112** Authorizing an Intermunicipal Agreement with the County of Oswego to Provide Disaster Assistance (16-0-1 Bush)
- 5. **No. 113** Amending the 2023 Onondaga County Budget to Accept Grant Funds from the New York State Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Program (\$113, 243) (16-0-1 Bush)

1st DISTRICT – MR. MAY, WAYS & MEANS

- 6. **No. 114** Resolution of the Legislature of the County of Onondaga Increasing Taxes on Sales and Uses of Tangible Personal Property and of Certain Services, on Occupancy of Hotel Rooms and on Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York (16-0-1 Bush)

LOCAL LAW

- a. ***PASSED*** Authorizing the Use of Onondaga County Purchase Cards in Advance of Audit for Purchases up to \$1,000 (*Sponsored by Mr. May*) (*16-0-1 Bush*)

- K. UNFINISHED BUSINESS
- L. ANNOUNCEMENTS FROM THE CHAIR
- M. ADJOURNMENT

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Jm', with a long horizontal flourish extending to the right.

JAMIE McNAMARA, Clerk
Onondaga County Legislature

**SEPTEMBER 5, 2023
SESSION**

ROLL CALL

LEGISLATOR	PRESENT:	ABSENT:	
1. MAY	✓		<p align="center"><i>Chairman Rowley called the meeting to order at 1:03 p.m.</i></p>
3. BURTIS	✓		
4. GUNNIP	✓		
5. CODY	✓		
6. ABBOTT	✓		
7. KUHN	✓		
8. RYAN	✓		
9. CHASE	✓		
10. OLSON	✓		
11. McCARRON	✓		
12. KNAPP	✓		
13. BUSH		✓	
14. KELLY	✓		
15. KINNE	✓		
16. GARLAND	✓		
17. ERVIN	✓		
2. ROWLEY	✓		
TOTAL:	16	1	

September 5, 2023

Motion Made By Mr. Burtis, Mr. Knapp, Mr. May

RESOLUTION NO. 109

CALLING FOR A PUBLIC HEARING ON THE PROPOSED INCLUSION OF VIABLE AGRICULTURAL LANDS WITHIN CERTIFIED AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-B OF THE NEW YORK STATE AGRICULTURE AND MARKETS LAW

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides land owners with a thirty-day period to submit requests for the inclusion of predominantly viable agricultural lands within certified agricultural districts; and

WHEREAS, pursuant to Onondaga County Legislature Resolution No. 71-2004, that thirty-day period began January 1, 2023 and ended January 30, 2023; and

WHEREAS, the owners of the following property filed a request for inclusion of predominantly viable agricultural land within certified agricultural districts:

2023 RECOMMENDED ADDITIONS				
DISTRICT	TOWN	OWNER	PARCEL	ACRES*
1	TULLY	NATHAN & CRISTY WILLIAMS	111.-01-07.1	19.40
1	TULLY	NATHAN & CRISTY WILLIAMS	111.-01-08.0	17.16
1	TULLY	NATHAN & CRISTY WILLIAMS	111.-01-10.1	52.67
1	TULLY	NATHAN & CRISTY WILLIAMS	111.-01-10.3	25.53
District 1 Total				114.76
3	ELBRIDGE	AARON LEENTJES	027.-04-10.0	6.20
District 3 Total				6.20
GRAND TOTAL				120.96
* Calculated using a Geographic Information System, not Real Property Services (RPS) data.				

and

WHEREAS, the Onondaga County Agriculture and Farmland Protection Board has reviewed such requests and determined that such property would serve the public interest by assisting in maintaining a viable agricultural industry within the districts; and

WHEREAS, Section 303-b of the Agriculture and Markets Law requires a hearing upon notice concerning the request for inclusion of such parcels within the certified agricultural districts, and it is the desire of this Legislature to call such hearing; now, therefore be it

RESOLVED, that pursuant to Section 303-b of New York State Agricultural and Markets Law, a public hearing will be held to consider the above requests for inclusion and recommendations on the inclusion of predominantly viable agricultural lands within certified agricultural districts, which hearing shall be held at the Onondaga County Court House, County Legislative Chambers, 4th Floor, 401 Montgomery Street, Syracuse, New York on Thursday, October 5, 2023 at 3:55 p.m.; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to cause publication of such hearing pursuant to applicable law.

ADOPTED 9/5/2023



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 5th day of September 2023.

A handwritten signature in blue ink, appearing to be "Jm", is written over a horizontal line.

Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 109

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	1
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN					
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE					
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	16	0	1	0	

September 5, 2023

Motion Made By Mr. Burtis

RESOLUTION NO. 110

AMENDING THE 2023 COUNTY BUDGET TO MAKE SURPLUS ROOM OCCUPANCY FUNDING AVAILABLE FOR USE IN SUPPORT OF A PUBLIC ARTS PROGRAM

WHEREAS, there are prior year surplus room occupancy tax funds available, and it is necessary to amend the budget to make such funds available for use in direct support of hospitality initiatives and programs within the County; and

WHEREAS, in order to provide such funding in support of a public arts program, it is necessary to authorize the execution of intermunicipal agreements in connection therewith; now, therefore be it

RESOLVED, that the 2023 County Budget be amended as follows:

REVENUES:

In Admin Unit 2365300000
County Promotion
In Speed Type #140814
In Project 719010 – County Tourism
In Account 590005 – Non Real Prop Tax Items \$500,000

APPROPRIATIONS:

In Admin Unit 2365300000
County Promotion
In Speed Type #140814
In Project 719010 – County Tourism \$500,000

and, be it further

RESOLVED, that the County Executive is authorized to enter into agreements and execute such other documents as may be reasonably necessary to implement the intent of this resolution.

ADOPTED 9/5/2023



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Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 110

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	2
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN		✓			
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE		✓			
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	14	2	1	0	

September 5, 2023

Motion Made By Ms. Abbott

RESOLUTION NO. 111

A RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH THE PROPOSED
ADOPTION OF AN AMENDED SCHEDULE OF SEWER RENTS FOR THE ONONDAGA COUNTY
SANITARY DISTRICT

WHEREAS, by Resolution No. 563-1978 and pursuant to the Onondaga County Administrative Code Section 11.79, this County Legislature established and imposed a schedule of sewer rents for the Onondaga County Sanitary District (“District”), and such schedule imposed sewer rents upon property owners within the District on the basis of a “unit”, using an estimate of 146,000 gallons per year for each such unit; and

WHEREAS, by Resolution No. 152-2022, this County Legislature provided for a new schedule of sewer rents, redefining a unit using an estimate of 110,000 gallons per year for each such unit; and

WHEREAS, it is now proposed to redefine such unit to use an estimate of 105,000 gallons per year for each such unit, and the Commissioner of Water Environment Protection has prepared a schedule of proposed sewer rents which would supplant and supersede the current schedule of rents; and

WHEREAS, the proposed schedule has been filed with the Clerk of the County Legislature and with the clerks of the various towns, villages and the City of Syracuse all within or partly within the District wherein such proposed sewer rents would be effective; and

WHEREAS, the Commissioner of Water Environment Protection of said County, pursuant to the Onondaga County Administrative Code, held a Commissioner’s Hearing on August 22, 2023 to consider said modification of sewer rents and has prepared and submitted to said County Legislature a Report dated August 22, 2023, duly approved by the County Executive and filed with the Clerk of the Onondaga County Legislature, recommending modification to the existing schedule of sewer rents; now, therefore be it

RESOLVED, that a public hearing be held for the purpose of considering the proposed sewer rent schedule and the Commissioner’s Report and said public hearing shall be held in the Legislative Chambers in the County Court House, in Syracuse, New York, on the 10th day of October, 2023 at 12:55 o'clock P.M. for the purpose of considering the aforesaid matter; and, be it further

RESOLVED, that the Clerk of the Onondaga County Legislature hereby is directed to cause a notice of such public hearing to be published and posted in the manner provided by Section 11.79 of the Onondaga County Administrative Code.

ADOPTED 9/5/2023



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Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 111

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	3
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN					
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE					
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	16	0	1	0	

September 5, 2023

Motion Made By Mr. Olson

RESOLUTION NO. 112

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF OSWEGO TO
PROVIDE DISASTER ASSISTANCE

WHEREAS, pursuant to Article 2-B of the New York State Executive Law and federal nuclear regulatory requirements the County of Oswego has developed a disaster preparedness plan for the purpose of minimizing the effects of a disaster and coordinating the use of local resources during such an event; and

WHEREAS, implementation of Oswego County's plan includes assistance by Onondaga County in the event of a threat or occurrence of a disaster; and

WHEREAS, the County of Oswego desires to enter into an intermunicipal agreement with Onondaga County for a term of five (5) years to outline the circumstances in which such assistance may be requested; and

WHEREAS, pursuant to such agreement, in the event of a disaster Oswego County would reimburse Onondaga County for all reasonable and necessary costs incurred as part of providing such assistance; and

WHEREAS, in addition, Oswego County will provide Onondaga County \$35,000 in each year to help defray the costs of training and exercising that is conducted to ensure effective response capability for a radiological incident; now, therefore be it

RESOLVED, that the County Executive is hereby authorized to execute agreements and such other documents as may be reasonably necessary to carry out the intent of this resolution.

ADOPTED 9/5/2023



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Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 112

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	4
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN					
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE					
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	16	0	1	0	

September 5, 2023

Motion Made By Mr. Olson

RESOLUTION NO. 113

AMENDING THE 2023 ONONDAGA COUNTY BUDGET TO ACCEPT GRANT FUNDS FROM
THE NEW YORK STATE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

WHEREAS, New York State, through the Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Program, has awarded the County of Onondaga funding in the amount of \$113,243 to support the purchase of vehicle and handheld radios; and

WHEREAS, it is necessary to include such funds in the Office of the Onondaga County District Attorney's 2023 budget and authorize the execution of intermunicipal agreements; now, therefore be it

RESOLVED, that the County Executive is authorized to execute agreements and such other documents as may be reasonably necessary to implement the intent of this resolution; and, be it further

RESOLVED, that the 2023 County budget be amended as follows:

REVENUES:

In Admin Unit 3100000000

District Attorney

Speed Type #300215

Project 728228

DA Radio Project

In Acct. 590012

Fed Aid – Fed Aid Public Safety

\$113,243

APPROPRIATIONS:

In Admin Unit 3100000000

District Attorney

Speed Type #300215

Project 728228

DA Radio Project

In Acct. 692150

Furniture, Furnishings & Equipment

\$113,243

ADOPTED 9/5/2023



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A handwritten signature in blue ink, appearing to be "J. Olson", is written over a horizontal line.

Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 113

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	5
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN					
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE					
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	16	0	1	0	

September 5, 2023

Motion Made By Mr. May

RESOLUTION NO. 114

RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF ONONDAGA INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ONONDAGA, AS FOLLOWS:

Section 1. Section 4-A of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this Resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning September 1, 2004, and ending November 30, 2025. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this Resolution relating or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this Resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

Section 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of one percent imposed for the period beginning September 1, 2004, and ending November 30, 2025, in respect to the use of property used by the purchaser in this county prior to September 1, 2004.

Section 3. The opening paragraph of subdivision (2) of Section 14 of Resolution No. 372, enacted by the Legislature of the County of Onondaga on September 11, 1967, imposing sales and compensating use taxes, as amended by Resolution No. 89-2020, is amended and two new subparagraphs (P) and (Q) are added to read as follows:

(2) Notwithstanding any contrary provision of law, net collections from the additional one percent rate of sales and compensating use taxes imposed by the county during the period commencing September 1, 2004, and ending November 30, 2025, pursuant to the authority of section 1210 of the New York Tax Law, shall not be subject to any revenue distribution agreement entered into under subdivision (c) of section 1262 of the Tax Law, but shall be distributed as follows:

(P) Net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2023, through November 30, 2024, shall be allocated and

distributed or paid, at least quarterly, as follows: (i) 1.58% to the County of Onondaga for any county purpose; (ii) 97.79% to the City of Syracuse; (iii) 0.63% to the school districts in accordance with subdivision (a) of section 1262 of the New York Tax Law.

(Q) Net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2024, through November 30, 2025, shall be allocated and distributed or paid, at least quarterly, as follows: (i) 1.58% to the County of Onondaga for any county purpose; (ii) 97.79% to the City of Syracuse; and (iii) 0.63% to the school districts in accordance with subdivision (a) of section 1262 of the New York Tax Law.

Section 4. This enactment shall take effect December 1, 2023.

ADOPTED 9/5/2023



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 5th day of September 2023.

A handwritten signature in blue ink, appearing to be "Jm", is written over a horizontal line.

Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

No. 114

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:	6
1. MAY					
8. RYAN					
3. BURTIS					
4. GUNNIP					
5. CODY					
6. ABBOTT					
7. KUHN					
9. CHASE					
10. OLSON					
11. McCARRON					
12. KNAPP					
13. BUSH			✓		
14. KELLY					
15. KINNE					
16. GARLAND					
17. ERVIN					
2. ROWLEY					
TOTAL:	16	0	1	0	

LOCAL LAW NO. A - 2023

AUTHORIZING THE USE OF ONONDAGA COUNTY PURCHASE CARDS IN ADVANCE OF
AUDIT FOR PURCHASES UP TO \$1,000

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA,
AS FOLLOWS:

Section 1. The purpose of the Purchase Card (“P-Card”) program is to provide Onondaga County Departments with a simplified method of procuring low-dollar items, allowing for the immediate acquisition of goods and services and thereby reducing the time and cost associated with purchase order and payment processing.

Section 2. P-Cards shall be issued to employees in departments where effectiveness or economy of operation will be enhanced through use of a P-Card; the program, consistent with existing policies and procedures for the procurement of goods or services that fall below monetary bid limits, will be limited to transactions for goods and services of \$1,000 or less; and the use of P-Cards provides a convenient and secure method to track and review all such purchases.

Section 3. In accordance with County Law § 369(6) and County P-Card Program policies and rules including, but not limited to, those related to cardholder, department head, Finance Department, and P-Card administrator responsibilities, P-Card controls, prohibited/authorized uses, training, and recordkeeping; the County of Onondaga is hereby authorized to use P-Cards for single purchases/transactions of up to \$1,000 in advance of audit.

Section 4. Effective Date. This Local Law shall take effect immediately and shall be filed consistent with the provisions of New York State Municipal Home Rule Law.

PASSED 9/5/2023



I hereby certify that the foregoing is a true and exact copy
of the legislation duly adopted by the County Legislature
of Onondaga County on the 5th day of September 2023.

A handwritten signature in blue ink, likely of the Clerk of the County Legislature.

Clerk, County Legislature

**SEPTEMBER 5, 2023
SESSION**

Local Law A

LEGISLATORS	AYES:	NOES:	ABSENT:	EXCUSED:
1. MAY	✓			
8. RYAN	✓			
3. BURTIS	✓			
4. GUNNIP	✓			
5. CODY	✓			
6. ABBOTT	✓			
7. KUHN	✓			
9. CHASE	✓			
10. OLSON	✓			
11. McCARRON	✓			
12. KNAPP	✓			
13. BUSH			✓	
14. KELLY	✓			
15. KINNE	✓			
16. GARLAND	✓			
17. ERVIN	✓			
2. ROWLEY	✓			
TOTAL:	16	0	1	0

*The meeting was
adjourned at 1:14 p.m.*