



Onondaga County Legislature

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WAYS & MEANS COMMITTEE MINUTES – MARCH 28, 2023 BRIAN F. MAY, CHAIR

MEMBERS PRESENT: Mr. Ryan, Mr. Burtis, Ms. Abbott, Mr. Knapp, Mrs. Ervin, Mr. Kinne
ALSO ATTENDING: Chairman Rowley, Ms. Gunnip, Ms. Cody, Ms. Kuhn, Dr. Chase, Mr. Olson,
Mr. Bush; also see attached

Chair May called the meeting to order at 11:34 a.m. *The minutes of the previous meeting had been distributed, and there were no objections to waiving the reading. There were no corrections to the minutes, and the minutes were approved.*

1. **APPOINTMENT:** Benjamin Yaus, First Chief Deputy County Attorney
 - a. **Confirming Appointment to the Onondaga County Resource Recovery Agency** (Jesse McMahon)
(Sponsored by Ms. Abbott)
 - Makes sense to have Environmental Director on OCRRA board, as WEP is the agency that coordinates with OCRRA and handles waste management issues

A motion was made by Mr. Knapp, seconded by Ms. Abbott, to approve this item. Passed unanimously; MOTION CARRIED.

2. **ADULT & LONG TERM CARE:** JoAnne Spoto-Decker, Commissioner; Maria Mahar, Deputy Commissioner
 - a. **2023 Transfer Resolution** (\$1,000,000) (Sponsored by Ms. Gunnip)

Request: Release \$1 M from contingency to support Senior and Community Center physical plant and operational improvements

Goal: Assist with cost of modernization and updates of senior focal points so that they may continue to provide essential and diverse services to our valued and growing Senior population

Process: Request for Proposals from Senior and Community Centers through the Dept. of Purchase

- Grants awarded up to \$100,000
- Expenditures may include any physical plant improvement and other purchases including: plumbing, painting, carpentry, heating, ventilation, air conditioning, electrical, internet, and also appliance and van purchases

Who will receive:

- 22 Senior and Community Centers (list provided)
- All Onondaga Town Supervisors
- All Onondaga County Village ~~Supervisors~~ *Mayors*

Anticipated Award: May/June, 2023

- Capital improvements for senior centers
- 22 centers – long served as hub for seniors and provide safe place for them to gather for variety of health related activities
- No match requirement
- Van purchases – pick up, bring to and bring home seniors who attend the center’s services
- Composing RFP currently
- Senior centers built in 70’s for bingo, but seniors are changing – playing Pickleball, need internet, exercise programs
- Visited centers requesting updates as seniors have changed; need physical structure and vans to accommodate centers

Questions/comments from the committee:

- How will the selection process and administration of funds be done?
 - \$1M in ALTC budget
 - Finance:
 - Community Development may have some involvement, but not appropriate agency
 - Release from contingency to be evaluated by internal committee, who will make the decision
 - Grant administered through ALTC
 - Once proposals vetted and awarded, then it is a matter of pushing money out based on reimbursements
 - Finance Department will facilitate
- Recent trend undertaken to have representative of Legislature at the table during selection process; (i.e.) Opioid settlement money; would like that commitment today to have a seat at table and be part of the process
 - Yes
- Will there be other places (i.e. Community Center in Camillus) considered that are not listed?
 - This is why the RFP is being sent to village mayors and town supervisors
 - Get broad input of activities that may not be in established senior centers; could be in a different place
- Onondaga County Government is doing administration
- Things or needs like that (community centers) can be steered toward Community Development
- Would the request for proposals come from towns and villages for the senior centers and community centers?
- Would it be administered through the town?
 - Yes, will come from towns and villages
 - Also nonprofit organizations (i.e. Dunbar Center, Syracuse North East Community Center, Salvation Army)
 - Any place where people congregate and have a “social adult day program” or “senior center activity”
 - Looking for broad participation
- Anticipate that \$1M could go quickly
 - Done some preliminary work – seeing that senior centers are looking for (i.e.) activities, trips, arts and crafts
 - They are not looking for physical plans
 - Office of Aging has funding for those (activities, trips) requests
 - \$1M will be great start to help centers modernize
- When the committee is formed, will the Legislature be made aware of who is on the committee and making decisions?
 - Yes
 - Finance:
 - Similar to Opioid Committee set up, this committee will make recommendations that the County’s RFP Committee will consider and make decisions on
- Legislature’s job is to set policy and decide to appropriate \$1M for this project; the emerging best practice to have a Legislator as part of the process is to link the initiative to decisions Legislators make; get feedback on what is happening
- Makes sense to have someone from this body on the committee; easier than asking for reports
- This is a good project, but who decided on \$1M?
- (i.e.) \$1M/22 senior centers = ~\$45,000/each; which would be less if they add in other community centers
- Initiative from administration and function of cash; keep in mind, have Community Development and town/village

programs that provide support to these types of facilities; Community Development grants are \$50,000/each

- Finance
 - Program fitting in overall context of initiatives for county as a whole
 - Determined that initial investment would be \$1M; if program successful and had to leave projects on the table, then can consider funding or refunding in the future

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

3. PERSONNEL: Carl Hummel, Commissioner; Dawn Clarry, Deputy Commissioner

a. Accepting and Approving the Contract Between Onondaga County and the Central and Northern New York Building and Construction Trades Council

- 3% wage increase for 2022, 2023 & 2024
- Non-compounding cash payments each year to help with inflation; temporary problem, did not need permanent solution
 - 2023 - \$3,000
 - 2024 - \$2,500
 - 2025 - \$1,000
- Negotiated drug/alcohol policy (goal to have written policy testing procedure for each bargaining agreement)
- Changed language on overtime; previous language was unclear
- Increased comp time for on-call when it is a Friday Holiday (happens rarely - twice in regular year) for those with 7 day call period
- Total cost \$722,527.99

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

b. Personnel Resolution (OCPL)

- Transferring position from Personnel Department to Library
- County doing payroll consolidation project; Personnel taking over payroll; leave behind personnel processing work
- Library without person/position to do that; asked to borrow Administrative Assistant position from Personnel roster
- That was done; Library filled position, and it has worked very well
- Personnel does not need the position (vacant/unfunded) – transfer to Library to continue to do the work
- Position is not abolished, it is moved off Personnel roster to Library's roster

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

c. Personnel Resolution (HELP Program)

- Hiring Emergency Limited Placement (HELP) Program
- NYS realized the difficulty municipalities are having with hiring particularly with certain positions
- County has lot of vacancies and provisional appointments, because NYS cannot process (civil service) tests fast enough
- People do not want to take positions that will require testing 2-3 years down road, because they may have to vacate the position due to not scoring high enough
- Program allows municipalities to identify positions within certain families of positions (*seen below in letter*)



**Department of
Civil Service**

KATHY HOCHUL
Governor

TIMOTHY R. HOGUES
Commissioner

PAR-03-23

POLICY ADVISORY REPORT

TO: All Municipal Civil Service Agencies
FROM: Municipal Services Division
SUBJECT: Hiring Emergency Limited Placement Program (HELP Program)
DATE: January 13, 2023

In response to local agencies having significant challenges filling positions across local government due to the tight labor market, competition with private sector employers and eligible lists that have become exhausted, the New York State Department of Civil Service, Municipal Services Division (MSD), is pleased to announce the Hiring Emergency Limited Placement Program (HELP Program). This is a temporary program to help local government employers address the current staffing issues for critical health and safety titles.

The Department also worked with the Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA) who advocated for the program’s establishment on behalf of Local Districts of Social Services (LDSS) statewide given the aggravated recruitment difficulty some LDSS are experiencing filling Caseworkers and Social Welfare Examiners on a permanent basis.

The Department solicited input from local agencies to determine the appropriate scope of the local HELP program. Your input made it clear that health and safety positions have the greatest number of vacancies or positions filled by provisional appointments.

The titles identified are found in the following examination holdings:

Holding Name	Number of Provisionals and Vacancies Statewide
Social Welfare Examiner	478
Caseworker	433
Social Work Services	227
Higher Level Caseworker	160
Human Services Paraprofessional	134
Public Safety Dispatcher	120
Public Health Sanitarian - Engineer	92
Child Support	57
Aging Services	27
Higher Level Social Welfare Examiner	19
Total	1,747

While the Department of Civil Service has been working diligently to fulfill requests for examination services submitted by local civil service agencies and converting examinations to training and experience format, agencies are indicating that they need to fill positions faster than the Department can currently accommodate.

The Municipal Services Division sought approval from the Commission at its January 11, 2023, meeting to establish the HELP Program for local government employers.

The HELP Program is a tool that is available on a temporary basis for agencies that believe eliminating the competitive examination will speed up the hiring process for critical titles that meet the HELP Program's criteria. Using this tool, local civil service agencies can place competitive class positions in the non-competitive class on a temporary basis.

Local agencies experiencing emergency staffing issues can seek a 12-month approval from the Commission to implement the HELP Program for titles that meet the program's criteria. The 12-month duration of this program begins when the rule making takes effect (filing with the NYS Department of State).

To assist with expedited processing of positions that could be filled through the HELP Program, this PAR contains a sample rules resolution package that you can use to request the temporary placement of positions in the non-competitive class. Positions removed from the competitive class as a result of this program must have the parenthetical (HELP Program) as part of the title to help differentiate them from their counterparts in the competitive class.

Participation in the HELP Program must be done by following the procedures detailed in section 20 of the Civil Service Law and by submitting a rules resolution to amend your local Civil Service Rules to the Municipal Services Division for presentation to the State Civil Service Commission. The Commission approved the program and established a deadline of December 31, 2023 for the submission of initial rules resolutions from local civil service agencies to "opt-in" to the program.

HELP Program Criteria

Titles appropriate for hiring under the local HELP Program will be limited to positions that provide critical services, which if left unfilled, would result in the basic health, safety, and daily needs of New Yorkers being unmet. As mentioned above, the Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA) are supportive of the HELP Program for positions in local social services districts such as Caseworkers and Social Welfare Examiners.

To ensure the integrity of the merit system, titles for which agencies can make appointments under the HELP Program must meet all the below criteria:

Criteria 1: Titles are deemed to be critical, direct care, health and safety titles. Employees serving in these titles provide services or care directly to clients, consumers, patients, or the public. Titles tested in the examination holdings listed above meet this criterion.

Criteria 2: A severe shortage of candidates exists, evidenced by an inability to attract sufficient qualified candidates to fill vacancies despite extensive and exhaustive recruitment efforts. It is the responsibility of the civil service agency to demonstrate this criterion.

Criteria 3: Titles are filled via open-competitive examination only. Titles are excluded from this program if they can be filled via promotion examination. It is the responsibility of the civil service agency to demonstrate this criterion.

HELP Program Implementation

If the Commission approves the non-competitive jurisdictional classification of positions that meet the above criteria, below outlines the requirements for implementation:

Minimum Qualifications: Agencies must ensure that candidates meet the minimum qualifications for the title and any other conditions of employment.

Diversity and Inclusion: Agencies must ensure that diversity, inclusion, and equity principles are utilized when filling positions.

Vacancy Postings: Agencies must publicly post vacancies with minimum qualifications included.

Local Websites: Local agencies must alert qualified candidates on how to apply for employment to positions that fall under the HELP Program.

Decentralized Continuous Recruitment Examinations: Local civil service agencies can continue using decentralized, continuous recruitment examinations to fill positions on a competitive basis during the HELP Program.

Promotion Examinations: Employees may be eligible to participate in promotion examinations if they meet the qualifications and time in title as provided for in section 52(12) of the Civil Service Law.

Competitive Class Status: At the end of the 12-month period, employees occupying positions filled through the local HELP Program will be granted competitive class status without the need to participate in a competitive examination. Local civil service agencies will need to submit a rules resolution to delete the HELP Program titles from the non-competitive class which will have the effect of conveying competitive class status upon individuals appointed pursuant to the HELP Program. It is recommended that your agency record the dates the HELP Program titles are filed with the Department of State so you can track appointments and be aware when your agency would need to submit a rules resolution to delete these titles from your rules. Staff of the Municipal

Services Division will be sending reminders as your agency approaches the end of your one-year approval period.

Provisional Employees: Employees serving provisionally at the time the HELP Program title is approved for use in the non-competitive class may be appointed non-competitively into their incumbent title, and then be included in the cover in process.

We will hold an informational webinar on **Thursday, January 19th at 10:00 am** to go over the HELP Program with any agencies that are interested in participating.

<https://meetny.webex.com/meetny/j.php?MTID=meabb8a4221c05646c934dacc2401f46c>

Meeting number (access code): 161 979 3028

Meeting password: VAsiNt3xz89

Please contact Maria Kenneally at (518) 473-6048 or maria.kenneally@cs.ny.gov with any questions about this Program. Please submit your rules resolutions for the HELP Program to commops.mun@cs.ny.gov for expedited processing.

- Personnel identified the positions – now have to create companion positions
 - (i.e.) Case Worker in Children & Family Services – competitive class position, meaning someone takes test, is put on a list, then hired for position
 - Program allows County to create a companion position entitled “Case Worker (HELP Program)”
 - This will be noncompetitive; person will be hired based on qualifications

- At end of the program, the person would move to competitive class position without taking a test
- At end of 12 month period of program, would come back to Legislature to abolish the HELP positions
- Only exception is if the state decides to continue the program or alter it
- Program is for 12 months; once the positions are created, they are sent to NYS for approval
- If state approves all the positions, the county can hire from that date forward for 12 months
- (i.e.) Someone can come in at the first month and move to competitive after 11 months, someone coming in at the last month would move to competitive within the month; either would still have to finish any probationary period
- Hopefully state will approve all positions identified

Questions/Comments from the committee:

- Will this affect someone waiting to take a test?
 - Yes; (i.e.) 25 Income Maintenance Workers includes all current provisional appointees plus vacant funded positions
 - Once state approves, everybody that is provisional will move to one of these titles and will not have to take test
 - They would then move to the companion competitive class title when the program ends
 - County will hire the provisional people into the new position created, noncompetitively based on qualifications
 - Provisional appointees already meet current job description (qualifications identical)
 - When the program runs out, the provisional person will go back to the original position, but can be permanent without having to take test
- Right now, State Civil Service Law says people can be provisional for an amount of time; if the state does not call for a test and provisional appointments are not tested, then they can stay on?
 - Provisional status is only supposed to apply for up to a year
 - Because the state takes so long to offer and process exams, it frequently can go longer, which state allows for
 - County has had people in provisional status for 2-3 years
 - Not fair that state cannot get test and scores out so the provisional appointee would know if they can keep their job
 - (i.e.) if there are 50 people taking a test, and the provisional is not in the 1st or 2nd scoring band, the county will not be able to keep the person in that position
 - With these positions in this limited program, provisional employees can be hired into a position noncompetitively
 - When program ends, they automatically become competitive
 - Only thing left is finishing out any possible probationary period
 - Once the person moves to the competitive title, the department has the ability (if they are confident in the employee) to end the probationary period, allowing the person to be permanent; never having to take a test
- The state has an opt in for the program, but is there a cutoff time for counties to participate?
 - County has to identify titles/positions for the program based on first page of job families and justify why
 - Before sending to the state, the county must create the new titles
 - Once titles are created, there has to be a public hearing, which will be set up after the Legislature meets
 - Titles are then sent to the state for approval
 - Commission meets, and if they approve, the clock immediately starts ticking on the 12 months
 - County can hire people in the new titles at any time within that 12 month period
 - At the 12th month, the county has to move the people out of the “HELP Program” titles to their regular titles
 - They do not go back to the regular titles provisionally; they do not have to take a test; they will be permanent
- Does this include only these titles and the creates that are going to the state?
 - Can add more “HELP Program” titles later (if the program is popular, or if there is turnover)
 - There is an immediate need based on current provisional and vacant funded
- Is the county doing this because State Civil Service Law is cumbersome, and people do not want to wait 8-10 months?
 - That is why the state set up the program
 - State did study with all municipalities and jurisdictions throughout NY to find out where the municipalities are having the most difficulty hiring, and where the most provisional employees exist
 - The number of provisional appointments in some of these titles across the state is enormous
 - 478 Social Welfare Examiner titles and 433 Case Workers are provisional appointments waiting for a test (does not include state employees; only local)

- Why would the state do this program instead of calling for the tests?
 - State struggling with employment; state Employment Division is down 30% of staff
 - Taking longer and longer to put tests out, score them and get information back
 - State identified problems with their own abilities to do it
 - When county department needs to hire, they contact Personnel to request a test – Personnel has to log into state system to request the test; once there are enough requests across the state, the state will call for an exam
 - Process is taking very long time
 - State had to shut down their request system for a couple weeks, because they were so backlogged; which has happened 2-3 times in past 6 months; cannot put any requests in during the shutdowns
 - State is doing this program because they recognize their own limitations on getting the tests out and scored
- Does the county have to do the creates and expand the approved roster in order to adopt the program?
 - Requirement of the program
 - Current titles are competitive class titles
 - Hiring process is for noncompetitive titles, and county does not have noncompetitive titles for this work
 - Only way to do this is to create the positions
- All new titles creating are tied to current competitive class titles (identical), and at the end of the program, all positions go back, and the new titles are eliminated (unless the program is extended)
 - As it stands, that would be the process; at end of 12 month period, Personnel would come back to abolish positions
 - This is 1 for 1 – no additional funding; funding moves from the provisionally filled or vacant funded to these titles
- Is the next step in the process for the commission to approve?
 - One step in between is that the County’s Division of Civil Service has to hold a public hearing – will be held a few days after the Legislative session; requirement of Civil Service Law - then submit to state
- There is an established deadline of December this year
 - (Deadline) is to start the program; if county waited until December and commission approved, the county would have 12 months from approval
 - Do not want to wait that long

A motion was made by Ms. Abbott, seconded by Mrs. Ervin, to approve this item. Passed unanimously; MOTION CARRIED.

4. FINANCE:

- a. Memorializing New York State to Enact Legislation (A03075A/S03535A) in Relation to Extending the Authorization to Impose an Additional Rate of Sales and Compensating Use Taxes in Onondaga County, and Requesting and Concurring in the Preparation of a Home Rule Request**

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

5. COUNTY LEGISLATURE:

- a. Amending Resolution No. 49-2020 Regarding the Health Benefit Plan for Certain Retirees, Spouses and Dependents** (*Sponsored by Ms. Kuhn*)

Legislator Mary Kuhn presented this resolution.

- Kathy Zabinski, representative of CSEA retirees, during public comment had asked Legislature to reconsider resolution passed in April 2020 (No. 49-2020)
- Resolution done within weeks of county closing down; knew nothing of how county would be impacted
- “WHEREAS, the COVID-19 pandemic is resulting in an economic slowdown reducing potential revenues that will result in state and local governments in financial stress”
- Understandable at time, and it was to encourage people to take voluntary retirement to maintain health insurance contribution at 15%; people retiring separate from the voluntary retirement would go to 22% contribution
- It is now a couple years out and county did not get economically devastated; ended 1st and 2nd year with surplus

- CSEA retirees have average income of ~\$20K/year
- 15% to 22% change went from \$187 to \$284 for family coverage
- This resolution suggests that those who retired early continue at 15%, and move to 17% versus 22% given the economic situation in nation based on inflation and people living on limited income

Questions/Comments from the committee:

- How many people were impacted by this?
 - Everyone who retired since the voluntary retirement (in 2020)
- Finance:
 - Impact a narrow scope; 138 retirees impacted and went from 15% to 22%
 - Population impacted were individuals that did not take advantage of retirement incentive
 - 2021 and 2022 went to 15% initially, because that was what retirees were paying
 - Original legislation has clauses requiring the county to wait for current contract to end, which did not end until 2022
 - Starting in 2023, the employees that retired in 2021 and 2022 were at 15%; when contract expired at end of 2022, their contributions went up (to 22%)
 - Anyone retiring starting in 2023, went from active payment of 20% to retiree payment of 22%
 - This is a “donut hole” of individuals that retired in 2021 and 2022, which had an existing 15% rate, due to requirement of existing contract until expired; when contract expired at the end of 2022, they moved to 22%
- Pocket of time where specific group of people impacted; beyond 1/1/2023, all retirees are going from 20% to 22%
 - Personnel:
 - Majority are CSEA; NYSNA (25 members) was sooner, so they jumped up sooner
 - Most contracts expired in 2022 (138), so they did not see increase until 2023
- Sponsor:
 - When retirees went from 15% to 22%, is that also when active employees went from 15% to 20% related to pandemic concern?
 - Personnel:
 - No change in active employees related to pandemic
 - Started in late 2015/2016 negotiating with all unions to increase active employee contribution rate
 - Some were lower or at 15% - negotiated to move up to 20%; by the time the pandemic hit, they were all there
 - Only difference were Grades 1-9 of CSEA contract, which were kept at 18%
 - Remainder of active employees in the county were at 20% by the time pandemic hit
 - Resolution – anyone retiring in 2021 or 2022 (outside of incentive) would go to retiree rate under their contract before bouncing back up
 - Most likely occurrence was going from 20% to 15% when they retired, then up to 22% when contract expired
- Sponsor:
 - Separate from this resolution, when people retire, do they generally pay same amount as employees in retirement?
 - Personnel:
 - No, retiree rate set by Legislature; active rate set by negotiations of the contract; depends on union and what was negotiated in active contract
 - Retiree rate at 15% for couple decades prior to that action; late 80’s is when retiree rate set at 15% by Legislature
- Sponsor:
 - If this resolution were to pass, would this be for those 138 employees who retired after voluntary retirement plan?
 - Finance:
 - Not how it reads; this resolution does not address the “donut hole”
 - This would move all current and future retirees to 17% as written
- Sponsor: Done on the basis of limited retirement income for CSEA employees (~\$20,000); if this does not pass, would go back to “donut hole” resolution
- When Legislature made decision in 2020, there were other incentives and reasons involved in why health insurance was set where it is; there are union contracts in place

- Retirees are due what they worked for, and what was promised; fear if the Legislature starts looking back to “fix” things, it is difficult; not interested in doing without a lot more work
- Sponsor: Talking about an additional \$1,200/year for retirees on limited budget with high inflation
- Is there a baseline or average employee contribution across municipalities?
- Have appeal based on microeconomics; major decision affecting people’s lives; based on sustainability and offering retiree health in the future at highest level possible; have to be forward thinking, otherwise risk sustainability in future
- Any municipality offering retiree health is vastly different than those in private sector
- Talking about highly strategic decision for county with an economic factor being the catalyst
- Would find other municipalities very strained to sustain benefits that are offered to employees into retirement
 - Personnel:
 - Comparing to other municipalities is apples vs. oranges, as they may offer wildly different plans than the county
 - Have to look at plan design to understand costs; depending on benefits offered – drives what costs would be
 - One comparator Personnel does is Syracuse University – SU has Excellus for retirees (as county does), similar in size, and benefit design similar
 - SU retirees pay 35%
 - Sponsor:
 - Also not essential workers as county employees are; these are people not paid enough and pensions much lower
 - SU private not public institution
 - Personnel:
 - Used as apples to apples based on benefits and cost
- When getting bogged down in premiums, first thing to go is quality of care
- If someone wants to lower premium, they can change the product and coverage
- What was promised is what the Legislature put out; it was an option that retirees said yes to, as well as Legislature
- Difficult to go back because of financial situation today, whether positive or negative
- If situation was negative, would the county would come back to ask retirees to pay more? Answer is no
- 78% of the cost of health insurance is covered for county retirees out in perpetuity
- Does this resolution not only impact the 138 retirees, but also changes it for everybody?
 - Correct
- Have always heard that people should work for Onondaga County, and even though they may not be paid same, the benefits are wonderful
- Comparatively speaking, how will county be able to continue to do this well into perpetuity to meet goals?
- Every retiree after 1/1/2023 is only experiencing a 2% jump in percentage of costs
 - Finance: Pre-65 are in the active plan; Medicare eligible (post-65) will go to Medicare Advantage Plan
- Sponsor:
 - Retirees not represented in union contract; when retired, they are out
 - Medicare for all would solve this; would take burden off county, private sector
- When it goes to 17%, would this also be for retirees that took the special retirement incentive?
 - Law: Those retirees are locked in at 15%
- Made a deal with early retirees, and a big piece was saying healthcare percentage would go to 22% unless they retire early; many said it was a nice incentive and took it
- If Legislature goes back on that, and a retiree was on the edge wanting to work longer, but now it is only 17%, they may have kept working a few more years; this would be going back on deal with those that took early retirement incentive

A motion was made by Mr. Ryan, seconded by Mrs. Ervin, to approve this item. Ayes: 3 (Ryan, Kinne, Ervin) Noes: 4 (May, Burtis, Abbott, Knapp); MOTION FAILED.

b. Establishing the Policy of this Legislature Regarding the Issuance of Bonds for Certain Capital Projects where Fund Balance Exceeds Twenty Percent (*Sponsored by Mr. Ryan*)

Leader Ryan presented this resolution.

- Sets at 20%; believe within current cash situation at present moment, certain projects (that may or may not be bonded for) should be paid for in cash; if have capacity and capability to pay for projects in cash, instead of bonding for them
- If for some reason headwinds are upon the county, and cash situation is not like the present time, then policy goes away

Questions/Comments from the committee:

- Guessing that no one disagrees that the county should use cash when there is an ability to use cash; want the best fiscal position and use of county dollars - why threshold was raised to 15%
- Evidence shows that the language and desire of the Legislature is to shift approved borrowing to cash – in language of bond resolutions, in yearend transfers; consistent evidence county is employing that practice
- As legislator, when borrowing request comes, it is a legislator’s job to do homework and decide what they want to get behind, and what they do not
- Legislator’s job is to understand what borrowing request is comprised of
- (i.e.) Park improvement bonding – resistance from enough members to not have it go forward and came through as cash
- CIP showed the Park request as part of a process of investing (i.e.) \$100,000, \$400,000, \$500,000 into given facility or asset in the county as part of a bigger picture
- Borrowing is part of responsible plan to spend what is needed and accomplish what needs to get done in a given year
- As a Legislator, want ability to think about each and every request that comes to Legislature
- Collaborate on what makes sense and what does not through legislative process
- Want level of scrutiny in requests that come before this body

- Sponsor:
 - Appreciate that; had a sufficient number of legislators chosen not to defeat (Park’s) bonding resolution, then the decision could/would be made on bonding for \$300,000, when county has 100s of millions
 - Good example as to why the Legislature should initiate this policy

- Philosophically do not want formula making decisions for Legislature, when it is a Legislator’s job to make the decision
- Assumption that the process is broken; it makes it sound like the county would bond for Oneida Shores project
- Do not believe the county was going to bond for it – the bond resolution presented gives Finance the ability to do that, but does not mean the county was going to
- The resolution passed establishing (fund balance at) 15% said anything over 15% should be used for debt reduction; already accomplished this and let Legislature’s preference be known
- Take into account the rate environment, cash positions and other things; Legislature obligated to exercise control and scrutiny on everything that comes over

- Sponsor:
 - After gave authority to bond (for Oneida Shores), there is a good chance it would not be bonded for
 - When it comes to smaller dollar amount projects, given current financial situation, this body should be in charge of decision making process

- Believe all legislators want to use cash; do not see putting a line where there is not a problem

- Law:
 - Even with this resolution, if administration brought over \$13 bond and it passed, the county would bond for \$13
 - This is a memorializing resolution setting policy on how the Legislature would vote
 - It takes 2/3 vote for a bond resolution to pass, so if a bond resolution comes to the Legislature and it passes, that resolution amends this policy; can pass bond despite this legislation

A motion was made by Mr. Ryan, seconded by Mr. Kinne, to approve this item. Ayes: 3 (Ryan, Kinne, Ervin) Noes: 4 (May, Burtis, Abbott, Knapp); MOTION FAILED.

c. Establishing a Special Advisory Committee to Establish a Code of Ethics (*Sponsored by Mr. Rowley*)

Chairman Rowley presented this resolution.

- Legislator Kuhn has a local law on table to revise the county's Code of Ethics, which is significant legislation
- As written it would require the local law to go to referendum in the fall
- One legislators' revision of what a revised ethics law would look like; no vetting or input from other legislators
- This resolution establishes a mechanism to thoroughly review everything and collaborate on a final product that a majority of legislators could support

Questions/Comments from the committee:

- Look throughout state, Onondaga County one of the most backward counties when it comes to ethics; laughing stock compared to some counties; offended that Chairman knew about this before becoming Chairman and was in favor
- Sponsor:
 - From the jump, idea was to create a special committee; took off table for reasons to be discussed later
 - Do not think this law will pass without doing work on it; offended this was brought up
 - Local law was not brought up to anybody; it was put on the table
- This is not legislative process; Chairman said he would discuss later, because it has nothing to do with this process or issue in front of the committee
- While everyone has every right to their own opinion, to say Onondaga County is laughing stock is an individual opinion, and not an opinion of this body; in no way has that been substantiated
- All the more reason to have an advisory committee to evaluate one Legislator's proposal to the rest of the body as ethics reform; it is fair; it is unfair to use a legislative seat to say extreme things without basis
- Would normally support establishing an advisory committee in interest of bipartisanship
- Legislator Kuhn working on local law for the better part of 10 months including hundreds of hours, consulting with counsel in other parts of state, county counsel, county legal; looking at chartered counties and how ethics works
- In every instance, there is room for improvement in the County Charter
- Local law in front of Legislature, and if there is input, would say author is willing to take it; no one provided it
- Legislative process so far (not to diminish Legislator Kuhn's time, effort, research) is work product dropped on the desk
- This resolution is proactive way to do everything else that needs to be done with this process – meaning vetting, review, what is the basis, understanding the law; not off the record
- This is a huge decision; needs to be legislative process; due diligence needs to happen
- Is Onondaga County a laughing stock? Do not know
- Is this local law the right way to go? Do not know
- What is the basis for it? Do not know
- Is Onondaga County doing something wrong, or are there things the county can do better?
- The question is how does the Legislature get from A-Z on such a significant issue?
- No benefit to process or final analysis when the Legislature takes a vote; hats off on effort and time; now need process
- How does the Legislature deal with something this significant outside of legislative process?
- The product is a good final product, which adds what the county needs; not just ethical independence from elected and appointed, but transparency and good governance
- Establishing an advisory committee would put it out too far
- To the sponsor's credit, the resolution is in front of the committee today with consideration of timeline
- Sponsor:
 - Deadline to get local law crafted is June 21st
 - If a local law is drafted and requires referendum, there is plenty of time to get it on ballot for fall

- Law:
 - If there were going to be amendments to local law, it would have to be noticed
 - Cannot just vote on an amendment; it would have to go to next session
- In regard to transparency and communication, it sounds like the Democrats knew about this the whole time, but it is not true that everybody knew
- Read the whole thing, and believe Legislators should stop and look at ethics; can always improve
- Question at hand is not whether or not this is a good local law, but if legislators want a committee – if the local law does go to an advisory committee, it can do so in timeframe to be considerate of timeline for referendum; should it be needed
- No problem doing things bipartisan way, but confused because for better part of a year or more, Legislator Kuhn, Leader Ryan and Chairman Rowley met several times on this issue; Legislator Kuhn met with Law and others on the issue
- Why is the committee at this point now, rather than before when these talks were happening?
- This did not become legislative process until local law dropped on the desk; one thing for deliberative effort to happen between sponsor, Leader Ryan and Chairman Rowley; different process with 14 other legislators to weigh in
- No formal process until local law day; 3 people had some deliberation, but none in legislative meetings
- No formal process with legislators through standing committee or special committee
- Sponsor:
 - This version of the local law was received by the Chairman when everyone else received it
- Question is, throughout the conversations, why was the idea of a committee never brought up?
- Sponsor:
 - First session in February, the Chairman had a resolution on agenda to form special committee that was pulled
 - Chairman’s idea from the jump was to have a special committee

A motion was made by Ms. Abbott, seconded by Mr. Burtis, to approve this item. Ayes: 4 (May, Burtis, Abbott, Knapp) Noes: 3 (Ryan, Kinne, Ervin); MOTION CARRIED.

The meeting was adjourned at 1:02 p.m.

Respectfully submitted,



JAMIE McNAMARA, Clerk
Onondaga County Legislature

ATTENDANCE

COMMITTEE: **WAYS & MEANS COMMITTEE**

DATE: **MARCH 28, 2023**

NAME (Please Print)	DEPARTMENT/AGENCY
Maria Mahar	Adult & Long Term Care Services
ToAnne Lecker	A L T C S
Dawn Clary	Personnel
Carl Hummel	"
Emilie Valvo	"
Steve Morgan	Budget
Kristi Smiley	Finance
Jesse McMahon	Environment