Onondaga County Legislature

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DAVID H. KNAPP
Chairman

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REAPPORTIONMENT COMMISSION MINUTES – NOVEMBER 3, 2021

MEMBERS PRESENT: Chairman Hulslander, Chairman Knapp, Ms. Sardo, Mr. Czarny, Mr. Rainone, Ms. Moran
ALSO ATTENDING: Ms. Kuhn, Mr. Ryan, Dr. Chase, Mrs. Ervin; see also attending

Chairman Hulslander called the meeting to order at 1:13 p.m.

1. Review and Vote on Local Laws Submitted

Mr. Hulslander:
- Today's meeting is to consider maps 1, 1.5 and 2; have discussion with respect to those three submissions; Mr. Czarny submitted map 1.5 that is new
- Is there anything Mr. Czarny would like to say with respect to map 1.5?

Mr. Czarny:
- Ms. Moran and Mr. Czarny submitted 1.5
- An attempt to take criticisms of map 1 and give opportunity for compromised map; submitted on Friday; open to talking over the weekend, but did not get feedback from commission
- Took 2 main criticisms expressed at last meeting and made adjustments
- (1) Criticism of addition of Skaneateles into 12th District; redesigned moving Skaneateles into 13th district; creating district with Skaneateles, western Camillus, Elbridge and Marcellus
- Moved 11 into Camillus to allow for addition of eastern Onondaga into 12 (most was in 12 before 2010 redistricting process)
- Kept Dewitt whole; result of public testimony over 5 public hearings; did not want Dewitt to be chewed up
- Moved Minoa and North Manlius into District 3 where it was for last 10 years
- Attempt to bridge compromise, keep likeminded communities together (especially Syracuse, Dewitt, Salina, Geddes); not happy with chewing up Camillus into 3 districts; understood compromise needed
- Wanted to keep towns as compact and whole as possible inside individual districts; took criticisms and offered as compromise; continuing to submit map 1, standing by that proposal as well

Mr. Czarny responded to Chairman Hulslander that they have not withdrawn map 1. Chairman Hulslander asked if Mr. Czarny feels map 1 is fairly drawn and accommodates for all the considerations necessary under the new state law. Mr. Czarny said he does. Chairman Hulslander asked if Mr. Czarny believes map 1 is a fair representation of population, and Mr. Czarny thanked Chairman Hulslander for bringing that up. Mr. Czarny said they put less population in the northern districts in map 1.5 as part of the compromise. Chairman Hulslander said they have not withdrawn map 1, and Mr. Czarny said no. Chairman Hulslander asked if Mr. Czarny believes map 1 is a fair representation of proposed legislative districts, and he wants to know if Mr. Czarny considered the population when they set the lines in map 1. Mr. Czarny answered yes. He believes map 1 is equal in population for each district. There is less variety in Chairman Hulslander's, where Mr. Czarny said they tried to keep to the 28,000 number so districts were as close as possible allowing for changes that would not be wildly different from one district to another.

Chairman Hulslander said in response to questions he had, it appears that Mr. Czarny modified map 1 and

presented map 1.5 as an alternative. This was in part because of criticisms made with respect to disenfranchising rural voters by grouping all the territory in the southern part of the county, as well as disenfranchising Minoa. As a result, map 1.5 was submitted to address those concerns. Mr. Czarny agreed that they made changes in an attempt to bridge compromise, but he does not agree with the criticisms of map 1. Chairman Hulslander is not asking Mr. Czarny to agree, but if it was in response to the criticism. Mr. Czarny said it was not in response to just Chairman Hulslander's criticism. He attended all five public hearings and read as many of the written statements in an attempt to give an alternative compromise.

Chairman Hulslander said Mr. Czarny did not want to chew up Dewitt, but he read comments about not chewing up Mattydale. Would Mr. Czarny agree that map 1.5 chews up Mattydale? Mr. Czarny responded that he does not agree it chews up Mattydale. Chairman Hulslander said he is using Mr. Czarny's words. Mr. Czarny does not agree that Salina or Mattydale are chewed up. He noted that map 1.5 does dip into the northern half of Mattydale, but it stays on the Route 11 corridor using commercial roads, so neighborhoods are not broken up. Mr. Czarny said they would never have no communities broken up, but there will be fewer communities broken up by their maps (map 1 and 1.5). Chairman Hulslander said there were comments at the hearings in respect to Mattydale saying do not divide Mattydale, and Mr. Czarny divided Mattydale in 1.5. He asked if that were true. Mr. Czarny replied:

- They promoted 1.5 as an alternative; there were different choices in map 1 and map 1.5
- Believe both maps to be better choices than the choices Chairman Hulslander made in map 2.0
- Chairman Hulslander chews up the city of Syracuse – pairing partial districts within city and town of Dewitt; believe that chews up Dewitt and Syracuse
- Had to make choice for where lines would draw to have N. Syracuse district, based on northern population
- Chairman Hulslander made a choice, Mr. Czarny made a choice

Chairman Hulslander asked if his choice was dividing up Mattydale, and Mr. Czarny responded:

- They went along commercial routes to keep neighborhoods together
- Comments Chairman Hulslander refers to did not happen at public hearings; they were written statements made by councilors in town of Salina; respect that and reason why map 1 tries to keep Mattydale together
- Chairman Hulslander chose to chew up town of Dewitt into 4 districts, put partial districts from city into town of Dewitt, chew up Geddes into 3 districts, Camillus into 3 districts, Clay with couple EDs into 4 districts
- Both made choices, agreed?

Chairman Hulslander said they have close to the same Clay district on the first map, and then it was changed. Mr. Czarny replied no; an eyeball test would see that. Mr. Czarny said there are two Clay districts and asked if he is talking about 14. Chairman Hulslander said yes and stated that Mr. Czarny has three representatives in Clay, and they have four, giving more representation. Mr. Czarny said it gives them one ED of representation. Chairman Hulslander asked if Mr. Czarny would agree that where the lines are to be drawn should be consistent with population growth and population of various districts. Mr. Czarny believes they did that.

Ms. Moran read the following statement, "*Since the beginning, I voiced concerns about this process, and still, I showed up for everything, and I listened. And what I heard, repeatedly, were questions about the process. The way this has been rolled out does not follow any of the guidelines for how something as important as reapportionment maps should be developed. Members of the public at the hearings were unanimous in expressing their frustration and disappointment with the process. My conclusion is that the process should be revisited and restarted, in order to ensure that the best practices are used, especially with public input, and that it is compliant with the new state law. For those reasons I move that our Commission: summarize what we have learned in this process, including all the maps that have been prepared, and send the summary report to the County Legislature."*

Ms. Moran made a motion, seconded by Mr. Czarny, to have the Commission summarize what they learned in the process and send a summary report to the County Legislature.

Chairman Hulslander asked if the motion was to delay the process, and Mr. Czarny said she did not say delay. Ms. Moran repeated her statement regarding the motion. Chairman Hulslander stated the commission is here to evaluate the maps, have commentary in respect to the maps, and discuss the maps, then vote on a local law incorporating the maps. Chairman Hulslander said they are not delaying anything.

Mr. Czarny said Chairman Hulslander read the transcripts of all the public hearings that were available to the members yesterday, and he asked if Chairman Hulslander recognized that the comments were near unanimous asking for more time for the public to evaluate the maps. Chairman Hulslander responded:

- No doubt there were a lot of people speaking at hearings and objecting to process; but process is process
- Commission established 3 week time table; held 5 public hearings; considered the maps; had public hearings in respect to the maps; had public hearings with respect to the process
- 90% of the people who spoke were objecting to the process
- Disagree – process has moved more slowly than it ever has in this county; giving it 3 weeks, had public hearings, considered the public hearings, transcribed the hearings, taken commentary from public, and considered it
- Mr. Czarny, Chairman Hulslander, and entire commission have considered it; have come up with these 3 maps based on population and data provided - believe all 3 maps have commonality and agreement
- See much of the criticism with respect to process is political in nature; done fair job listening to public
- Tremendous amount of discussion, especially in these hearings; do not see eye to eye, but have lot of agreement
- Process criticized is something completely and utterly disagree with; done this in orderly manner; done it diligently; taken into account what need to, so they can ultimately vote on the 3 maps

Mr. Czarny asked where the changes are to Chairman Hulslander's map because of public comment. Chairman Hulslander said they made changes, and Mattydale was one. Mr. Czarny interrupted saying that Chairman Hulslander has not answered his question. Chairman Hulslander asked Ms. Lesniak to address it, as she is familiar with this. Mr. Czarny stated that Chairman Hulslander said he considered the public comments and assumes Chairman Hulslander is in control of the map-making process. Mr. Czarny said there were minor changes done over the weekend, and he asked for one example of a public comment that altered map 2. Chairman Hulslander said they altered the maps concerning the area of Geddes, which was in part based on what Mr. Czarny said. They also kept Camillus together. Ms. Lesniak said Camillus is a good example in keeping neighborhoods together with two legislators. Some of the shifts in Geddes were from 13 to 11. Those were in reaction to public comment. Mr. Czarny said Geddes is still split into three districts, and Ms. Lesniak responded that Solvay is intact in one district. Mr. Czarny asked if that is now all in Mr. Kinne's district, and Ms. Lesniak responded that some was in 8.

Mr. Czarny:

- None of those were public comments; understand changes made, but changes that they talked about during the public meetings were in respect to mostly Dewitt and Manlius
- At Lafayette and Clay hearings, they did not have maps; could not make comments about individual maps
- At East Syracuse hearing - overwhelming disapproval of how Chairman Hulslander's map broke up Dewitt
- Understand Chairman Hulslander has votes today; will make vote happen, but do not mischaracterize what map submissions or public comments were; on the record and have been transcribed, as well as on website
- Overwhelming public comment about breaking up communities like Dewitt, Syracuse, and Manlius
- Extensive comments at East Syracuse meeting talking about long history of East Syracuse and Minoa being together, having parades, and a school district; more connections than he thought they had
- These are things that came out in the hearings that Chairman Hulslander did not address in his map
- Chairman Hulslander made a couple minor adjustments in 11 and 13, some technical adjustments due to map errors with 9-4 and 12-2
- Alternative maps proposed with changes have not been before public hearings; at all the hearings, public asked for more time to study all the maps; also asked to work together and come up with compromise
- Reason for map 1.5; put it out Friday to make noon deadline
- Do not believe map 2 was altered in any way based on public input; it was altered to make changes to technical errors and some community things, but Mr. Czarny could not study the changes, received yesterday
- Due to an election and being up late, Mr. Czarny has not had time to look at it; the public has not had time to

look at it; believe more time is due; understand Chairman Hulslander does not
- Will not be criticized for believing people and citizens have right to voice concerns; the concerns should be met

Chairman Hulslander repeated that 90% or higher of the people that spoke at the hearings were critical of the process. Very few commented with respect to districts and representation. With respect to Dewitt, Chairman Hulslander asked if Chairman Knapp had any comments. Chairman Knapp:
- Dewitt is a very important town; inner ring town; lot of economic growth in that area
- Understand argument about having multiple legislators, but on the other hand, it makes Dewitt one of the more powerful towns in the county - receiving 4 votes
- Need 9 votes to pass legislation; Dewitt almost halfway there with their legislative group
- Camillus – one gentleman said he liked having 3 representatives because different people have different interests, thoughts; also gives them a larger voice in the legislature
- Understand the point, but good point to be made about influence it gives Dewitt at the legislature

Mr. Czarny knows that the Dewitt town board submitted a resolution today asking that Dewitt not be broken up. The people who represent Dewitt do not feel Chairman Knapp's argument is valid. Mr. Czarny wanted that on the record as he got it this morning on the way over, and he does not know where it was submitted. Chairman Hulslander:
- Mr. Michalenko sent a comment in and advocates to keep Dewitt whole; as is Mr. Czarny's narrative
- Believe the opposite provides Dewitt with more representation; very diverse place; not one community
- Areas near city are entirely different than areas not near city; varied area
- Chairman Knapp makes a good point – makes sense to have 4 districts rather than 1

Mr. Czarny said the way they chewed up Dewitt, and Chairman Hulslander interrupted saying that Mr. Czarny chewed up stuff too. Mr. Czarny stated he will use the term divided. The way Chairman Hulslander divided Dewitt paired two districts in inner city districts (majority/minority wards) with the western suburbs of Dewitt. The claim is that there are different communities in Dewitt, but Chairman Hulslander divided the communities with Dewitt. Chairman Hulslander said it is just the opposite, and all they have to do is look at commonality of the area. Chairman Hulslander stated he lives there, and it is obvious based on their line drawing that it is more representative of the area than Mr. Czarny's. Mr. Czarny said the people that live there would disagree. Chairman Hulslander said they know why Mr. Czarny wants to make it one district, and Mr. Czarny interjected that it deserves to be one district. Chairman Hulslander said there has to be a political reason for it, because that is what Mr. Czarny is all about. That is why he will not withdraw map 1. Chairman Hulslander said map 1 is based on politics, and Mr. Czarny will not withdraw it. Mr. Czarny said Chairman Hulslander's accusations are tiring, and no one in the public buys it.

Ms. Moran said her motion was seconded, and she asked for a vote. Chairman Hulslander asked Ms. Moran to articulate the motion better, and he asked if she looking for an adjournment of the meeting. Ms. Moran said she does not think it needs to be adjourned, but they need to decide that things can be handled in a more systematic way, which is consistent with standard procedures for reapportionment processes. Chairman Hulslander said that is not a motion. Ms. Moran said she read her motion twice and explained that they should wrap the whole thing up, tell the Legislature that the commission has done what they can, and here is what they think should happen. Chairman Hulslander asked if it is to delay a vote on the three maps. Chairman Knapp said he believes she is asking to punt this, and Ms. Moran said they should draft a report right now based on what they have. Chairman Knapp said Ms. Moran is saying not to submit a plan, but to tell the Legislature to go and take it from here. Ms. Moran added that it would include footnotes to document and explain how to properly conduct a reapportionment process. Mrs. Tarolli stated that is not the role of the commission.

Chairman Hulslander stated that they cannot vote on something that is not allowed by law. Ms. Moran repeated that she is asking that the commission summarize what they have learned in this process in a

report and send it to the County Legislature. Mrs. Tarolli stated that is not the role of the commission. The role of the commission is to approve a plan in the form of a local law. Mrs. Tarolli is also having a hard time understanding what Ms. Moran is asking for.

Ms. Moran stated that two things have happened since they started: (1) lots of public input specifically about the process, and (2) a new state law. In light of those two things, the commission needs to reconsider what is going on here. Ending it today does not seem appropriate, careful, or correct.

Mr. Czarny asked Ms. Moran if she is looking for an extension or for more public hearings, and Ms. Moran asked if that means she has to attend more meetings and said all right. Mr. Czarny asked if Ms. Moran would be amendable to having the motion be a period of two weeks to allow for further public hearings on the recently submitted maps, and then have a vote by the commission. Mr. Czarny said Ms. Velasco is right; they have to have a vote of the commission as part of the County Charter. Ms. Moran commented that the public input for the (inaudible) process lasted for months, so giving people two weeks on reapportionment is too short. Mr. Czarny asked what timeframe she would suggest, and Ms. Moran responded that it should be over a period of four to six months. There are resources from local universities to help with participation that is appropriate and recommended by organizations like NCSL (constantly reviewing processes).

Mr. Czarny noted that the County Charter says the commission has three months to finish this process. Mrs. Tarolli clarified that the commission has three months to complete the process, which does not mean they can take up to three months. Mr. Czarny asked if completing the process means approving the local law and sending it to the Legislature, and Mrs. Tarolli responded no. The code says it has to be within thirty days prior to the earliest date of circulation of designating petitions, and then they must allow for time for referendum petitions. Taking it four to six months back will violate the Charter and Code. Mr. Czarny said designated petitions do not happen until 2023 for these maps. Mrs. Tarolli explained that is not what the Charter and Code says, and further explained that it says the next election, next primary, next general election. It does not say 2023. Mr. Czarny asked if she is talking about the public referendum, and Mrs. Tarolli stated she is talking about the timeframe under the Charter and Code. Mr. Czarny asked if January 1st would meet the timeline. Mrs. Tarolli does not know, because the state has not yet adopted the 2022 political calendar. Mr. Czarny commented that designated petitions for that would not start until March. Mrs. Tarolli does not know that, and she can only say what the Charter and Code says. Mr. Czarny said his eight years as Election Commissioner has given him the experience, and Mrs. Tarolli interjected that her thirty years as a County Attorney has shown her that they cannot count on the state. Mr. Czarny said the state has guidelines on designating petitions so many days before the next primary, and they know when the primary will be. Mrs. Tarolli asked if Mr. Czarny remembers that the direction was to move it back to February. The state will not adopt the calendar until January. Mr. Czarny asked if they would know if January 1st would violate it, and Mrs. Tarolli responded that they do not have a lot of time. Mr. Czarny believes January 1st would fall into the Charter guidelines of the three months. Mrs. Tarolli asked if he means for petitions to expire, and Mr. Czarny said yes. He believes that is right, and he believes the commission started on October 17th. Chairman Hulslander corrected Mr. Czarny that it started on the 8th. Mrs. Tarolli stated to abide by that, they have to be done shortly. Mrs. Tarolli explained that it is moving back from the earliest date to circulate designated petitions. Mr. Czarny said that they are not moving petitions into January, and that the state would not move it back earlier (may move it later). Mrs. Tarolli stated he is not accounting for the other timeframes, including for the local law to be on the desk for the Legislature to hold its hearing, and for the County Executive to sign the law. They all have different times. Mr. Czarny thought the Charter says the commission has three months to submit to the Legislature, and then the Legislature has three months. Mrs. Tarolli said it has always said that (2001), but if he looks at the timeframes of the other commissions, it was what they had to do to meet the timeframes between the census and the start (rest of the comment inaudible). Mr. Czarny interjected asking what the latest date would be in her opinion. Mrs. Tarolli responded that she cannot give the latest date, but their best bet is to stay on this schedule right now. Mr. Czarny disagreed and said that is a matter

of opinion not law. Mrs. Tarolli stated it is not a matter of opinion. Mr. Czarny said she cannot tell them the latest date and that she does not want them to change the date from today. Mrs. Tarolli commented that on this timeframe the commission would most likely comply from the earliest date from circulating designated petitions. They do not have three to four months is her answer.

Mr. Czarny made a motion that the commission set a four week timeline for further public hearings and a final vote by this commission.

Chairman Hulslander stated he has authority to establish hearing dates and commission dates. Mr. Czarny asked if Chairman Hulslander is not allowing a vote on the motion. Chairman Hulslander:

- No, because Mr. Czarny knew at the last meeting that they would be voting today
- Mr. Czarny had data and time to provide an alternative map; they have had data for 3 weeks; he knows what he is doing with respect to the maps
- The commission has had discussion, will continue to have discussion, and will vote today as it is on the agenda
- He and Mr. Czarny disagree with the process, but he respects what Mr. Czarny has done and the proposals made; also respect the criticism of the process; agree to disagree on that
- Process been more open and more fair than it has ever been; hear to evaluate data and population, then draw lines in accordance with that data; been a lot of commonality; believe in agreement with lots of things
- Most of increase in population is in Camillus, Clay, Lysander, and Van Buren (63%) – need to accommodate for that; map 2 has 6 districts, map 1 and 1.5 have 5 districts
- Clay – know there has been population growth; map 2 accommodates for that growth
- Map 2 has 6 districts in city; map 1 and 1.5 have 6 districts
- Done a lot to try to agree on things with respect to where population has grown and draw lines in accordance
- Disagreement? Yes, with respect to certain areas; most is small; considering Dewitt – it has been 4 districts, and hopefully will continue to be, which provides better representation for Dewitt; Mr. Czarny disagrees
- Map 2 has Mattydale undivided, map 1 and 1.5 have it divided; Mr. Czarny believes it is reflective of population growth and more fair, but Chairman Hulslander does not; believe it should not be divided
- With respect to basics involved, lot of commonality and agreement
- Process has been fair from beginning; Mr. Czarny critical of process, not only from beginning but before the commission was formed; he did not want it formed; have disagreement
- Respect opinion but disagree that this has been railroaded or ramrodded through
- Had public hearings at different times and locations; believe most public hearings involved Democrats coming forward to repeat Mr. Czarny's narrative, which he has had from the beginning
- Would like to vote on these three maps; lots of discussion with plenty of opportunity to evaluate the maps

Mr. Czarny:

- One slander need to address; Chairman Hulslander keeps saying "Mr. Czarny's narrative", but believe it is reflecting the public's narrative; public brought this to him for last 3-4 years as public servant
- Many opportunities in the works on creating a redistricting commission inside the city of Syracuse and attempting to do so here
- Just because they are Democrats, does not mean the commission does not listen to their opinion; they are citizens of the county, and they deserve to be heard; Mr. Czarny has heard them and is representing their views today

Chairman Hulslander:

- Listened to them; spread this evaluation over 3 weeks; longest it has ever been; 3-4 weeks is exactly what other counties have done; not unusual; it is Mr. Czarny's narrative that has been perpetuated

Mr. Czarny said Chairman Hulslander has to result to personal insults and asked that he respect the place he is in, and the decorum that is responsible. Mr. Czarny stated Chairman Hulslander is insulting him, and that he has made it personal this entire time. He has only talked about the maps.

Chairman Hulslander would like to bring this to a vote. Mr. Czarny agreed that map 1 is still on the table.

Chairman Hulslander stated the commission would take a vote on map 1, which is presented in the form of a local law for consideration by the commission. Is there a motion to approve plan 1?

Mr. Czarny made a motion, seconded by Ms. Moran, to approve plan 1. Ayes: 2 (Czarny, Moran) Noes: 4 (Hulslander, Knapp, Sardo, Rainone). MOTION DEFEATED.

Chairman Hulslander stated the commission will take a vote on map 1.5, which is presented in the form of a local law for consideration by the commission. Is there a motion to approve plan 1.5?

Ms. Moran made a motion, seconded by Mr. Czarny, to approve plan 1.5. Ayes: 2 (Czarny, Moran) Noes: 4 (Hulslander, Knapp, Sardo, Rainone). MOTION DEFEATED.

Chairman Hulslander stated the commission will take a vote on map 2, which is presented in the form of a local law for consideration by the commission. Is there a motion to approve plan 2?

Ms. Sardo made a motion, seconded by Mr. Rainone, to approve plan 2. Ayes: 4 (Hulslander, Knapp, Sardo, Rainone) Noes: 2 (Czarny, Moran). MOTION CARRIED.

Chairman Hulslander stated that plan 2 has been approved, and when a plan is approved, the members must sign the accompanying report submitted by the Reapportionment Commission.

Mr. Czarny extended his thanks to Ms. McNamara and the staff for all the hard work they have done over the last three to four weeks. He appreciates the attempt to get the information up on the website including the live hearings. Chairman Knapp added thanking the folks at SOCPA including Mr. Jordan and his team for all the work they have done putting this all together including the drafts. Chairman Hulslander thanked Mr. Czarny for a spirited debate, and he respects what Mr. Czarny has done and presented. In the end, this has been a fair and reasonable process. They will agree to disagree, but Chairman Hulslander has a great respect for the time and commitment made with respect to the process and providing alternatives.

The meeting was adjourned at 2:01 p.m.

Respectfully submitted,

JAMIE McNAMARA, Clerk
Onondaga County Legislature

ATTENDANCE

COMMITTEE: **REAPPORTIONMENT COMMITTEE**
DATE: **NOVEMBER 3, 2021**

NAME (Please Print)	DEPARTMENT/AGENCY
Edward Hunt	SOCPA
Madison Ruffo	WRVO
Dustin Chaney	BOE
~~Dustin~~ Diane Devere	OCDC
Yvette Velasco	LAW
Dan Jordan	SOCPA
Scott Willis	WAER-FM
~~Casey Clegg~~	
Shawn	self