

**MINUTES OF THE PUBLIC HEARING HELD ON DECEMBER 13, 2007
RELATIVE TO THE COUNTY OF OSWEGO LOCAL LAW #2 OF THE YEAR 2007
ENTITLED "A LOCAL LAW PERMITTING SNOWMOBILE OPERATION ON CERTAIN
ROADS WITHIN THE COUNTY OF OSWEGO."**

Vice-Chairman Greg Osetek opened the public hearing at 2:01 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice of the proposed Local Law # 2 of the Year 2007, entitled "A LOCAL LAW PERMITTING SNOWMOBILE OPERATION ON CERTAIN COUNTY ROADS WITHIN THE COUNTY OF OSWEGO". Vice-Chairman Osetek offered the floor to any wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 2:04 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD DECEMBER 13, 2007.**

Vice-Chairman Osetek called the meeting to order at 2:05 p.m. Roll call was taken with all legislators present, except for Chairman Johnson and Leg. Ponzi. Leg. Ponzi was excused due to illness. A moment of silent prayer was observed for Leg. Ponzi, who was ill. A moment of remembrance was also offered on the recent passing of former Legislator Jerry Thomas and former Director of Personnel Peter Seipel. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to flag.

MINUTES:

Leg. Brown noted that her name had been left out on the roll call vote on page three but has already been corrected by the Clerk. The November 15, 2007 minutes were approved with no further comments.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Vice-Chairman Osetek called forward Leg. French, members of the Infrastructure Committee and Superintendent of Buildings and Grounds Joe Taormina. Mr. Taormina was presented with a certificate acknowledging his 30 years of service to the County. Leg. French and Mr. Taormina offered a few comments.

Vice-Chairman Osetek called the Health and Human Services Committee forward as well as Commissioner of Social Services Frances Lanigan, and DSS Account Clerk Donna M. Vesta. Due to inclement weather Ms. Vesta was not in attendance. Commissioner Lanigan offered a few comments acknowledging Ms. Vesta's 25 years of service with the County.

Vice-Chairman Osetek invited DSS Community Service Worker Marie Delamater to the front to join the Health and Human Services Committee and Commissioner Lanigan. Ms. Dalamater was recognized for her 25 years of service to the County. Commission Lanigan offered a few comments.

Vice-Chairman Osetek introduced Supreme Court Justice Norman W. Seiter, and invited retired Supreme Court Justice Robert J. Nicholson, and President of the Oswego County Bar Association Tom Benedetto, to the front. A recognition honoring Robert J. Nicholson was presented. Justice Seiter and Mr. Benedetto commended Judge Nicholson for his lifetime of remarkable service to the families of Oswego County, including his time in the District Attorney's Office, as County Attorney, as State Supreme Court Judge and most recently as coordinator of the Oswego County Bar Association's free legal services program. Retired Justice Nicholson offered thanks to the Legislature and the community for their support.

Vice-Chairman Osetek called the Economic Development and Planning Committee forward as the Central Square High School Band was recognized as New York State Champions. Drum Majors, Cassidy

Kraus and Colleen Grande joined the others up front. A recognition was read. Leg. Beardlsey commended the band members, its leaders and supporters for their parts in such a proud accomplishment.

Vice-Chairman Osetek noted New York State Senator James Wright's recent decision to leave office at the end of the year. A standing ovation and round of applause erupted in honor of the Senator.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS:

Leg. Brown stated that she had been reappointed to the NYSAC Resolutions Committee. Leg. Doyle stated that he had been appointed to the Medicaid Services Committee on the NYSAC committee.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES: None

Vice-Chairman Osetek acknowledged the new legislators that were in attendance and asked them to stand to be recognized.

RESOLUTIONS AND MOTIONS:

Leg. French offered Resolution No. 200, entitled, RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE NYSDEC REGARDING THE EMERGENCY VEHICLE OPERATOR'S COURSE (EVOC) AT THE OSWEGO COUNTY AIRPORT. Leg. Malone questioned the term of the contract (20 years). County Attorney, Richard Mitchell, replied that a twenty contract is permissible under these terms. It is similar to a lease or use of facility. After a lengthy discussion Leg. Leemann called the question, Leg. Kunzwiler seconded. Motion to call the question passed with Leg. Natoli opposing.

Resolution passed, with a voice vote
Leg. Malone opposing
YES: 22 NO: 1 ABSENT: 2

Leg. French offered Resolution No. 201, entitled, RESOLUTION PROVIDING FOR TEMPORARY RECLASSIFICATION OF A POSITION IN THE HIGHWAY DEPARTMENT.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. French offered Resolution No. 202, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HIGHWAY DEPARTMENT - BOILER REPAIRS.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. French offered Resolution No. 203, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE OVERTIME PAYMENTS.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bullard offered Resolution No. 204, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A NEW YORK STATE COMMUNITY APPROPRIATION CONTRACT RELATIVE TO THE OSWEGO FIRE SCHOOL WITH THE NEW YORK STATE DEPARTMENT OF STATE.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bullard offered Resolution No. 205, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #161 RENOVATIONS FIRE SCHOOL.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bullard offered Resolution No. 206, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT - HOMELAND SECURITY GRANT.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bullard offered Resolution No. 207, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

Resolution passed, with a roll call vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bullard offered Resolution No. 208, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE THE JUVENILE RISK INTERVENTION SERVICES COORDINATION CONTRACT WITH THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Chalifoux offered Resolution No. 209, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING MODIFY 2007 STATE MATCHING FUNDS.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Chalifoux offered Resolution No. 210, entitled, RESOLUTION ALLOCATING HOTEL OR MOTEL OCCUPANCY TAX REVENUES AND PROVIDING DISTRIBUTION OF OCCUPANCY TAX REVENUES FOR 2008.

Resolution passed, with a voice vote
Leg. Gearsbeck opposing
YES: 22 NO: 1 ABSENT: 2

Leg. Chalifoux offered Resolution No. 211, entitled, RESOLUTION FIXING TIME AND PLACE FOR A PUBLIC HEARING RELATIVE TO CHANGES TO THE OSWEGO COUNTY COMPREHENSIVE PLAN.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Chalifoux offered Resolution No. 212, entitled, RESOLUTION PURSUANT TO SECTION 122 OF THE AGRICULTURE AND MARKETS LAW AUTHORIZING THE CHAIRMAN TO IMPOSE A DOG QUARANTINE IN THE COUNTY OF OSWEGO. Leg. Bullard suggested that this resolution be enacted sooner, perhaps in November, in the future.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Malone offered Resolution No. 213, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION REAL PROPERTY TAX - REPLACEMENT PLOTTER.

Resolution passed, with a roll call vote
YES: 23 NO: 0 ABSENT: 2

Leg. Malone offered Resolution No. 214, entitled, RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE PROVISION OF SECTION 556 OF THE REAL PROPERTY TAX LAW, SUBDIVISIONS 8 & 9 RELATIVE TO THE REFUNDS OF FUNDS DUE TO TAX CORRECTIONS.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Malone offered Resolution No. 215, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 145 - TECHNOLOGY RESERVE. Leg. Kunzwiler moved to amend the resolution to include a resolve previously left out, seconded by Leg. Bullard. Leg. Seager suggested the title of the resolution would then also change.

Resolution passed, as amended with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Proud offered Resolution No. 216 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU- FEDERAL AID-WIA PARTNERSHIP FOR YOUTH.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Proud offered Resolution No. 217 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU - RUNAWAY AND HOMELESS YOUTH FUNDING.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Proud offered Resolution No. 218 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - 3-5 SPECIAL EDUCATION PROGRAM INCREASED TUITION COSTS.

Resolution passed, with a voice vote
Legs. Gardner and Gearsbeck opposing
YES: 21 NO: 2 ABSENT: 2

Leg. Proud offered Resolution No. 219 entitled RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT SCHOOL DISTRICT (CPSE) EXCESS ADMINISTRATION COSTS.

Resolution passed, with a voice vote
Legs. Beckwith, Gardner, Gearsbeck opposing
YES: 20 NO: 3 ABSENT: 2

Leg. Kunzwiler offered Resolution No. 220, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COUNTY TREASURER'S OFFICE COMMUNITY COLLEGE TUITION.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Kunzwiler offered Resolution No. 221, entitled, RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT COUNTY TREASURER'S OFFICE.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Kunzwiler offered Resolution No. 222, entitled, RESOLUTION RELATIVE TO SALARIES OF THE MEMBERS OF THE OSWEGO COUNTY LEGISLATURE. Leg. Kunzwiler spoke in support of the 3% level reduced from the previous 5%.

Resolution passed, with a voice vote
Leg. Gearsbeck opposing
YES: 22 NO: 1 ABSENT: 2

Leg. Kunzwiler offered Resolution No. 223, entitled, RESOLUTION INCREASING EXISTING APPROPRIATIONS FOR VARIOUS FUNDS IN SEVERAL OFFICES AND DEPARTMENTS.

Resolution passed, with a voice vote
Leg. Malone opposing
YES: 22 NO: 1 ABSENT: 2

Leg. Kunzwiler offered Resolution No. 224, entitled, RESOLUTION APPROPRIATING FUNDS IN THE 2008 BUDGET IN REGARD TO FULL FUNDED GRANT PROJECTS.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bryant offered Resolution No. 225, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE OSWEGO COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE FOR THE 2008 STOP-DWI PROGRAM.

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Bryant offered Resolution No. 226, entitled, RESOLUTION AUTHORIZING CHAIRMAN AND CLERK TO HANDLE ALL UNFINISHED BUSINESS THROUGH DECEMBER 31, 2007.

Resolution passed, with a voice vote
Leg. Malone opposing
YES: 22 NO: 1 ABSENT: 2

Leg. Bryant offered Resolution No. 227, entitled, RESOLUTION FIXING THE TIME AND PLACE FOR THE 2008 ORGANIZATION MEETING (JANUARY 3, 2008 AT 4:00 PM)

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Leemann moved to waive the rules to consider an additional resolution, seconded by Leg. Kunzwiler. All in favor.

Leg. French offered Resolution No. 228, entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 2 OF 2007 "A LOCAL LAW PERMITTING SNOWMOBILE OPERATION ON CERTAIN COUNTY ROADS WITHIN THE COUNTY OF OSWEGO".

Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Recognition of outgoing Legislators:

Paul Natoli, District 11
Tom Bullard, District 14
Greg Osetek, District 15
Mike French, District 23
Russ Johnson, District 25

Each received a plaque and offered a few comments.

Leg. Leemann moved to recess the meeting until 6:00 p.m., Leg. Kunzwiler seconded the motion. The motion passed with a show of hands.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE LEGISLATURE REGARDING COUNTY ISSUES:

There was no one wishing to speak.

Leg. Kunzwiler moved to reconvene the meeting, seconded by Leg. Brown. The meeting was reconvened at 6:05 p.m.

County Attorney, Richard Mitchell, read the Notice of Public Hearing on the tentative county budget for the fiscal year 2008.

Selma Roland and Margaret Wiegel spoke on behalf of the Oswego County Library Council. Members of the Library Council stood up and were recognized. There were no others wishing to speak. The public hearing was closed at 6:17 p.m.

Leg. Kunzwiler offered Resolution No. 229, entitled, RESOLUTION ADOPTING COUNTY BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2008.

County Administrator, Philip Church, gave a brief summary of the budget. He stated that currently there is \$174,561,500 in appropriations and \$137.5 million in non-property tax revenues. It also called for an allocation of \$5.3 million from the general fund and \$1.5 million from fund 403 for a total of \$6.8 million in fund balance given back to the tax payers this year. That leaves a total real property tax levy of \$35,218,706. That is a 5.8% decrease over this year's tax levy. Based on a full value of property in the county of \$4.9 billion, resulting in a generic tax rate of \$7.12 per thousand, which is a 10.9% reduction this year

Leg. Seager offered a resolution to the budget. She referred to page 19, department 2490, specifically the Community College Tuition. She made a motion to increase the appropriation line at line 5465 to add an additional \$1 million so that the amount of the budget would be \$4.2 million for community college tuition and likewise increase the revenue line, to a like amount of \$4.2 million. Leg. Doyle seconded the motion. This is as a result of increase in fees, not an increase in students. Motion passed by a voice vote.

Leg. Beckwith moved to return the mileage reimbursement line on page one, line 5444 to last year's figure of \$10,000, seconded by Leg. Bryant. Leg. Gearsbeck disagreed with this noting that the benefit package and salary was enough compensation. Leg. French offered his opinion that all should be treated equal. A roll call vote was requested on the motion.

Motion passed, with a roll call vote
Leg. Gearsbeck opposed
YES: 20 NO: 1 ABSENT: 4

YES: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, OSETEK, SANTORE, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, FRENCH, BREWER.

NO: GEARSBECK.

ABSENT: NATOLI, BULLARD, PONZI, JOHNSON.

Discussion returned to the resolution. Leg. Gearsbeck moved for all department heads to reduce their portion of the budget by three percent, seconded by Leg. Malone. A roll call vote was requested.

Motion failed, with a roll call vote
YES: 1 NO: 20 ABSENT: 4

YES: GEARSBECK.

NO: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, OSETEK, SANTORE, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, FRENCH, BREWER.

ABSENT: NATOLI, BULLARD, PONZI, JOHNSON.

Discussion returned to the resolution. Leg. Seager moved to increase line 5110, department 1010, on page one, legislative salaries, to three percent. The final salary line would change from \$309,515 to \$318,801; seconded by Leg. Kunzwiler. Leg. Kunzwiler reminded the body that originally it had been a

five percent increase, and now it would be three percent raise annually. Leg. Gearsbeck moved to amend the motion to consider a zero increase. There was no second, the motion was defeated. Leg. Seager thanked the minority leader, Leg. Kunzwiler, for supporting this as well as others for the hard work. Leg. French commented that there is more to be done, and that he would abstain. Leg. Kunzwiler stated that there was good leadership in the chairmanship and tough decisions have been made and that there is still along way to go. Leg. Beardsley moved to call the question, seconded by Leg. Ospelt. Motion passed with a voice vote, Legs. Kunzwiler and Gearsbeck in opposition. A vote was taken to increase the salaries by three percent. Motion passed, Leg. Gearsbeck in opposition and Leg. French abstained.

Vice-Chairman Osetek offered the floor to the County Administrator Philip Church. He discussed the fund balance and future expenses that would have an impact on the budget; i.e. the replacement of the emergency radio system and the GASB 45 requirement to account for post-employment benefits.

Leg. Leemann move to amend the summary budget (front page of the budget) to read appropriated fund balance general to \$5,050,000, seconded by Leg. Kunzwiler. Motion passed, with a voice vote.

Leg. Kunzwiler called the question on the resolution, seconded by Leg. Seager. Motion passed with Leg. Gearsbeck in opposition. Roll call vote was requested.

Resolution to adopt the 2008 proposed budget as amended passed, with a roll call vote

YES: 19 NO: 2 ABSENT: 4

YES: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, OSETEK, SANTORE, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, BREWER.

NO: GEARSBECK, FRENCH.

ABSENT: NATOLI, BULLARD, PONZI, JOHNSON.

Leg. Kunzwiler offered Resolution No. 230, entitled, RESOLUTION MAKING APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2008.

Resolution passed, with a voice vote

YES: 21 NO: 0 ABSENT: 4

Leg. Ospelt moved to adjourn the meeting, wishing everyone a Merry Christmas, Leg. Kunzwiler seconded the motion. The motion passed with a show of hands. The meeting was adjourned at 6:46 p.m.