

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD ON
FEBRUARY 12, 2004**

Chairman Johnson called the meeting to order at 2:10 p.m. Roll call was taken with all legislators present.

Invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to the flag.

Minutes of the meeting of January 6, 2004 were approved under motion by Leg Waters, seconded by Leg. Brown and carried unanimously.

PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS AND ANNOUNCEMENTS

Chairman Johnson called the Human Resources Committee forward, along with Senior Master Sergeant Joseph Gianetto of the 174th Fighter Wing to join them. Mr. Gianetto stated that last October his unit was deployed to Qatar. He stated that while he was there a friend sent him an Oswego County flag, which was flown over the area during an operation. He read a certificate, which provided an overview of the operation and the fighter squad involved at the time the flag was flown. Mr. Gianetto presented the flag to Chairman Johnson. Chairman Johnson commented how much the men and women in the armed services are appreciated, stating that people stand committed to support the troops anywhere in the world they are.

REPORTS OF COUNTY OFFICIALS

Leg. Brown stated that she attended a NYSAC conference February 1st through the 3rd, serving on the resolutions committee. She stated that the primary concern was Medicaid, and indicated that they will keep the heat on the Governor to do some reform. Leg. Brown also stated the Retirement fund was discussed; they are contemplating establishing another Tier, and different recommendations for funding. Leg. Brown stated that changes were proposed to the Bottle Bill to expand it to include water and juice drink bottles.

STATE OF THE COUNTY ADDRESS

Chairman Johnson gave the State of the County Address as follows:

State of the County

Russ Johnson, Chairman, Oswego County Legislature

February 12, 2004

It is customary to begin a new legislative session with an address from the Chair that reviews recent accomplishments and outlines broad goals for the future. This is a time-honored tradition, and one that I respect. Nonetheless, I am going to ask for your indulgence for a little change from past practice.

This Legislature has worked through a very difficult period; has faced substantial challenges; and has more to confront. My colleagues and friends, we have work to do. So let's take this occasion as an opportunity to talk about the job ahead of us.

Before I go any further, however, let us take a moment to offer our thanks to the many dedicated men and women of the County who have worked so hard over this last month in such difficult conditions. I am very grateful for their devotion and commitment to the people of Oswego County, and I would ask that all of you let them know how much they are appreciated as we go forward in 2004.

If any of us ever had any doubts about the importance of County government for the safety and well-being of our citizens, certainly this past month should have erased them. As we go about our business this year, let us be mindful of our responsibilities to the people of this County to provide them with the services that are critical to their needs.

This is a time of change for Oswego County government. Some of the change has been forced *upon* us; some has been initiated *by* us. We begin this new year as a smaller government, one that will be spending less money than in prior years, and one that is almost entirely debt-free. Securitizing tobacco funds resulting from the Master Settlement Agreement between the states of our union and tobacco companies have allowed us to literally erase nearly \$18 million in debt service. All of these changes, however, have not been accomplished without a great deal of anxiety, tension, disagreement, and no small measure of regret in certain circumstances.

But there is much more that must be done. It is critical that we bring stability to Oswego County government, so that its citizens can know what services they can expect to receive, and how much of their hard-earned dollars they will need to budget for those services.

To achieve stability, we need to begin work on both short-range and long-range objectives. Towards that end, I would like to charge this Legislature and its committees with a number of specific tasks for this current year. But I also think it is essential that we look beyond this year to try to understand the forces that will impact County government and our citizens in the years ahead.

Let us consider the issues we must deal with immediately:

Andrew Michaud Nursing Home

The Health Committee has already begun the process of assessing the future of the County's Nursing Home. Michaud has played a vital role for over thirty years in meeting the needs of the elderly and the disabled. It has a 100% occupancy rate, so it is clear that Michaud still provides a valued service. Unfortunately, while there has not been a change in need, there has been an unfavorable change in the economics of the Home. In order to ensure that Michaud continues to be a resource for those in need of skilled nursing care for years to come, it is essential that we find responsible and practical means of addressing its deficit. I look forward to the work of our Health Committee to bring about necessary recommendations to this end.

Reduction in the Size of County Government

The General Government Committee has initiated a process for the Legislature to examine, with extensive public participation, its own structure. A series of public meetings, beginning tonight, have been scheduled in order to learn from Oswego County's citizens what they need and expect from our government. As part of this effort, I would also like to charge the Committee to undertake a review of the present organizational structure of County departments, as well as the Committees that oversee them. Our government has become smaller, so it is critical that we seize any and all opportunities to work more efficiently.

Asphalt Plant

The efficient use of an important County asset – its asphalt plant – has been on the agenda of the Public Works Committee. I would ask the Committee to make a concerted effort in the immediate future to answer all the economic and legal issues associated with making the plant a better-utilized resource for the County and its municipalities. I recognize that this is an issue that engenders strong emotions; however, we need to approach it in a business-like fashion, basing our decisions, whatever they may be, primarily on the facts.

Tourism

This County has for a number of years made substantial investments in support of our tourism industry. This effort continues, but with the constraints imposed by our fiscal situation, we are challenged to find new ways to support our businesses within the resources available. I would ask that the Economic, Development and Planning Committee work with the Department of Promotion and Tourism this year to identify partnerships that could result in more effective marketing of this county's attractions. We know that in a highly competitive industry, we must work together to get out the message about the great things Oswego County has to offer for visitors and residents alike.

Finally, one of the most important issues we will discuss and debate as it relates to our ability to give a sense of protection to residential and business property taxpayers is ...

Sales Tax

County property taxes have increased by double digits for the last two years. We all agree that this trend must not continue. We are forced to seek solutions that will best protect the residential and business property taxpayers from future increases; yet, we must assure our citizens that essential services will still be provided. Services like effective public safety and emergency management, continued reliability of year-round maintenance of our hundreds of miles of county and state roads, and necessary assistance for the livelihood of our poor. As I indicated to you earlier, some of the change in County government has been forced *upon* us; some has been initiated *by* us. We are forced to take a fresh look at the manner and method by which we conduct our business. We have indeed begun this new year as a smaller government, one that will be spending less money than in prior years, and one that is almost entirely debt-free. This Legislature is now exploring the prospect of increasing sales tax by 1%. **I submit to you that no tax increase is a good tax increase.**

However, if indeed we choose to do this, we can guarantee our residential and business property taxpayers protection from an overall property tax increase of over 21% between this year and next. As we know, even if there's no property tax increase proposed in future budgets for several years ahead, which would be unlikely without the increase in sales tax, compounding 21% for many years to come would devastate families of fixed incomes, and give further cause for our good businesses to find other places to do their business. I prefer to keep them right here.

The fiscal constraints we have encountered in the last two years are going to continue. This Legislature has been forced to make cuts in service that we would have preferred not to have made. It is critical that we find ways to deliver services more efficiently, rather than reducing them. We need to be prepared to re-examine customary arrangements for service delivery. Whether it is services to the elderly, the poor, or the disabled, our focus needs to be on the end result. Today I am charging jurisdictional committees with the task of reviewing these issues throughout the year, not just during budget deliberations. Beginning at your next committee meetings, and for the next several months, I would ask that all legislative committees, Department Heads and staff make a diligent effort to identify and define all programs and services offered to our residents; analyze and assess their costs and essential impact, and investigate the potential for increased revenue where appropriate. In doing this, each committee will be better prepared to provide our Ways, Means & Budget Committee with the best recommendations possible as we enter into the final stages of the 2005 budget process later this year.

Despite our budget difficulties, we have continued to maintain support for services that are important for the well-being and development of this County. Our challenge is to find ways to continue to help those services – for example, Camp Hollis and the Airport – to achieve self-sufficiency. Again, these are efforts that need to be made on an on-going basis, rather than just at budget time. Legislative Committees, you have your hands full this year more than ever before - for the good of the people of Oswego County.

To be successful, these initiatives will require the active participation of the entire Legislature. We are intent on making it possible for all Legislators to be kept as informed as possible on the wide range of issues confronting this government. In addition to encouraging broader participation in the work of the Committees, I will be asking the County Administrator to provide legislators with regular updates on matters of general concern.

In a period of declining revenues and steep increases in mandated costs, much of the work of this Legislature has necessarily been focused on immediate budget concerns. It is important, however, that we begin to take a longer range view of how this government can best meet the needs of our citizens. We will make better decisions today if we have a better understanding of where we need to be tomorrow. This Legislature will be challenged by many critical policy choices that cross the boundaries of jurisdictional committees and will span multiple budget cycles. For example, we have made several changes in the solid waste system as a consequence of budget constraints, but we have not yet examined what future demands there will be on the system and developed a plan for addressing them.

Today I announce that it is my intention to convene a Task Force on Strategic Planning to provide guidance to the Legislature with respect to identifying the major challenges we face, and developing appropriate responses to them. This will be a bi-partisan effort, and will seek out broad representation from the community – business, industry, labor, education, the arts, agriculture and others.

The issues that the Task Force will be asked to address include:

- What service demands are likely to be placed on the County in the coming years and what resources will be available to meet them?
- What is the current state of the County's infrastructure; what improvements need to be made; and what is the best way to fund them?
- What is the role of the County in promoting economic development, and what is the optimal means of fulfilling this responsibility?
- Are there opportunities to improve service and reduce costs through inter-governmental consolidations or cooperative arrangements?
- What support should and can County government provide to authorized agencies, and how should this be determined?

We have in the past reached out to the community for guidance in reviewing the processes of County government. Several of the recommendations that were made have already been implemented (for example: the County's workforce has been substantially reduced; the work of the departments is more closely coordinated; an integrated budget process has been developed) and others are under consideration.

The intent of the Strategic Planning Task Force is to focus not so much on the hows of County government, but the what and why of County government - what services do County residents need, and what is the best way to pay for them. The quest for a more efficient government is one that motivates our work every day; however, we must not let our interest in more efficient processes cause us to lose sight of the need to understand what it is we are trying to accomplish in the first place.

This Legislature is comprised of women and men of great talent, experience and wisdom. Working together as one, we will achieve a county government of stability, responsiveness, and unquestioned integrity. I am proud to be a part of this effort, and look forward to a busy year of significant accomplishments.

My fellow legislators, lets take on our 2004 legislative responsibilities courageously, cautiously, and confidently.

Thank you.

OTHER BUSINESS

Mark Lichtenstein, Deputy Superintendent of Public Works, provided new hours of operation for all transfer facilities, stating this will be effective next Tuesday.

RESOLUTIONS

Leg. Waters offered Resolution entitled, RESOLUTION APPOINTING INTERIM COUNTY ATTORNEY FOR THE COUNTY OF OSWEGO. Leg. Waters stated that this resolution appoints Richard C. Mitchell, currently the Deputy County Attorney, to Interim County Attorney.

Leg. Malone offered an amendment to have Richard C. Mitchell appointed permanently. This was seconded by Leg. Ponzi.

Leg. Waters stated that this is not appropriate, there is a committee process going on, it is the responsibility of General Government Committee.

Leg. Waters offered a motion to table, which was seconded by Leg. Bryant, with Legs. Malone, Hoefler, Seager, Vasho opposed. Motion Carried.

Discussion continued regarding if the motion to amend was tabled or if the resolution was tabled. Leg. Waters stated that the motion was to table the resolution.

Leg. Waters offered Resolution No. 8 entitled, RESOLUTION APPOINTING AUDITOR. Leg. Waters explained that this resolution re-appointed Stephen Loadwick as Auditor.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Seager offered Resolution No. 9 entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO THE REQUESTS OF LANDOWNER INCLUSION WITHIN THE EXISTING CERTIFIED AGRICULTURAL DISTRICT PURSUANT TO THE NYS AGRICULTURAL AND MARKETS LAW (AML), SECTION 303-B, AS AMENDED. Leg. Seager explained the process.

Leg. Malone offered a motion to amend the time to hold the public hearing at 7:00 p.m. Leg. Waters remarked that this is out of order, the Rules of the Legislature specifically state that the meeting for March is at 2:00 p.m.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Beckwith offered RESOLUTION AUTHORIZING COUNTY ATTORNEY TO COMMENCE LITIGATION REGARDING FORMER COUNTY PROPERTY 322 IN THE TOWN OF SCRIBA. Leg. Beckwith offered a motion to refer this back to Records Committee. This was seconded by Leg. Rusaw and carried unanimously. Leg. Malone inquired when it was decided that this should be sent back to committee. Richard Mitchell, Deputy County Attorney, stated that a check was received today, which is the reason why this is being referred back.

Leg. Beckwith offered Resolution No. 10 entitled, RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DEEDS OF PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE, TITLES TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURE OF 1999.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Seager offered Resolution No. 11 entitled, RESOLUTION REAPPOINTING MEMBERS TO THE OSWEGO COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL.

The Resolution Passed by a Show of Hands,
with Legs. Anson, Bryant and Ospelt opposing
AYES: -22 - NAYS: -3- ABSENT: -0-

Leg. Proud offered Resolution No. 12 entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY HEALTH BOARD.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Waters offered Resolution No. 13 entitled, RESOLUTION APPOINTING A MEMBER TO THE COUNTY BOARD OF ETHICS.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Santore offered Resolution No. 14 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DISTRICT ATTORNEY'S OFFICE.

A roll call vote was taken resulting in the following:

AYES: THOMAS, ANSON, WATERS, LEEMANN, BRYANT, GEARSBECK, PROUD, BROWN, BEARDSLEY, SEAGER, RUSAW, OSPELT, GARDNER, BULLARD, OSETEK, SANTORE, PONZI, KUNZWILER, HOEFER, MALONE, BECKWITH, VASHO, FRENCH, BREWER

ABSTAIN: JOHNSON

The Resolution Passed
AYES: -24 - NAYS: -0- ABSTAIN: -1- ABSENT: -0-

Leg. Rusaw offered Resolution No. 15 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Rusaw offered Resolution No. 16 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Rusaw offered Resolution No. 17 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Santore offered Resolution No. 18 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Brown offered Resolution No. 19 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Brown offered Resolution No. 20 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Seager offered Resolution No. 21 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PLANNING DEPARTMENT.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Seager offered Resolution No. 22 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF PROMOTION AND TOURISM

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Santore offered Resolution No. 23 entitled, RESOLUTION DELETING ONE FULL-TIME POSITION AND CREATING TWO PART-TIME POSITIONS IN THE OFFICE OF THE SHERIFF. Leg. Kunzwiler remarked that this is a good example of becoming more efficient and providing a savings to the County. It places two well-trained individuals in these positions, with no sacrifice of safety.

A roll call vote was taken on the resolution resulting in the following:

AYES: THOMAS, ANSON, WATERS, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, RUSAW, OSPELT, GARDNER, BULLARD, OSETEK, SANTORE PONZI, KUNZWILER, HOEFER, MALONE, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON

NAYS: GEARSBECK

The Resolution Passed
AYES: -24 - NAYS: -1- ABSENT: -0-

Leg. Anson offered Resolution No. 24 entitled, RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT COUNTY TREASURER'S OFFICE.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Anson offered Resolution No. 25 entitled, RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR TITLE 3 ENVIRONMENTAL QUALITY BOND ACT FUNDING FOR THE SILK ROAD LANDFILL REMEDIATION. Leg. Proud stated he would like to acknowledge representatives from the state, specifically Senator Wright, for bringing this to a decision.

Leg. Ospelt stated that he would like to correct a recent statement in the newspapers, which stated that the landfill had to be closed because of toxic materials in wells. He explained that this is not true, it was closed because it was filled up, it had to be closed according to DEC.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Proud offered a motion to recess, which was seconded by Leg. Hoefer and carried unanimously.

The meeting recessed at 3:00 p.m. and returned to regular session at 3:08 p.m.

Leg. Waters offered a motion to take RESOLUTION APPOINTING INTERIM COUNTY ATTORNEY FOR THE COUNTY OF OSWEGO, off the table. This was seconded by Leg. Brown, and carried unanimously.

Leg. Waters offered Resolution No. 26 entitled, RESOLUTION APPOINTING INTERIM COUNTY ATTORNEY FOR THE COUNTY OF OSWEGO.

Leg. Malone retracted his amendment to this resolution. Leg. Ponzi retracted his second.

Leg. Bryant inquired how long the search process will be. Chairman Johnson responded two to three months.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

UNFINISHED BUSINESS

Leg. Malone inquired what the status is of the formation of the committee on Efficiency and Reform. Chairman Johnson responded that one of the things he outlined in the State of the County address was that a report be done after 90 days by legislators at the committee level to be sure departments are running as efficiently as possible.

Leg. Kunzwiler stated that they are looking for the committee to be formed.

There being no further business, the meeting adjourned at 3:15 p.m. under motion by Leg. Waters, seconded by Leg. Bullard and carried unanimously.