

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD ON JULY 10, 2008.**

CALL TO ORDER:

Chairman Leemann called the meeting to order at 2:00 p.m. Roll call was taken with all legislators present, except Leg. Lockwood, who was absent due to family obligations. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to flag.

MINUTES:

The minutes were approved with no corrections and/or objections.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

INTRODUCTION OF VISITORS:

Chairman Leemann invited Leg. Proud and the members of the Health and Human Services Committee forward as well as Youth Bureau Director Kathy Fenlon, Senior Youth Services Specialist Kathy Andolina, Cindy Williams of the Phoenix Public Library and Nicole Reitz, to join them. Leg. Proud read a statement recognizing the Oswego County AmeriCorps program and its 500th member, Nicole Reitz.

Chairman Leemann invited Mr. Robert Burgdorf of the Law Office of Nixon & Peabody to come forward with an informational Power Point Presentation on the proposed Windpower Transmission Lines from Galoo Island. There was a brief question/answer period after the presentation. Leg. Gearsbeck asked if the residents of the county would receive low cost power from this project. Mr. Burgdorf stated that this project's purpose is to tie into the existing power grid with an increased supply of "Green" power. All of this would be regulated by the New York ISO and it is for this area. Leg. Walker asked if Mr. Burgdorf was in contact with the legislators from the districts that this project would go through, as Leg. Walker would be getting his information from them. Mr. Burgdorf responded that the State representatives had been involved. Chairman Leemann stated that there have been several informational meetings to date and that there would be more meetings in the future. Upon an inquiry by Leg. Brown, Mr. Burgdorf said that responses to the proposal so far are very mixed. Leg. Proud reminded the Legislature that the students from last month's Government Day had approved a mock resolution on this same subject. He added that it was his belief that this was one way to start utilizing a natural element (wind) for power for our children and grandchildren. Leg. Potter said that part of this project was in his district and that part of the people implied that the power company had intimidated some land owners. Mr. Burgdorf stated that if that did happen, it was unfortunate and not the company's policy. Chairman Leemann stated that a list of Legislators whose districts might be impacted would be provided to Mr. Burgdorf so that he could keep everyone informed.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

John Metelski, spoke in support of Resolutions No. 118 (supporting the findings of the New York State Commission on property tax relief) and No.119 (repealing the gasoline tax cap).

Town of Granby Supervisor Ed Williamson spoke in support of Resolution No. 118 (supporting the findings of the New York State Commission on property tax relief) and Resolution No. 119 (repealing the gasoline tax cap), and thanked County Highway Superintendent Kurt Ospelt and the highway crew for the wonderful job they performed paving Hannibal Street recently. He also stated that a developer has shown interest in building a strip center near the new Wal-Mart.

REPORTS OF COUNTY OFFICIALS:

Leg. Beckwith, on behalf himself and the Christmas Tree Growers of Oswego County, thanked the Oswego County Fair for showcasing the industry. He elaborated on the project "Trees for Troops" that in conjunction with FedEx sends trees to our troops in various countries. Chairman Leemann commended Legislator Potter for his outstanding contributions to this year's County Fair. Chairman Leemann also

noted that on Legislators' Day, former Legislator Jerry Thomas was honored for his long-time commitment to the County Fair and that his widow was deeply appreciative of the plaque presented to her by the Legislature.

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Beckwith offered Resolution No. 118, entitled, RESOLUTION IN SUPPORT OF THE FINDINGS OF THE NEW YORK STATE COMMISSION ON PROPERTY TAX RELIEF. The Commission found that New York State's local taxes are 79% above the national average and recommended a cap on school property taxes and several other measures to provide some measure of relief to taxpayers.

Resolution passed, with a roll call vote
YES: 24 NO: 0 ABSENT: 1

YES: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, GEARSBECK, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, BREWER, LECLAIR.

NO: NONE.

ABSENT: LOCKWOOD.

Leg. Seager offered Resolution No. 119, entitled, A RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF OSWEGO REPEALING ITS CENTS PER GALLON RATE OF SALES AND COMPENSATING USE TAXES ON MOTOR FUEL AND DIESEL MOTOR FUEL, THUS RESTORING ITS PERCENTAGE RATE OF SUCH TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK. Leg. Beckwith stated that he hopes that the revenue from this will be used to keep the property taxes down. Leg. Malone moved to amend the resolution to direct the monies received to go directly to property taxes. Leg. Bryant offered to second the original resolution offered by Leg. Seager; Leg. Gearsbeck seconded Leg. Malone's motion. County Attorney, Richard C. Mitchell, explained that the motion to amend would be out of order. The State offered the specific wording of this resolution as a template and strongly suggested that it could not be altered without the likelihood of rejection by the State. And, since the ability to levy sales tax comes from the State of New York, it is very clear that the resolution has to be passed or turned down as written, and not be amended. Leg. Gardner called the question, seconded by Leg. Santore.

Motion to call the question passed, with a voice vote
Legs. Byrant, Malone and Gearsbeck in opposition
YES: 21 NO: 3 ABSENT: 1

Resolution passed, with a roll call vote
Leg. Brewer abstained as an operator of a gas station.
YES: 19 NO: 4 ABSENT: 1 ABSTAIN: 1

YES: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, BECKWITH VASHO SORBELLO, LECLAIR.

NO: BRYANT, GEARSBECK, GARDNER, MALONE.

ABSENT: LOCKWOOD.

ABSTAIN: BREWER.

Leg. Kunzwiler left the meeting at 3:02 p.m.

Leg. Beckwith offered Resolution No. 120, entitled, RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DEEDS FOR PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE, TITLES TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURES OF 2003,2004,2005, 2006.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Beardsley offered Resolution No.121, entitled, RESOLUTION PROVIDING FOR TEMPORARY RECLASSIFICATION OF A POSITION IN THE HIGHWAY DEPARTMENT. This resolution temporarily reclassified 1 Equipment Mechanic to Crew Leader from July through November of 2008 when said position will automatically revert to the original budget schedule.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Beardsley offered Resolution No. 122, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 18-ROAD CONSTRUCTION. This resolution transferred funds between Capital Reserve No. 18-road Construction and Capital Project No. 184 - Paving Area 1-2008 due to the increased cost of supplies and materials.

Resolution passed, with a voice vote

Legs. Gearsbeck and Walker in opposition.

YES: 21 NO: 2 ABSENT: 2

Leg. Doyle offered Resolution No. 123, entitled, RESOLUTION APPROVING THE ADOPTION OF THE OSWEGO COUNTY COORDINATED PUBLIC TRANSPORTATION PLAN.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Doyle offered Resolution No. 124, entitled, RESOLUTION SUPPORTING A JOINT APPLICATION FOR FUNDING UNDER TITLE 11 OF THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND LOCAL WATERFRONT REVITALIZATION PROGRAM.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Seager offered Resolution No. 125, entitled, RESOLUTION TO INCREASE CAPITAL RESERVES 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT; CAPITAL RESERVE 16 - BRIDGES; CAPITAL RESERVE 18-ROAD CONSTRUCTION; AND CAPITAL RESERVE 21 - BUILDING RENOVATION. This resolution transferred \$5 million from unappropriated fund balance to four of the County's Capital Reserves. Responding to Leg. Beardsley's question regarding the difference between a capital reserve fund and unexpended balance, County Administrator Philip Church explained that a Capital Reserve is a reserve account that the Legislature has set up for a specific purpose. The

unappropriated fund balance is funds left over at the end of the year and is generally the source for reserve monies.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 126, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PROBATION DEPARTMENT - DOMESTIC VIOLENCE GRANT.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Proud, offered Resolution No. 127, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES ACCEPT ADDITIONAL STATE AID NYS OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES SERVICES.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Proud offered Resolution No. 128, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU LEGISLATIVE GRANT AWARD.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

UNFINISHED BUSINESS:

Responding to a previous request, Chairman Leemann stated that he had provided Leg. Kunzwiler with information on a previously received grant from National Homeland Security.

Clerk of the Legislature Ted Jerrett reminded everyone about the upcoming Farm Tour, sponsored by the Oswego County Farm Bureau. He requested anyone interested to let him know.

ADJOURNMENT:

Leg. Seager moved to adjourn the meeting, and Leg. Santore seconded the motion. All approved and the meeting was adjourned at 3:16 p.m.

PUBLIC COMMENT ON GENERAL ISSUES:

Mr. Ned Waterbury, President of the Ramona Beach Homeowners Association expressed concern over an international plan to allow maximum water levels on Lake Ontario to rise nearly one foot, which, in his opinion would cause dramatic shoreline erosion.

Leg. Brown noted that the County's Environmental Management Council had reviewed the proposals and offered a recommendation. Legislator Doyle announced that the matter would come before the next EDP Committee.

There were no others wishing to speak.