

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD SEPTEMBER 11, 2008.**

CALL TO ORDER:

Chairman Leemann called the meeting to order at 7:02 p.m. Roll call was taken with all legislators present, with the exception of Leg. Seager. Chairman Leemann reflected on the events of September 11, 2001, followed by a moment of silence. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to flag.

MINUTES:

Hearing no objections and/or corrections the minutes of August 14, 2008 were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

INTRODUCTION OF VISITORS:

Chairman Leemann congratulated Youth Bureau Director Kathy Fenlon on being honored as Zonta Woman of the Year.

Chairman Leemann invited Leg. Proud and the members of the Health and Human Services Committee forward as well as Kathy Fenlon and Brian Chetney of the Youth Bureau. A proclamation was read honoring the Oswego County Youth Court Program and declaring September as Youth Court Month. Several Youth Court Program students from around the County were in attendance and each introduced themselves. Brief comments were made by both Ms. Fenlon and Mr. Chetney.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

There was no one wishing to speak.

REPORTS OF COUNTY OFFICIALS:

Leg. Doyle thanked everyone, on behalf of the residents of the Lake Ontario towns, for voting for the resolution opposing the Joint Commission's proposal relating to the lake levels on Lake Ontario. It was recently reported that the Commission had decided not to proceed with the troubling proposed plan.

Leg. Walker expressed concern about the availability of parking at the Board of Elections Office. Chairman Leemann directed the issue to the County Administrator's attention. Also, Leg. Walker expressed his appreciation for Youth Bureau Director Kathy Fenlon's help in making arrangements for children with hardship circumstances to attend Camp Hollis.

Fred Maxon, Director of Purchasing, reported that the recent auction of used County equipment had gone well bringing a total of \$281,466.

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Beardsley offered Resolution No. 150, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION BUILDINGS AND GROUNDS REPAIRS - BUILDINGS

AND PROPERTY. This resolution authorized a budget modification for \$28,725 to cover the unanticipated expenses for repairs to two of the main electrical panels at the Public Safety Center.

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

Leg. Beardsley offered Resolution No. 151, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION BUILDINGS AND GROUNDS - EMPLOYEE ON CALL. This budget modification allows the Buildings and Grounds Department to maintain an employee on-call at the Public Safety Center for the remainder of the year.

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

Leg. Beckwith offered Resolution No. 152, 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 1981, 2003, 2004, 2005, 2006.

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

Leg. Beardsley offered Resolution No. 153, entitled, RESOLUTION AUTHORIZING THE OSWEGO COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK RELATIVE TO THE CR 48 (PINEVILLE ROAD) OVER SALMON RIVER BRIDGE REPLACEMENT PROJECT TOWN OF ALBION, PIN 3752.87.

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

Leg. Proud offered Resolution No. 154, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT -HOME HEALTH AIDE SERVICES. This budget modification increases the funding for home health aide services provided to long term patients.

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

Leg. Santore offered Resolution No. 155, entitled, RESOLUTION AUTHORIZING DELETION OF TWO PART-TIME POSITIONS AND CREATION OF ONE FULL-TIME POSITION IN THE PROBATION DEPARTMENT. This resolution allows part-time Probation Officer positions #31410903 and #31410905 to be replaced by full time position #32012008. After a lengthy discussion, Leg. Bryant called the question, seconded by Santore. The motion to call the question passed with a voice vote, Legs. Malone, Kunzwiler, and Walker in opposition.

Resolution passed, with a voice vote
Legs. Malone and Walker in opposition.
YES: 22 NO: 2 ABSENT: 1

Leg. Beardsley offered Resolution No. 156, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HIGHWAY DEPARTMENT - GASOLINE AND FUEL OIL. This budget modification provides \$500,000 to cover the increased cost of fuel. Highway Superintendent Kurt Ospelt explained the system monitors fuel usage and that even though his department is using hundreds of gallons less this year, the increased prices have overwhelmed his budget. A copy of the report will be sent to Leg. Gearsbeck. Leg. Beardsley stated that the issue of security cameras had been brought up in committee.

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

Leg. Proud offered Resolution No. 157, entitled, RESOLUTION AUTHORIZING THE CREATION OF ONE NEW PART TIME POSITION AT THE OSWEGO COUNTY HEALTH DEPARTMENT. This resolution creates one part-time Public Health Nurse for nighttime and weekend calls for the Oswego County Health Department Hospice program.

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

Leg. Santore offered Resolution No. 158, entitled, RESOLUTION REVISING THE OSWEGO COUNTY EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL. This resolution formally adopts the reformation of the Emergency Medical Services Advisory Council (EMSAC) under the coordination of the Office of Emergency Management.

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

Leg. Kunzwiler offered Resolution No. 159, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 2 OF THE YEAR 2008, ENTITLED, "A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF THE YEAR 2005 RELATIVE TO THE SALARY OF THE OSWEGO COUNTY SHERIFF". Leg. Kunzwiler made a motion to table this resolution and send it back to committee, seconded by Leg. Malone. A roll call vote was taken.

Motion to table Resolution failed, with a roll call vote
YES: 7 NO: 17 ABSENT: 1

YES: POTTER, BRYANT, GEARSBECK, OLDENBURG, WALKER, KUNZWILER, VASHO.

NO: KASTLER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, SANTORE, FLETT, CHALIFOUX, MALONE, BECKWITH, SORBELLO, BREWER, LECLAIR.

ABSENT: SEAGER.

Discussion returned to the resolution. After a lengthy discussion County Attorney, Richard Mitchell, stated that a public hearing is necessary to enact a local law. If the proposed resolution is defeated, the debate on the law is moot since there would be no law to consider. Leg. Malone

moved and Leg. Gearsbeck seconded to lower the proposed salary of the Sheriff from \$74,207 for 2008 to \$72,207 for 2008. A roll call vote was requested.

Motion to amend the proposed resolution failed, with a roll call vote

Leg. Beckwith abstained citing family connections.

YES: 5 NO: 18 ABSENT: 1 ABSTAIN: 1

YES: POTTER, GEARSBECK, KUNZWILER, MALONE, VASHO.

NO: KASTLER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, WALKER, SANTORE, FLETT, CHALIFOUX, SORBELLO, BREWER, LECLAIR.

ABSENT: SEAGER.

ABSTAIN: BECKWITH.

Leg. Doyle requested that County Attorney Richard Mitchell render an opinion on amending the local law. The County Attorney explained that the vote just taken to amend the proposed local law was proper and that the proposal must be in final form prior to a public hearing. After a lengthy discussion, Leg. Ospelt called the question, seconded by leg. Doyle, no one opposed.

Resolution passed, with a voice vote

Legs. Gearsbeck and Kunzwiler in opposition.

YES: 22 NO: 2 ABSENT: 1

Leg. Proud offered Resolution No. 160, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES TO ACCEPT INCREASE IN 2008 ALLOCATION FROM NEW YORK STATE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES SERVICES. (OMRDD). This resolution accepts \$11,562 of additional State Aid from the New York State Office of Mental Retardation and Developmental Disabilities Services.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Proud offered Resolution No. 161, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES -YEAR END PROJECTIONS TRANSFER. This resolution authorized the transfer of \$7,000.00 from 6020.5110 (salary line) to the 6020.5143 (additional hours line) based on year-end projections.

Resolution passed, with a voice vote

Leg. Gearsbeck in opposition.

YES: 23 NO: 1 ABSENT: 1

Leg. Doyle offered Resolution No. 162, entitled, RESOLUTION PROVIDING FOR TOURISM PROMOTION FOR THE COUNTY OF OSWEGO. This resolution acknowledges the Department of Community Development, Tourism & Planning as the official Tourism Promotion Agency (TPA) for Oswego County and authorizes the application for matching funds.

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

Leg. Beardsley offered Resolution No. 163, entitled, RESOLUTION APPROVING THE EXECUTION OF A LEASE WITH THE OSWEGO COUNTY QUARTER MIDGET CLUB. This authorizes a 5-year contract for \$1,000/year. In response to legislators' questions, it was explained that a parking lot already exists, that the availability of public water for the track is being studied and that the Club already pays local taxes on the track.

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

Leg. Beardsley offered Resolution No. 164, entitled, RESOLUTION FIXING TIME AND PLACE FOR A PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 3 OF THE YEAR 2008, ENTITLED, "OSWEGO COUNTY RECYCLING AND SOLID WASTE LOCAL LAW".

Resolution passed, with a voice vote
Legs. Bryant and Gearsbeck in opposition
YES: 22 NO: 2 ABSENT: 1

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Chairman Leemann stated that he had received a thank you letter from the Barclay family for last month's official recognition.

Chairman Leemann also stated that he had established a temporary, 9-member ad hoc airport committee to review and make recommendations on the airport's operation, staffing, and plans for future development. The term of this committee expires March 31, 2009 with a preliminary report on their findings due on January 1, 2009.

Chairman Leemann reminded everyone about the upcoming county picnic to be held September 14, 2008. Currently there was 473 people signed up to attend and no tax dollars are involved.

The Legislature entered into an Executive Session at 8:12 p.m. to consider a matter of employee discipline. The Legislature returned from Executive Session at 9:23 p.m.

ADJOURNMENT:

Upon motion by Leg. Walker and seconded by Leg. Brown, the meeting adjourned without dissent at 9:23 p.m.

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

There were no others wishing to speak.