

**MINUTES OF THE PUBLIC HEARING HELD ON APRIL 9, 2009
RELATIVE TO "A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1990 ENTITLED THE
OSWEGO COUNTY FAIR HOUSING LAW".**

Chairman Barry Leemann opened the public hearing at 7:04 p.m. County Attorney Richard Mitchell read the Public Hearing Notice of the proposed County of Oswego Local Law Number 1, of 2009, entitled, "A LOCAL LAW AMENDING LOCAL LAW NUMBER 3 OF 1990 ENTITLED THE OSWEGO COUNTY FAIR HOUSING LAW". Chairman Leemann offered the floor to anyone wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 7:05 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD APRIL 9, 2009.**

Chairman Leemann called the meeting to order at 7:06 p.m. Roll call was taken with all legislators present, except Legs. Gardner and Vasho (excused). The invocation was given by Clerk of the Legislature Ted Jerrett, followed by the salute to the flag.

MINUTES:

The minutes of the March 12, 2009 were approved with no objections and/or corrections.

INTRODUCTION OF VISITORS:

Chairman Leemann invited BOCES Coordinator for Adolescent Pregnancy Prevention Linda Eagan forward. A proclamation was read acknowledging May as Adolescent Pregnancy Prevention Month. Several Program Coordinators and students offered insights and strategies of this successful program.

Chairman Leemann invited representatives of the Oswego Arts Collaborative forward. A brief presentation was given stressing the tie between economic development and the arts in Oswego County.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

Warren Darby, Onondaga County Undersheriff, spoke in support of Resolution No. 73 and the value of tracking systems for "wandering" individuals suffering from dementia.

REPORTS OF COUNTY OFFICIALS:

Leg. Brown reported on the State Fish and Wildlife Management Board Meeting she attended in Albany on March 26-27, 2009. She stated that license fees were increasing and that the pheasant farms were going to be kept open. Unfortunately there is still no aid for farmers. Leg. Kunzwiler suggested that a thank you letter be sent to the state representatives who were instrumental in restoring monies to different areas requested by the county.

REPORTS OF STANDING COMMITTEES:

Leg. LeClair stated that there would be a presentation given to the public on what the county has to offer in the areas of economic development and tourism. This will be held at the Tavern on the Locke, April 30, 2009 at 6:00 p.m. This will be a good opportunity for the general public to become informed of what services and events are available in the county so that they can become "ambassadors" of the county as they travel to other locations.

Leg. LeClair also gave an update on the County Employee Appreciation Picnic hosted by the Legislators which will be held on May 31, 2009 from noon to 4:00 p.m. at the Fulton War Memorial.

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Beckwith offered Resolution No. 51, 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 AND 2004.

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

Leg. Beckwith offered Resolution No. 52, entitled, RESOLUTION CORRECTING AN ERROR ON THE TAX ROLLS FOR THE TOWN OF SCRIBA.

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

Leg. Beckwith offered Resolution No. 53, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 105 - TECHNOLOGY UPGRADE - YEAR 1. Central Services Director Rick Hogan noted that this funds the first year of a three year technology upgrade plan.

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

Leg. Sorbello offered Resolution No. 54, entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2009 (FAIR HOUSING) Leg. Sorbello moved to amend the resolution to include wording in section 4 which replaces the word "handicap" with "disability". Leg. Kunzwiler seconded the motion, all were in favor. This resolution modified the Oswego County Fair Housing Law to keep it consistent with state and federal criteria.

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

Leg. Sorbello offered Resolution No. 55, entitled, RESOLUTION AUTHORIZING THE APPLICATION FOR GRANT FUNDS FOR THE PURPOSE OF ASSISTING LAW AND MODERATE-INCOME HOUSEHOLDS WITH ENERGY EFFICIENCY PROJECTS. This resolution authorized the Chairman of the Legislature to execute the documents necessary to submit a grant application to the New York State Affordable Housing Corporation for \$250,000 for housing repairs for low and moderate income homeowners residing in Oswego County.

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

Leg. Sorbello offered Resolution No. 56, entitled, RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING TO PARTNER WITH OSWEGO COUNTY OPPORTUNITIES ON AN APPLICATION FOR FUNDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. This resolution authorizes the Chairman of the Legislature to execute the necessary documents to submit said grant application for the purchase of a bus and associated equipment as well as funding for the study, design and implementation of a Rural Intelligent Transportation System project. It also authorizes the Chairman to enter into third party contracts for the implementation of the programs if funded. Community Development, Tourism and Planning Director David Turner offered a brief overview and noted that there is no cost to the county.

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

Leg. Sorbello offered Resolution No. 57, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING (STOA). The budget modification is necessary to accept and disburse State Transportation Operating Assistance funds. Leg. Sorbello thanked the Planning Department for obtaining the grants and bringing in additional money to the County. Leg. Brown asked whether this would help the much needed transportation in the North Country that had been cut, Leg. Doyle concurred. Chm. Leemann said it would be looked into.

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

Leg. Proud offered Resolution No. 58, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 191 - DEFIBRILLATORS PURCHASE. This would provide defibrillators to county buildings.

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

Leg. Proud offered Resolution No. 59, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - BEACH GRANT. This accepts 100% State Aid.

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

Leg. Proud offered Resolution No. 60, entitled, RESOLUTION TO CONFORM THE COMPOSITION OF THE OSWEGO COUNTY BOARD OF HEALTH TO NYS PUBLIC HEALTH LAW. The resolution cuts the County's added restrictions on membership in order to more easily attract members.

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

Leg. Proud offered Resolution No. 61, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TO ACCEPT ADDITIONAL FEDERAL LIHEAP ADMINISTRATIVE FUNDS. This resolution accepted an additional \$88,590.

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

Leg. Beardsley offered Resolution No. 62, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT QUARTERLY MONITORING REPORTS. This resolution awards a professional services contract to Barton and Loguidice, P.C. of Syracuse, NY for Engineering Consulting at Bristol for \$36,000.

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

Leg. Beardsley offered Resolution No. 63, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT - GREENHOUSE GAS VERIFICATION. This resolution awards a professional services contract to First Environmental, Inc. for a sum not to exceed \$12,000.

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

Leg. Beardsley offered Resolution No. 64, entitled, RESOLUTION AUTHORIZING THE DEPARTMENT OF SOLID WASTE TO SUBMIT AN APPLICATION FOR FUNDS THROUGH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. If successful, these funds would help provide a sanitary sewer line serving the Bristol Hill Complex, the County Airport and the Industrial Park on Howard Rd. in Volney. Leg. Gearsbeck asked if this would eliminate any jobs. Chairman Leemann stated that the matter would be looked into.

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

Leg. Beardsley offered Resolution No. 65, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 183 WATER SEPARATOR STORAGE TANK BRISTOL HILL GARAGE. Such a storage

tank is needed for the facility to become compliant with current regulations.

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

Leg. Beardsley offered Resolution No. 66, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 187 LITTER-FENCING BRISTOL HILL LANDFILL. This provides \$40,000 for portable fencing to be used to contain litter as the landfill grows.

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

Leg. Beardsley offered Resolution No. 67, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 186 - INCINERATOR REFRACTORY ERF. This resolution provides \$120,000 to replace the refractory liners at ERF for two of the incinerators.

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

Leg. Beardsley offered Resolution No. 68, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT 154-TRANSFER STATIONS REHABILITATIONS.

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

Leg. Beardsley offered Resolution No. 69, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 120-EQUIPMENT PURCHASE - BUILDINGS & GROUNDS. Leg. Walker inquired of the disposition of vehicles being replaced. Chairman Leemann stated the vehicles would be auctioned.

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

Leg. Beardsley offered Resolution No. 70, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 121 - HIGHWAY EQUIPMENT-2009. Leg. Bryant asked if it was cost effective to buy a milling machine as opposed to renting one. Leg. Beardsley explained that considering the life expectancy of this equipment and the cost of maintaining it, purchasing it would be a better option. Leg. Doyle stated that this was part of a comprehensive five year plan. Leg. Gearsbeck requested a roll call.

Resolution passed, with a roll call vote.
YES: 22 NO: 1 ABSENT: 2

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

NO: GEARSBECK

ABSENT: HAYES, VASHO.

Leg. Beardsley offered Resolution No. 71, entitled, RESOLUTION AUTHORIZING THE EXECUTION OF A PERMANENT EASEMENT AND RIGHT OF WAY FOR THE SCRIBA CONSOLIDATED WATER DISTRICT.

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

Leg. Beardsley offered Resolution No. 72, entitled, RESOLUTION APPOINTING SUPERINTENDENT

OF BUILDINGS AND GROUNDS FOR THE COUNTY OF OSWEGO. This appoints William Malone as Superintendent of Buildings and Grounds of the County of Oswego, commencing April 9, 2009.

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

Leg. Santore offered Resolution No. 73, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION E-911 - UPKEEP OF THE RADIO SYSTEM AND EQUIPMENT. This resolution accepted \$62,505.24 in reimbursement for 911 services from New York State for 2008-2009. Said funds will be used to track "wandering" dementia patients for their improved safety, upgrade the Central Services Main Frame and partner with SUNY Oswego in an improved communication system.

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

Leg. Santore offered Resolution No. 74, entitled, RESOLUTION CREATING TEN (10) POSITIONS IN THE OFFICE OF THE SHERIFF. This resolution increases manpower as mandated by the New York State Commission of Corrections as follows: five (5) Correction Officer Positions in 2009 and increasing the Patrol Officer positions by five (5) in late 2009 or early 2010. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 22 NO: 1 ABSENT: 2

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

NO: GEARSBECK.

ABSENT: GARDNER, VASHO.

Leg. Santore offered Resolution no. 75, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 161-FIRE SCHOOL RENOVATIONS. This resolution provides funds to repair the fire tower at the Oswego County Fire School.

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

Leg. Ospelt offered Resolution No. 76, entitled, RESOLUTION APPOINTING DIRECTOR OF PROBATION FOR THE COUNTY OF OSWEGO. Leg. Ospelt moved to amend the resolution to correct a clerical error, deleting the word "interim" preceding Director; Leg. Santore seconded the resolution, all in favor. Discussion returned to the amended resolution which appoints Deborah L. Meyer as Director of Probation for the County of Oswego commencing April 9, 2009. Leg. Gearsbeck expressed concern regarding the selection process, saying it was rushed and not considered thoroughly. After a brief discussion, Leg. Ospelt called the question, seconded by Leg. Santore; all in favor with the exception of Legs. Kunzwiler, Walker and Gearsbeck. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 20 NO: 3 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, OLDENBURG, WALKER, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, BREWER, LECLAIR.

NO: GEARSBECK, KUNZWILER, MALONE.

ABSENT: GARDNER, VASHO.

Leg. Ospelt offered Resolution NO. 77, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - OSWEGO INDUSTRIES.

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

Leg. Ospelt withdrew the proposed final resolution of the day regarding Home Rule Request.

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Ted Jerrett commended the Promotion and Tourism Department on the great job they did developing the 2009 County Directories. Chairman Leemann thanked the Legislators for personally delivering them to local municipalities and thus saving the County significant postage.

Leg. Kunzwiler asked about the status of a letter of opinion from the Attorney General's office regarding the number of official papers for the County. Chairman Leemann stated that he had a response from the County Attorney and would share it with him.

Leg. Proud responded to previous comments characterizing the selection process for Probation Director as rushed and lacking thoroughness. He totally rejected that opinion as uninformed and professionally insulting.

Leg. Doyle moved to adjourn the meeting, seconded by Leg. Kunzwiler, all in favor. The meeting was adjourned at 8:30 p.m.

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

DSS Case Supervisor William Reed offered some insight into the State regulations that direct and restrict child protective services. He expressed a deep admiration for the dedication, compassion and professionalism exhibited by DSS Child Protective Caseworkers and noted that these professionals take tragic losses like Erin Maxwell very personally.

Colleen Scott of Volney accused Oswego DSS of "fabricating reports" regarding the Erin Maxwell case.

Mr. Wallace Auser spoke in support of the Department of Social Services and discussed legal and procedural restrictions that make DSS depend upon other community members to help in protecting children. He noted that the NYS Report on the DSS/Maxwell issue does not support most of the sharp allegations leveled at DSS and that shoddy reporting by some press has critically misinformed the public.

Sandy Rogers of Fulton stated that DSS is uncaring and did not do all it could to protect Erin Maxwell. She offered that the condition of the Maxwell house should have been sufficient to remove the child.

Miles Becker of Oswego said he was not happy with DSS's handling of the Maxwell case and said that help from Washington or Albany is not likely. He also requested a tight rein on the county budget.