

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

Chairman Johnson called the meeting to order at 7:06 p.m. Roll call was taken with all legislators present, except Legs. Bullard and Ponzi, and a Vacancy in District #1. The invocation was given by Ted Jerrett, Clerk of the Legislature, including a moment of silent prayer for the recent passing of former legislator Sam Galizia and retired 55-year County Highway employee Bob Schaad. It was followed by the salute to flag.

**MINUTES:**

Hearing no objections and/or corrections to the minutes of August 9, 2007 and August 22, 2007, they stand approved.

**PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES:** None.

**PROCLAMATIONS AND COMMENDATIONS:**

Chairman Johnson invited Leg. Proud and members of the Health and Human Services Committee forward and invited Literacy Volunteers Executive Director Jane Murphy and Board Member Kathy Mantaro to join them. A proclamation was read making September Literacy Month for Oswego County. Director Murphy offered a few comments.

**PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:** None.

**REPORTS OF COUNTY OFFICIALS:**

Leg. Malone read a statement apologizing for comments he made at a July 25<sup>th</sup> meeting of the Community and Consumer Affairs Committee.

**REPORTS OF STANDING COMMITTEES:** None

**REPORTS OF SPECIAL COMMITTEES:**

Leg. Seager requested that no further investigations be continued at the taxpayer's expense regarding the incidents that Leg. Malone had addressed. She asked that the report be shared with the other members of the committee and asked for some type of remedy to be provided. A brief discussion followed.

**RESOLUTIONS AND MOTIONS:**

Leg. Osetek offered Resolution No. 140, entitled, RESOLUTION APPOINTING PURCHASING DIRECTOR. This resolution appoints Fred M. Maxon as Purchasing Director for Oswego County. (Amendment added at end of meeting sets term to begin September 24, 2007.)

Resolution passed with a voice vote  
YES: 22 NO: 0 ABSENT: 2 VACANT: 1

Chairman Johnson thanked the search committee.

Leg. Malone offered Resolution No. 141, entitled, RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES FOR THE COUNTY OF OSWEGO. This resolution reappointed David L. Hastings as Director of Real Property Tax Services through September 30, 2013. Leg. Beardsley moved to table the resolution, seconded by Leg. Bryant. A roll call vote was requested.

Motion to table resolution failed with a roll call vote

YES: 10 NO: 12 ABSENT: 2 VACANT: 1

YES: POTTER, LEEMANN, BRYANT, BEARDSLEY, SEAGER, OSPELT, GARDNER, CHALIFOUX, FRENCH, BREWER.

NO: DOYLE, GEARSBECK, PROUD, BROWN, NATOLI, OSETEK, SANTORE, KUNZWILER, MALONE, BECKWITH, VASHO, JOHNSON.

ABSENT: BULLARD, PONZI.

VACANT: DISTRICT ONE

Discussion returned to the resolution. A roll call vote was requested.

Resolution passed with a roll call vote

YES: 19 NO: 3 ABSENT: 2 VACANT: 1

YES: POTTER, DOYLE, LEEMANN, GEARSBECK, PROUD, BROWN, SEAGER, NATOLI, GARDNER, OSETEK, SANTORE, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON.

NO: BRYANT, BEARDSLEY, OSPELT.

ABSENT: BULLARD, PONZI.

VACANT: DISTRICT ONE

7:40 PM - Leg. Bullard entered the meeting.

Leg. Malone offered Resolution No. 142, 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 2002,2003,2004,2005.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Malone and Osetek, Leg. Osetek presenting, offered Resolution No. 143, entitled, RESOLUTION ACCEPTING GRANT MONIES BY THE OSWEGO COUNTY BOARD OF ELECTIONS REGARDING NEW YORK STATE VOTER EDUCATION AND POLL WORKER TRAINING PROGRAM GRANT. This resolution accepted a grant in the amount of \$82,077 for Oswego County Board of Elections.

Resolution passed with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Bryant offered a Resolution entitled RESOLUTION AUTHORIZING AMENDMENTS IN THE OSWEGO COUNTY LEGISLATURE RULES AND ORDER OF BUSINESS. After a lengthy discussion Leg. Bryant called the question and Leg. Bullard seconded. A roll call vote was requested.

Motion to call the question on proposed resolution passed with a roll call vote

YES: 22 NO: 1 ABSENT: 1 VACANT: 1

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

NO: NATOLI.

ABSENT: PONZI

VACANT: DISTRICT ONE.

Discussion returned to the resolution. A roll call vote was requested.

Resolution failed by a roll call vote to gain the required 2/3 vote

YES: 15 NO: 8 ABSENT: 1 VACANT: 1

YES: POTTER, BRYANT, GEARSBECK, PROUD, NATOLI, OSPELT, BULLARD, OSETEK, KUNZWILER, CHALIFOUX, MALONE, VASHO, FRENCH, BREWER, JOHNSON.

NO: DOYLE, LEEMANN, BROWN, BEARDSLEY, SEAGER, GARDNER, SANTORE, BECKWITH.

ABSENT: PONZI.

VACANT: DISTRICT ONE.

Leg. Chalifoux offered Resolution No. 144, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT "FULTON BROWNFIELD OPPORTUNITY AREA NOMINATION STUDY" DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING.

This resolution awarded the contract for the preparation of the Fulton Brownfield Opportunity Area Nomination Study to the LaBerge Group of Albany, NY, for a sum not to exceed \$45,800.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Bullard, yielded to Leg. Potter offered Resolution No. 145, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT - MEDICAL FEES. This resolution transferred \$100,000 from the Oswego County Sheriff's Budget-Corrections Division, line 3150.5110(Salaries & Wages - Regular) into expenditure line 3150.5435 (Medical Fees).

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Osetek offered Resolution No. 146, entitled RESOLUTION AUTHORIZING BUDGETARY MODIFICATION ACCEPTING FEMA REIMBURSEMENT.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 147 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION OFFICE FOR THE AGING - SENIOR NUTRITION PROGRAM.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 148 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION OFFICE FOR THE AGING -"POWERFUL TOOLS FOR CAREGIVERS" GRANT. This resolution accepted a grant of \$6,000 to cover trainer expenses.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 149 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU - UNANTICIPATED 2006 STATE AID. This resolution accepted an additional \$7,947 in unanticipated 2006 state aid to off-set costs that the county incurred for coordination of the county Runaway and Homeless Youth programs.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 150, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TO ACCEPT ADDITIONAL TANF FUNDING. This resolution accepted \$640,000 in additional Temporary Assistance for Needy Families (TANF) funds. This allocation is 100% federal funding.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 151, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES SUPPLEMENTAL DISLOCATED WORKER FUNDING. This resolution accepted a supplemental allocation of \$93,127.58, which is 100% federally funded.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 152 entitled, RESOLUTION OPPOSING STATE MANDATED COMPUTER PURCHASE - SOCIAL SERVICES.

Resolution passed, with a roll call vote

YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 153 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - EMERGENCY MOSQUITO CONTROL TOAD HARBOR. This resolution transferred \$46,702 from the Contingency Fund and Vector Control Revenue to Other Fees and Services for emergency mosquito control (aerial spraying) activities.

Resolution passed, with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 154, entitled, RESOLUTION AUTHORIZING THE RECLASSIFICATION OF ONE POSITION AT THE HEALTH DEPARTMENT. This resolution reclassified the position of registered Professional Nurse (Position #40121-018) to Public Health Nurse (Grade 13) in the Oswego County Health Department.

Resolution passed, with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. Proud offered Resolution No. 155, entitled, RESOLUTION SELECTING DISCOUNT PRESCRIPTION DRUG CARD PROVIDER. This resolution selected Pro-Act to be the provider for discount prescription drug card program to the residents of Oswego County at no cost to the County. Leg. Kunzwiler motioned to table this resolution, seconded by Leg. French. A roll call vote was requested.

Motion to table resolution failed with a roll call vote  
YES: 9 NO: 14 ABSENT: 1 VACANT: 1

YES: BRYANT, GEARSBECK, OSPELT, OSETEK, KUNZWILER, CHALIFOUX, MALONE, VASHO, FRENCH.

NO: POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, SEAGER, NATOLI, GARDNER, BULLARD, SANTORE, BECKWITH, BREWER, JOHNSON.

ABSENT: PONZI.

VACANT: DISTRICT ONE.

Discussion returned to the resolution. Leg. Beardsley stated that the County should not begin a practice of endorsing one private company over another. Leg. Proud said that the resolution is not an endorsement of a particular company but rather a cost-free tool for the County to promote affordable health care to citizens. After a lengthy debate, Leg. Leemann moved to call the question, seconded by Leg. Santore. A roll call vote was taken.

Motion to call the question passed with a roll call vote  
YES: 18 NO: 5 ABSENT: 1 VACANT: 1

YES: POTTER DOYLE LEEMANN, GEARSBECK, PROUD, BROWN, SEAGER, NATOLI, OSPELT, SANTORE, KUNZWILER, CHALIFOUX, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON.

NO: BRYANT, BEARDSLEY, BULLARD, OSETEK, MALONE.

ABSENT: PONZI.

VACANT: DISTRICT ONE.

A roll call on the resolution was requested.

Resolution passed with a roll call vote  
YES: 16 NO: 7 ABSENT: 1 VACANT: 1

YES: POTTER, DOYLE, LEEMANN, GEARSBECK, PROUD, BROWN, SEAGER, NATOLI, BULLARD, SANTORE, KUNZWILER, CHALIFOUX, VASHO, FRENCH, BREWER, JOHNSON.

NO: BRYANT, BEARDSLEY, OSPELT, GARDNER, OSETEK, MALONE, BECKWITH.

ABSENT: PONZI.

VACANT: DISTRICT ONE.

Leg. French offered Resolution No. 156, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 18-ROAD CONSTRUCTION. This resolution authorized \$850,000 for paving projects for the county.

Resolution passed with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. French offered Resolution No. 157, entitled, A RESOLUTION AUTHORIZING THE EXECUTION OF A STATE CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE COUNTY OF OSWEGO RELATIVE TO AN AID TO LOCALITIES PROJECT FOR THE CONSTRUCTION OF A HOUSEHOLD HAZARDOUS WASTE FACILITY.

Resolution passed with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. French offered Resolution No. 158 entitled RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146-HIGHWAY & AUTOMOTIVE EQUIPMENT - SOLID WASTE. This resolution transferred \$175,000 from Capital Reserve No. 146 -Highway & automotive to Capital Project no. 157-Equipment Replacement for solid waste.

Resolution passed, with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. French offered Resolution No. 159, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE.

Resolution passed with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. French offered Resolution No. 160, entitled, RESOLUTION AUTHORIZING ESTABLISHMENT OF CAPITAL PROJECT NO. 159-LOCAL SOLID WASTE MANAGEMENT PLAN- DEPARTMENT OF SOLID WASTE. This resolution established a capital project for the purpose of updating the Local Solid Waste Management Plan and transfers \$98,300 into the capital project account to fund the project.

Resolution passed with a voice vote  
YES: 23 NO: 0 ABSENT: 1 VACANT: 1

Leg. French offered Resolution No. 161, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT "LOCAL SOLID WASTE MANAGEMENT PLAN" DEPARTMENT OF SOLID WASTE. This resolution awarded a professional service contract to Gerhard, LLC of Utica, NY, not to exceed \$98,300, for the purpose of studying the revision of the local solid waste management plan, the evaluation of flow control and updating the local solid waste law. After a lengthy discussion, a roll call vote was requested.

Resolution passed with a roll call vote  
YES: 21 NO: 2 ABSENT: 1 VACANT: 1

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

NO: GEARSBECK, NATOLI.

ABSENT: PONZI.

VACANT: DISTRICT ONE.

**UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:**

Legs. Kunzwiler and Leemann commended the legislative body on the quality of the debate(s) that occurred during the meeting tonight.

Leg. Leemann made a motion to waive the rules, seconded by Leg. Kunzwiler to amend resolution no. 140, to establish a starting date for the new director of purchasing. September 24, 2007 was proposed. This was passed by a voice vote: yes: 23; no: 0; absent: 1; and vacant: 1.

Chairman Johnson spoke regarding the possibility of a sewer line servicing the Bristol Hill Landfill and the potential savings in time and equipment now used to transport leachate. He also noted a State Farm Service Agency proposal to close the Oswego County Office in Mexico. He said that, in an effort to retain an FSA Office, Oswego County has offered to co-locate the FSA Office with the Soil and Water Conservation District at the Saint Onge facility at Bristol Hill.

At 9:14 PM, Leg. Leemann moved to adjourn the meeting, Leg. Brown seconded and all were in favor.

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

John Puppato, Fulton, NY, expressed his concern regarding the Tug Hill aquifer area and the need for studies to be done for its future.

There were no others wishing to speak.