

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE IN REGARDS TO RESOLUTION FOR
PROPOSED SALES TAX INCREASE HELD ON
MARCH 22, 2004**

Chairman Johnson called the meeting to order at 2:20 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.

PUBLIC SPEAKERS

Ed Williamson came forward to speak against the resolution that would request New York State Governor's permission to increase sales tax by 1%. He stated that they should consider cutting salaries of department heads, equipment, and vehicles. He spoke negatively about legislators having to make appointments to walk through Social Services. He further stated that the Sheriff's Department is getting 15 new cars, and inquired where the money will come from. He also stated that they should let the Oswego School Board to drop the claim they have against one of the legislators.

Carol Sweeney, Chairperson Oswego County Fair, spoke against the sales tax increase stating it will effect the vending and purchasing at the fair, and suggested they look at increasing the bed tax.

Doug Fogle spoke against raising taxes and suggested consolidating departments. He stated they should look at the supervisor/employee ratio, outsourcing and privatizing the Oswego County Airport.

Bob Hubbard spoke in favor of the sales tax stating that people will pay more taxes in other areas. He also stated that the County should not be competing with private industry. He also remarked regarding the Sheriff's cars stating that he is not going to say anything with regard to the cars to make a political point and risk the safety of the community.

RESOLUTION

Leg. Anson offered Resolution No. 52 entitled, RESOLUTION REQUESTING THAT THE NEW YORK STATE SENATE AND ASSEMBLY ENACT LEGISLATION AMENDING ARTICLE 29 OF THE TAX LAW IN RELATION TO SALES AND COMPENSATING USE TAXES IMPOSED IN THE COUNTY OF OSWEGO.

Leg. Anson stated that this is the same resolution that was offered at the March 11th meeting, which failed. Leg. Anson offered an amendment to replace his name on the resolution with Legs. Malone and French. This was seconded by Leg. Malone.

Leg. Bryant requested a legal opinion since Leg. Anson abstained on this resolution last month, he did not vote against it, so it would be appropriate for him to introduce the resolution.

Interim County Attorney Mitchell responded affirmatively, stating that it is whomever the body would like to introduce.

Leg. Anson stated he declines to introduce it.

The Amendment Passed by Show of Hands,
with Legs. Osetek and Proud opposed.
AYES: -23 - NAYS: -2- ABSENT: -0-

Leg. Malone offered an amendment to add a fourth "WHEREAS, this Legislature also strongly encourages all local governments in Oswego County to join with the County in

committing all sales tax revenues to reduce property tax levies." This was seconded by Leg. Bullard.

Leg. Anson required clarification of the amendment.

Leg. Malone stated that the Town Board of Oswego advised they will apply this to property taxes.

Leg. Anson remarked that this takes away the ability to lower property taxes.

The Motion to Amend
Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Thomas stated that they are asking people outside the cities to support an increase in a tax that benefits the cities.

Leg. Osetek remarked that the towns received last year over \$6.5 million in revenue distribution and \$19 million over the last three years. It is a fair estimation to say that 50 to 75% of the town's total revenue comes from Oswego County.

Leg. Anson stated that if the snowplowing money is included the towns actually earn, it is not given to them, which is close to \$2 million per year. He further stated that people will be shopping in Watertown, the County will lose not just the 1% but the 3% they currently receive.

Leg. French stated that he has received calls asking that the sales tax increase be considered, people can not afford a property tax increase. Leg. French also commented that this must be done in addition to streamlining government.

Chairman Johnson stated that his position is that it takes 13 legislators to make the decisions to continue with cuts and to get the revenue. He stated that with the additional sales tax revenue, the property tax increase will be zero and is achievable.

Leg. Seager remarked that the it is only fair that 1% be included throughout the County, she can not support it unless it is levied against the cities.

Leg. Kunzwiler remarked that they need to find revenue sources. Leg. Kunzwiler stated that they should address both the cuts and revenues, not just the cuts.

Leg. Leemann commented that this is the best of the worst situation, it is the only solution.

Leg. Gearsbeck inquired when they can vote on the hold harmless for the cities.

County Administrator Lyman responded that under State law the counties are authorized to impose 3% sales tax, in this instance this authority will sunset at December 1, 2005. If the Legislature wishes to continue to have sales tax above 3% beyond that date, this will need to be revisited next year. This will require Home Rule messages from the cities to accompany the counties in order to change the scheme for imposition of sales and use tax.

Leg. Rusaw requested that County Attorney restate his legal opinion about bringing this resolution back. He stated that according to Robert's Rules only an affirmative vote can be reconsidered.

Mr. Mitchell stated that the question that was brought up in committee was whether or not it can be considered in the same session and today is a separate meeting. This is a special meeting of the Legislature called under Section 152 of the County Law. Mr. Mitchell explained that the meeting has been properly called. He advised that the local rules call for meetings to be held on Thursdays, the Chairman can call a special meeting if necessary, under Section 152 of the County Law. Mr. Mitchell also pointed out that the local rules

have not been adopted by this body, they were adopted four years ago, absent the rules it would revert to 153 of the County Law.

Leg. Hoefler commented regarding outsourcing and consolidating and stated that this has not been done yet.

Leg. Beardsley remarked that retail is not the only business in this county, manufacturing is also present in this county. There are many businesses in the county by virtue of what they do, that do not charge sales tax. Leg. Beardsley stated that higher property taxes will not bring new industry to this county.

Leg. Anson requested that the next two steps of the process for this be done in the evening. Leg. Anson remarked regarding using Silk Road Landfill money, and spoke negatively about purchasing Sheriff's Departments cars, the timing is bad.

Leg. Leemann called the question, which was seconded by Leg. Ponzi.

At the request of Leg. Waters, Chairman Johnson called for a recess to get an accurate copy of the resolution.

The meeting recessed at 3:40 p.m. and returned to regular session at 3:45 p.m.

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

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

NAYS: WATERS, GEARSBECK, HOEFER

The Motion to Passed

AYES: -22 - NAYS: -3- ABSENT: -0-

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

AYES: LEEMANN, PROUD, BROWN, BEARDSLEY, OSPELT, GARDNER, BULLARD, OSETEK, SANTORE, PONZI, KUNZWILER, MALONE, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON

NAYS: THOMAS, ANSON, WATERS, BRYANT, GEARSBECK, SEAGER, RUSAW, HOEFER

The Resolution to Passed

AYES: -17 - NAYS: -8- ABSENT: -0-

There being no further business the meeting adjourned at 3:50 p.m. under motion by Leg. Bullard, seconded by Leg. Ponzi and carried unanimously.