

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD ON
OCTOBER 14, 2004**

Chairman Johnson called the meeting to order at 2:05 p.m. Roll call was taken with all legislators present, except Legs. Gearsbeck and Ospelt.

Invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to the flag.

The minutes of September 9, 2004 were approved as submitted under motion by Leg. Waters, seconded by Leg. Brown and carried unanimously.

PUBLIC SPEAKERS

Ed Williamson, resident of Granby, NY, came forward to speak in regards to resolution number 16, authorizing the purchase of 12 vehicles for the Sheriff's Department. He stated that the County should purchase less cars at this time and look at it later in the year.

PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS AND ANNOUNCEMENTS

Leg. Rusaw, along with Human Resource Committee members, and Pat Rush, Manager of Advocacy for ARISE, Cheryl Grant, Director of Vocational Rehabilitation for ARC, came forward for the presentation of a Proclamation designating November 2004 as Disability Awareness Month. Ms. Grant and Ms. Rush offered a few remarks.

Leg Seager, along with Economic Development and Planning Committee members, Paul Forrestiere, Executive Director of Cooperative Extension; Debbie Holliday, 4-H Program Educator and Amy Jo Smith, 4-H teen, came forward to proclaim October 2004 as Oswego County 4-H month. Ms. Holliday offered a few remarks. Ms. Smith offered a few remarks on the benefits of the 4-H program to teens. Mr. Forrestiere stated that the annual report has been provided, along with the flower baskets, and offered a few remarks.

Leg. Brown reported that she attended a NYSAC conference recently and brought back resolutions for anyone wishing to review them.

Leg. Beardsley commended legislators that are attending the special committee meetings being held with regard to the Strategic Planning Task Force.

RESOLUTIONS

Leg. Beckwith offered Resolution No. 138 entitled, RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DEEDS OF PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE, TITLES TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURES OF 1998, 1999, 2000, 2001 AND 2002

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Brown offered Resolution No. 139 entitled, RESOLUTION FOR SUPPORT OF WORKFORCE DEVELOPMENT FUNDING.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Leemann offered a motion to refer the RESOLUTION IN SUPPORT OF APPRENTICESHIP PROGRAMS IN CONSTRUCTION PROJECTS UNDERTAKEN BY

OSWEGO COUNTY GOVERNMENT back to committee for clarification. Leg. Waters offered a second, with Leg. Vasho opposing. Motion Carried.

Leg. Kunzwiler remarked that this is a good tool to train people for entering the workforce.

Leg. Beckwith offered Resolution No. 140 entitled, RESOLUTION AMENDING 2004 TAX DELINQUENT PROPERTY AUCTION POLICY.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Osetek offered Resolution No. 141 entitled, AMENDMENT OF A RESOLUTION CREATING A POSITION OF JAIL PHYSICIAN IN THE SHERIFF'S DEPARTMENT.

Leg. Proud offered an amendment to the second to the last RESOLVED, to read "that Dr. Richard Thompson, M.D. be appointed to the Part Time position of Jail Physician." Leg. Waters offered a second, which carried unanimously.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Brewer offered Resolution No. 142 entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 18 - ROAD CONSTRUCTION
Leg. Kunzwiler inquired regarding criteria for choosing roads. Donald Morey, Superintendent of Public Works explained that they look at the age of culverts, and condition of the roads.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Brewer offered Resolution No. 143 entitled, RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT PUBLIC WORKS DEPARTMENT
Leg. Waters offered an amendment to remove the word "Director" from the second to the last RESOLVED and replace it with "Department" and remove the word "his" and replace it with "its." This was seconded by Leg. Kunzwiler and carried unanimously.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Brewer offered Resolution No. 144 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF PUBLIC WORKS.

Chairman Johnson recognized Leg. Rusaw for this resolution, commending him for his role in raising revenue from the sale of timber.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Brewer offered Resolution No. 145 entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT.

Leg. Malone inquired if there is a truck available that the Buildings and Grounds Department can use. He also stated that the vehicles should be reviewed by the steering committees.

Mr. Morey responded that some are being sold at the auction, there are no extra trucks.

Leg. Malone stated that an employee of Highway, who is no longer there, had a truck and inquired where that is. Mr. Morey responded that they are looking at a couple of different options for the trucks and they need them. The Deputies car has 110,000 miles on it and may have to be replaced, also, the engineers truck is in rough shape.

The Resolution Passed, by a Show of Hands
with Leg. Malone opposing
AYES: - 22 - NAYS: - 1 - ABSENT: - 2 -

Leg. Brown offered Resolution No. 146 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Bullard offered Resolution No. 147 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION E-911.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Bullard offered Resolution No. 148 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION E-911.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Seager offered Resolution No. 149 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Bryant offered Resolution No. 150 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COUNTY ATTORNEY'S OFFICE.

The Resolution Passed, by a Show of Hands
AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

Leg. Santore offered Resolution No. 151 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT.

The Resolution Passed, by a Show of Hands
with Leg. Kunzwiler abstaining
AYES: - 21 - NAYS: - 0 - ABSTAIN: -1- ABSENT: - 2 -

Leg. Santore offered Resolution No. 152 entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT.

Leg. Malone offered a motion to table this resolution, stating that if they need 15 vehicles then they should be looking at 15. This was seconded by Leg. Waters. Legs. Waters, French, Hoefler, Malone, Osetek in favor of the motion. Motion failed.

Leg. Osetek stated that this resolution was amended by the Ways, Means and Budget Committee, from 15 to 12 vehicles. He met with the Sheriff and Undersheriff, stating that they maintain a fleet of 59 patrol cars, the average number of hours is in excess of 70,000 miles per vehicle. There are currently 15 vehicles with over 100,000 miles and half of the fleet have 65,000 miles. Leg. Osetek explained that his concern is fleet maintenance and the costs involved, but they are satisfied that 12 vehicles will meet their needs. Sheriff Todd explained the status of the current fleet and stated that they may need additional cars next year. Leg. Hoefer pointed out that these are highway miles.

Leg. Malone inquired if the Sheriff or Undersheriff will be getting a new car. The Sheriff responded negatively.

Leg. Malone inquired why this was not dealt with last year. Chairman Johnson responded that he asked the Sheriff to hold off on his request last year due to the financial condition the county was in.

Leg. Thomas stated that pooling the cars and not letting the deputies take the cars home will not save the county money.

Leg. Malone stated that this should be put through the special committee, this should have started in May or June, and been part of the budget.

Leg. Bryant remarked that this should be built into the budget.

The Resolution Passed, by a Show of Hands
with Legs. Waters, French, and Malone opposing
AYES: - 20- NAYS: - 3- ABSENT: - 2 -

Leg. Bryant offered RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT.

Leg. Kunzwiler offered a motion to take the truck that was mentioned previously at the Department of Public Works and transfer that to Weights and Measures instead of purchasing a new vehicle. Leg. Malone seconded the motion.

Leg. Waters offered a motion to recess, seconded by Leg. Leemann and carried with Legs. Proud and Brown opposing. Motion carried.

The meeting recessed at 3:00 p.m. and returned to regular session at 3:12 p.m.

Leg. Kunzwiler withdrew the amendment, Leg. Malone withdrew the second.

Leg. Bryant stated that there is a vehicle available and he offered a motion to refer this resolution back to General Government Committee. This was seconded by Leg. Waters and carried unanimously.

County Administrator Lyman explained that the vehicle they are referring to is a 2001 Ford F-150 Pickup truck assigned to the Department of Public Works. To move equipment from one department to another can be done administratively, it does not require a resolution.

Leg. Beckwith offered Resolution No. 153 entitled, RESOLUTION ESTABLISHING THE 2004 COUNTY EQUALIZATION RATE FOR SEVERAL TOWNS AND CITIES.

The Resolution Passed, by a Show of Hands
with Leg. Waters opposing
AYES: - 22 - NAYS: - 1 - ABSENT: - 2 -

Leg. Waters offered a motion to waive the rules to consider an additional resolution. This was seconded by Leg. Gardner and carried unanimously.

Leg. Bryant offered Resolution No. 154 entitled RESOLUTION ESTABLISHING TIME AND PLACE OF THE REGULAR MEETING OF THE OSWEGO COUNTY LEGISLATURE FOR NOVEMBER 2004.

Leg. Bryant explained that this resolution will change the date, the normal meeting would have been on Veteran's Day, he is asking that the meeting be held the day before.

Leg. Malone offered a motion to amend the resolution to change the time to 7:00 pm. This was seconded by Leg. Kunzwiler. Several legislators stated that they had conflicts with the change in time.

A roll call vote was taken on the motion to change the time to 7:00 p.m. resulting in the following:

AYES: LEEMANN, GARDNER, OSETEK, PONZI, KUNZWILER, HOEFER, MALONE, VASHO, BREWER, JOHNSON

NAYS: THOMAS, ANSON, WATERS, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, RUSAW, BULLARD, SANTORE, BECKWITH, FRENCH

ABSENT: GEARSBECK, OSPELT

The Motion to Amend Failed

AYES: - 10 - NAYS: -13 - ABSENT: - 2 -

The Resolution Passed, by a Show of Hands

AYES: - 23 - NAYS: - 0 - ABSENT: - 2 -

MISCELLANEOUS BUSINESS

Leg. Malone remarked negatively regarding the referral of garbage into this county, to pay property taxes. He stated that he is on the steering committee and this will be looked at, there will be a public hearing and there should be a public vote.

Leg. Brown stated that they should not turn their backs on the seniors, she also does not believe in bringing garbage in from the outside. Leg. Brown stated she has been driving a family to Social Services since there is no OCO bus going to Mexico, and there is no public transportation that early in the morning.

Leg. Rusaw that the Town of Volney is against bringing in garbage from outside the county, the county stated when the landfill was put in that this would not happen.

Leg. Bryant stated that a decisions has not been made, they are looking at how they operate.

Leg. Seager stated that as a representative from the Town of Volney, they absolutely oppose privatizing and oppose bringing in garbage from outside the county. The collection and landfill operation is a public operation, the government can ensure the quality of services.

Chairman Johnson stated that this is not about more garbage, it's about where they want to be with the Solid Waste Program in years to come, they need to put a plan in place.

There being no further business Leg. Leemann offered a motion to adjourn. This was seconded by Leg. Kunzwiler and carried unanimously.

The meeting adjourned at 3:30 p.m.