

MINUTES OF THE PUBLIC HEARING RELATIVE TO PROPOSED LOCAL LAW NUMBER 3 OF 2004, "A LOCAL LAW AMENDING LOCAL LAW NUMBER 3 OF 1983 REGARDING THE OSWEGO COUNTY PUBLIC UTILITY SERVICE HELD ON SEPTEMBER 9, 2004

Chairman Johnson called the public hearing to order at 7:00 p.m. County Attorney Mitchell read the Public Hearing notice and asked that anyone wishing to speak to come forward. There being no speakers the public hearing was declared closed at 7:01 p.m.

MINUTES OF THE MEETING OF THE OSWEGO COUNTY LEGISLATURE HELD ON SEPTEMBER 9, 2004

Chairman Johnson called the meeting to order at 7:02 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.

The minutes of August 12, 2004 were approved as submitted under motion by Leg. Waters, seconded by Leg. Bullard and carried unanimously.

PUBLIC SPEAKERS

Bill Reed, President CSEA Co-Op Unit, came forward to speak regarding the RESOLUTION ABOLISHING POSITIONS OF EMPLOYMENT IN THE DEPARTMENT OF SOCIAL SERVICES. Mr. Reed stated that he understands that regulations regarding carry over funding have changed. Mr. Reed suggested that eliminating the positions is not smart, and requested that the Legislature find the money to keep the employees working. Mr. Reed also suggested that the Legislature consider a memorializing resolution to the state expressing concerns about how the changes in regulations are impacting local programs.

PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS AND ANNOUNCEMENTS

Leg. Brewer along with the Public Works Committee members, and Donald Morey, Superintendent of Public Works, and Ronald Casolare, Medium Equipment Operator, came forward to recognize Mr. Casolare for 26 years of service with the county.

Leg. Rusaw, along with the Human Resources Committee members, and Kathy Fenlon, Director of Youth Bureau, came forward to recognize Ms. Sarah Ingerson, who was joined by her father Steven, for Outstanding Youth Achievements in the community and for receiving recognition for Teen Volunteer of the year by United Way.

RESOLUTIONS

Leg. Bryant offered Resolution No. 122 entitled, RESOLUTION ADOPTING LOCAL LAW NUMBER 3 OF 2004, A LOCAL LAW AMENDING LOCAL LAW #3 OF 1983 REGARDING THE OSWEGO COUNTY PUBLIC UTILITY SERVICE.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Beckwith offered Resolution No. 123 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
with Leg. Anson abstaining
AYES: -24 - NAYS: -0- ABSTAIN: -1- ABSENT: -0-

Leg. Osetek offered Resolution No. 124 entitled, RESOLUTION RECLASSIFYING A POSITION IN THE COUNTY ATTORNEY'S OFFICE.

Leg. Gearsbeck inquired if legal services at Social Services can be incorporated into the County Attorney's Office. Chairman Johnson suggested that the concept be taken to the Personnel Committee.

The Resolution Passed by a Show of Hands,
with Leg. Gearsbeck opposing
AYES: -24 - NAYS: -1- ABSENT: -0-

Legs. Anson and Osetek offered Resolution No. 125 entitled, RESOLUTION ABOLISHING POSITIONS OF EMPLOYMENT IN THE DEPARTMENT OF SOCIAL SERVICES.

Chairman Johnson requested that Leg. Brown as Chairwoman of the Social Services Committee, address Mr. Reed's request.

Leg. Brown stated that she would like to hold the positions open in the event the federal government reinstates funds.

The Resolution Passed by a Show of Hands
with Leg. Bullard opposing
AYES: -24 - NAYS: -1- ABSENT: -0-

Leg. Santore offered Resolution No. 126 entitled, RESOLUTION CREATING A POSITION OF JAIL PHYSICIAN IN THE SHERIFF'S DEPARTMENT.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Brewer offered Resolution No. 127 entitled, RESOLUTION AUTHORIZING EXTENSION OF SNOW AND ICE CONTRACT PUBLIC WORKS DEPARTMENT.

Leg. Brewer offered an amendment to change the date from June 30, 2005 to June 30, 2006. This was seconded by Leg. Waters, with Leg. Gearsbeck opposed. Motion carried.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Brewer offered Resolution No. 128 entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT.

The Resolution Passed by a Show of Hands
with Leg. Gearsbeck opposing.
AYES: -24 - NAYS: -1- ABSENT: -0-

Leg. Brewer offered Resolution No. 129 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF PUBLIC WORKS.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Brewer offered Resolution No. 130 entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. - 18 ROAD CONSTRUCTION

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Bullard offered Resolution No. 131 entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES AND ESTABLISHING CAPITAL PROJECT NO. 198 "COMMUNICATIONS TOWER REPLACEMENT"

Leg. Rusaw stated that he does not support taking the money out of Contingency.
Leg. Ponzi stated that he does not support the location of the new tower.

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

AYES: LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, BULLARD, OSETEK, SANTORE, KUNZWILER, HOEFER, MALONE, VASHO, FRENCH, BREWER, JOHNSON

NAYS: THOMAS, ANSON, WATERS, GEARSBECK, RUSAW, GARDNER, PONZI, BECKWITH

The Resolution Passed
AYES: -17 - NAYS: -8- ABSENT: -0-

Leg. Anson offered Resolution No. 132 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COUNTY TREASURER'S OFFICE.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Rusaw offered Resolution No. 133 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU.

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Proud offered Resolution No. 134 entitled, RESOLUTION AUTHORIZING THE RECLASSIFICATION OF ONE POSITION AT THE HEALTH DEPARTMENT

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

Leg. Osetek offered Resolution No. 135 entitled, RESOLUTION AUTHORIZING ONE YEAR EXTENSION OF AGREEMENTS WITH NATIONWIDE RETIREMENT SOLUTIONS AND HARTFORD LIFE INSURANCE COMPANY FOR ADMINISTRATION OF DEFERRED COMPENSATION PLAN

The Resolution Passed by a Show of Hands
AYES: -25 - NAYS: -0- ABSENT: -0-

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

Leg. Bryant offered Resolution No. 136 entitled, RESOLUTION SUPPORTING THE DESIGNATION OF CAYUGA COMMUNITY COLLEGE'S FULTON CENTER AS A BRANCH CAMPUS.

The Resolution Passed by a Show of Hands
with Legs. Waters and Ospelt opposed
AYES: -23 - NAYS: -2- ABSENT: -0-

Leg. Malone offered a motion to waive the rules to introduce a resolution. This was seconded by Leg. Ospelt, with Legs. Seager, Bullard, Santore and Waters opposing. Motion carried.

Leg. Waters offered a motion for a recess. This was seconded by Leg. Leemann and carried unanimously.

The meeting recessed at 7:35 p.m. and returned to regular session at 7:45 p.m.

Leg. Malone was absent at this time.

Leg. Waters offered a motion to suspend the rules, to allow the public to speak. This was seconded by Leg. Bullard and carried unanimously.

The meeting recessed at 7:45 p.m. for public comment and returned to regular session at 8:05 p.m.

Legs. Malone and Rusaw offered Resolution No. 137 entitled, MEMORIALIZING RESOLUTION TO STATE AND FEDERAL GOVERNMENTS REGARDING "CALL AND RIDE" AND "SENIOR NUTRITION" PROGRAMS

Leg. Malone explained that there will be no new meals, and holidays were cut from the program by the state and federal governments.

Leg. Brown offered an amendment to the title of the resolution to include "AND" between "STATE" and "FEDERAL" and change "MEALS ON WHEELS" to "SNAP." This was seconded by Leg. Beckwith.

Leg. Anson stated that the SNAP program only refers to the state, it has nothing to do with federal government.

Leg. Brown withdrew the motion, Leg. Beckwith withdrew the second to the motion.

Leg. Waters offered amendments to add "Senior Nutrition" in place of "Meals on Wheels", to add "S" at the end of "Government" in the title, add "s" at the end of "Legislator", and also add Legislator Carl Rusaw's name. This was seconded by Leg. Anson and carried unanimously.

Chairman Johnson stated that another paragraph needs to be added after the second WHEREAS paragraph, as recommended by County Attorney Mitchell, to read "NOW, upon recommendation of this body, be it."

Leg. Waters offered the amendment, which was seconded by Leg. Ospelt and carried unanimously.

Leg. Seager offered an amendment to add another RESOLVED to send copies of the resolution to the State and Federal elected officials. This was seconded by Leg. Anson and carried unanimously.

Leg. Bryant inquired if this was discussed in committee. Leg. Rusaw responded affirmatively.

The Resolution, as Amended, Passed by a Show of Hands

AYES: -25 - NAYS: -0- ABSENT: -0-

NEW BUSINESS

Leg. Seager spoke regarding the water issue, specifically regarding action by the Fulton City Council. She stated that the City of Fulton is taking steps toward annexation of the North Campground. Leg. Seager stated that she is requesting that the Legislature commit to the citizens of Oswego County, to provide every resource to prevent this from happening. She stated that in 1994, when the City of Fulton took the same steps as part of the K-Mart project, this took property assessments from the Town of Volney. Leg. Seager stated that bad feelings resulted from this action and it did not make sense for the county to be involved in that action.

Leg. French stated that he went to the meeting that the City of Fulton had. He spoke with the Mayor and the Supervisor of the Town of Granby. He stated that he is encouraged that they will be getting together to talk about this issue. The concern is that City of Fulton will be losing sales tax.

Leg. Brewer inquired regarding CHIPS funding. County Administrator Lyman responded that an additional allocation of \$440,000 is expected, this will be on the agenda for the next meeting.

Chairman Johnson stated that in February when the State of the County was presented, they set the course for a vision with regard to sales tax. It is not about distribution, it is about where the County is, this includes the two cities, regardless of where it is, the county is exporting too much sales tax out of the county. Chairman Johnson stated that they need to be progressive, they need to think about doing things for economic development in this county that is unprecedented.

Leg. Kunzwiler urged that they let the process work, to attempt to work it out first.

There being no further business, the meeting adjourned at 8:20 p.m. under motion by Leg. Bullard, seconded by Leg. Anson and carried unanimously.