

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD May 11, 2006.**

Chairman Johnson called the meeting to order at 2:02 p.m. Roll call was taken with all legislators present.

Chairman Johnson invited Paul A. Forestiere II from Cornell Cooperative Extension of Oswego County to give a brief overview of Oswego County Student Government Day. Mr. Forestiere acknowledged Cindy Walsh and Rene Horning for their invaluable assistance with this program. The Legislators introduced the students that were in attendance for Oswego County Government Day.

Thomas:	James Montieth, Linda Rudd, Rachel Pretory
Potter:	Taylor Britton, Edward Scheppard
Doyle:	Nicholas Brennan
Leemann:	Katie Van Auken, Ben Clark
Bryant:	Mackenzie Ruffels
Gearsbeck:	Thadeus Main II
Proud:	Alex Todd
Brown:	Evelyn Schwartz
Beardsley:	Christine Proulz
Seager:	Julia Gilbert
Natoli:	Kirsten Francis
Ospelt:	Kayleigh Moyer
Gardner:	Paige Fralick
Bullard:	Alexis Gillard
Osetek:	Jasmine Davis
Santore:	George Gunther
Ponzi:	Sarah Holland
Kunzwiler:	Angelica Alejandro
Chalifoux:	Sean Carpenter
Malone:	Meredith Moshier
Beckwith:	Rachel Beckwith
Vasho:	Sara Nelson
French:	Shelbie Handville
Brewer:	Gabe Cootware
Johnson:	Scott Bullard

A moment of silence was observed for former legislator Donald "Skip" Coleman, who recently passed away. The invocation was given by Clerk of the Legislature, Ted Jerrett, followed by the salute to the flag.

MINUTES: Hearing no objections and/or corrections to the minutes of the April 13, 2006 meeting, the minutes stand approved.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Johnson invited Leg. Leemann and Public Works Superintendent Don Morey, members of the Infrastructure Committee and Leg. Gearsbeck forward to honor Medium Equipment Operator

John W. Main upon his pending retirement and for 28 years of outstanding service to the County. Mr. Main was presented with a certificate. Leg. Leemann and Superintendent Morey offered a few comments.

Chairman Johnson invited Leg. Proud, Commissioner Frances Lanigan, and members of the Health and Human Services Committee forward to honor Louise Oleyourryk upon her pending retirement and for 27 years of outstanding service to the County. A certificate of appreciation was presented to Ms. Oleyourryk. Commissioner Lanigan added a few remarks.

Chairman Johnson along with Leg. Proud, Commissioner Lanigan, members of the Health and Human Services Committee honored Microfilm Operator Donald Stewart with a certificate of appreciation for 25 years of service to the County. Commissioner Lanigan offered a few comments.

Alex Todd, Mexico School District, (Leg. Proud) read the County Government Day Proclamation.

Chairman Johnson invited Youth Bureau Director Kathy Fenlon and Reality Check Coordinator Katie Ives to come forward. They gave a brief overview of the "Reality Check" Program and how it is fighting the promotion of tobacco products to teenagers.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

Pastor Jim Hinman, of Volney, spoke in opposition to the resolution regarding the Bristol Hill Landfill.

REPORTS OF COUNTY OFFICIALS: None

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None

RESOLUTIONS AND MOTIONS:

Leg. Leemann offered Resolution No. 79, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED LOCAL LAW NO. 1 OF 2006, ENTITLED, A LOCAL LAW AMENDING LOCAL LAW NUMBER ONE OF 2005 PERMITTING ALL TERRAIN VEHICLE OPERATION ON CERTAIN COUNTY ROADS WITHIN THE COUNTY OF OSWEGO.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 80, entitled, RESOLUTION DESIGNATING THE OSWEGO COUNTY DEPARTMENT OF PUBLIC WORKS AS LEAD AGENCY UNDER SEQR REGARDING THE OPENING OF ADDITIONAL COUNTY ROADS TO ATV TRAFFIC IN THE TOWNS OF ORWELL, PARISH, ALBION AND RICHLAND. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 25 NO: 0 ABSENT: 0

YES: THOMAS, POTTER, DOYLE, LEEMANN, BRYANT, GEARSBECK, PROUD, BROWN, BEARDSLEY, SEAGER, NATOLI, OSPELT, GARDNER, BULLARD, OSETEK,

SANTORE, PONZI, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON.

NO: NONE

ABSENT: NONE

Leg. Leemann offered Resolution No. 81, entitled, RESOLUTION AUTHORIZING THE FILING OF A NEGATIVE DECLARATION UNDER SEQR FOR THE PURPOSES OF OPENING VARIOUS COUNTY ROADS TO ATV TRAFFIC IN THE TOWNS OF RICHLAND, ORWELL, ALBION AND VILLAGE OF ALTMAR. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 25 NO: 0 ABSENT: 0

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

NO: NONE

ABSENT: NONE

Leg. Thomas offered Resolution No. 82, 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 2001, 2002, 2003, 2004.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 83, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - REAL PROPERTY TAX DEPARTMENT. This budget modification recognizes receipt of the \$90,000 Technology Improvement Grant, and establishes an expenditure account for the consulting services.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Bryant offered Resolution No. 84, entitled, RESOLUTION APPOINTING A MEMBER TO THE COUNTY BOARD OF ETHICS. This resolution reappoints Barbara Schuler to the Oswego County Board of Ethics for a term to expire February 1, 2009.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 85, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY TRAFFIC SAFETY BOARD.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 86, entitled, RESOLUTION TO SUPPORT THE REALITY CHECK YOUTH ACTION PROJECT AND TOBACCO ADVERTISEMENT FREE MAGAZINES IN SCHOOLS INITIATIVE. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 25 NO: 0 ABSENT: 0

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

NO: NONE

ABSENT: NONE

Leg. Proud offered Resolution No. 87, entitled, RESOLUTION TO SUPPORT THE REALITY CHECK YOUTH ACTION PROJECT AND SMOKE-FREE HOLLYWOOD MOVIES. Leg. Proud moved to amend the resolution as follows with the addition of the words “. Excepting such depiction as being historically correct.” after the words “. tobacco use.” in section 1 of the proposed resolution. The amendment to the proposed resolution passed with Leg. Bryant opposing. Discussion returned to the resolution, as amended.

Resolution, as amended, passed with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Beardsley offered Resolution No. 88, entitled, RESOLUTION AUTHORIZING PUBLIC ACCESS GRANT APPLICATIONS. Leg. Beardsley moved to amend the proposed resolution as follows: adding the words “...Town of Hastings and Town of Scriba....” in the first resolve after the phrase “That the Department of Community Development, Tourism and Planning...” Leg. Bullard seconded the amendment. Leg. Bryant expressed his concern regarding the effects this may have on the property owners. A roll call vote was requested.

Resolution passed, as amended, with a roll call vote
YES: 24 NO: 1 ABSENT: 0

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

NO: BRYANT.

ABSENT: NONE.

Leg. Beardsley offered Resolution No. 89, entitled RESOLUTION APPOINTING A MEMBER TO THE OSWEGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY. This resolution appoints H. Leonard Schick as a member of the County of Oswego Industrial Development Agency.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Osetek offered Resolution No. 90, entitled, RESOLUTION RELATIVE TO A HOME RULE REQUEST. This resolution requests that the appropriate Home Rule Request forms be filed with the New York State Senate and Assembly requesting the enactment of the appropriate bills to amend the State Tax Law to consolidate the sales tax jurisdictions of the City of Fulton and the County of Oswego.

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

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

NO: BEARDSLEY, CHALIFOUX.

ABSENT: NONE.

Leg. Bullard offered Resolution No. 91, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - E-911-FCC & NEXTELL AGREEMENT. This resolution allows the County to engage the services of an expert to assist with the identification of issues and costs involved with rebanding radio frequencies. Leg(s). Thomas, Kunzwiler, Natoli, Doyle, and Brown offered comments.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 92, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECTS - BRIDGES. This resolution establishes the capital projects, in the amount of \$750,000, for the purpose of reconstructing several bridges.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 93, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 16-BRIDGES. This resolution transfers funds from Capital Reserve No.16 Rehabilitation of Bridges to establish capital projects, in the amount of \$330,000, for the replacement of several culverts on county roads.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 94, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 16 - BRIDGES. This resolution transfers funds from the Capital Reserve No. 16 - Rehabilitation of Bridges and increases the authorization level of Capital Project #173 -County Route 4 over Crippin Creek, Town of Hastings, necessary to complete this project.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 95, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 131 - BOARD OF ELECTIONS RELOCATION. This resolution establishes Capital Project No. 131 for the Board of Elections relocation to East Seneca Street, in the City of Oswego.

Resolution passed, with a voice vote
Leg. Seager opposing
YES: 24 NO: 1 ABSENT: 0

Leg. Leemann offered Resolution No. 96, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 124 - BRISTOL HILL LANDFILL. Leg. Ospelt stated that the money would be used for a study to ascertain whether to increase the landfill. He also pointed out that in the Bristol Hill Landfill there are three liners. Leg. Ospelt explained that it was up to the legislature to do the best for the majority of the community. Legs. Kunzwiler, Beardsley, Brown, Natoli, Doyle and Brewer offered comments.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 97, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COUNTY CLERK'S OFFICE - ROLLER SHELVES. This resolution transfers funds to cover the purchase of (80 shelf) roller shelves for the court records area.

Resolution passed, with a roll call vote
YES: 25 NO: 0 ABSENT: 0

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

NO: NONE

ABSENT: NONE

Leg. Proud offered Resolution No. 98, entitled, RESOLUTION REINSTATING A POSITION IN THE DEPARTMENT OF SOCIAL SERVICES. This resolution reinstates the position of Director of Finance for Social Services. Leg. Gearsbeck stated that this position had been empty for approximately 10 months and questioned the necessity of filling it, thereby increasing the department. Legs. Ospelt, Brown, Proud, Beardsley and Leemann offered comments in support of

the resolution. After a lengthy discussion, Leg. Seager requested to call the question and Leg. Bullard seconded. A roll call vote was taken.

Motion to call the question passed, with a roll call vote
YES: 17 NO: 8 ABSENT: 0

YES: THOMAS POTTER, DOYLE, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, BULLARD, SANTORE, PONZI, CHALIFOUX, MALONE, BECKWITH, VASHO, BREWER.

NO: LEEMANN, BRYANT, GEARSBECK, NATOLI, OSETEK, KUNZWILER, FRENCH, JOHNSON.

ABSENT: NONE

A roll call vote was requested on the resolution.

Resolution passed, with a roll call vote
YES: 24 NO: 1 ABSENT: 0

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

NO: GEARSBECK.

ABSENT: NONE.

Leg. Bullard offered Resolution No. 99, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT "COMMUNICATION TOWERS INSPECTIONS" E-911. This resolution awards the professional service contract for communication towers inspections to Strick Telecom of Canastota, NY for a sum of \$8,700. Legs. Brown and Santore offered comments. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 25 NO: 0 ABSENT: 0

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

NO: NONE.

ABSENT: NONE.

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Proud explained that for Student Government Day, the students discussed their own resolution, entitled, "Resolution Authorizing Immediate and Intensive Development of Lake Ontario Oil Fields Within the Boundaries of Oswego County". After a lively debate, the resolution passed with two provisions: a) that any long term planning be approved by all appropriate agencies, and b) that a \$1 billion reserve be established by the company performing the development to cover costs of

accidents and spills.

Leg. Bullard moved to adjourn the meeting, Leg. Kunzwiler seconded the motion. All in favor. The meeting was adjourned at 3:40 p.m.

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

There were no others wishing to speak.