

**MINUTES OF THE PUBLIC HEARING HELD ON APRIL 10, 2008 RELATIVE  
“TO AMEND THE AGRICULTURAL DISTRICT PLAN BOUNDARIES BY PERMITTING  
ADDITIONAL AREAS OF INCLUSION, PURSUANT TO AGRICULTURE MARKETS LAW  
(AML) SECTION 303-b, AS AMENDED”.**

Chairman Barry Leemann opened the public hearing at 7:00 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative “To Amend The Agricultural District Plan Boundaries By Permitting Additional Areas Of Inclusion, Pursuant To Agriculture Markets Law (AML) Section 303-b, As Amended. Chairman Leemann offered the floor to anyone wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 7:03 p.m.

**MINUTES OF THE PUBLIC HEARING HELD ON APRIL 10, 2008 RELATIVE TO THE  
PROPOSED LOCAL LAW #1 OF 2008, ENTITLED, “A LOCAL LAW PROHIBITING THE  
POSSESSION OF WEAPONS IN BUILDINGS OWNED OR OPERATED BY THE COUNTY OF  
OSWEGO”.**

Chairman Leemann opened the public hearing at 7:05 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative to the proposed local law number 1 of 2008, entitled, “A Local Law Prohibiting The Possession Of Weapons in Buildings Owned or Operated by the County of Oswego”. Chairman Leemann offered the floor to anyone wishing to speak on this matter. The following individuals expressed their concerns regarding this matter. All were opposed to the proposal as written except for Mr. Elliott who was supportive.

Michael Ouderkirk, Fulton, NY	Chuck Parker, Mexico, NY
John Pavell, Oswego, NY	Rick McDermott, Pulaski, NY
Keith Moody, Minetto, NY	Stephen Mizgala, Mexico, NY
John J. Elliott, Fulton, NY	Arthur Steibreker, Pulaski, NY

There being no one else wishing to speak, the public hearing was declared closed at 7:28.

**MINUTES OF THE PUBLIC HEARING HELD ON APRIL 10, 2008 RELATIVE TO  
THE PROPOSED LOCAL LAW #2 OF 2008, ENTITLED “A LOCAL LAW  
REPEALING LOCAL LAW NUMBER 1 OF THE YEAR 1961”.**

Chairman Leemann opened the public hearing at 7:29 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative to the proposed Local Law #2 of 2008, entitled, “ A Local Law Repealing Local Law Number 1 Of The Year 1961”. Chairman Leemann offered the floor to anyone wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 7:30 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY  
LEGISLATURE HELD APRIL 10, 2008.**

Chairman Leemann called the meeting to order at 7:30 pm. Roll call was taken with all legislators present. A moment of silence was observed in memory of Francis Hosmer Culkin who recently passed away. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to the flag.

**MINUTES:** Leg. Bryant abstained due to his absence of last month’s meeting. Leg. Gearsbeck requested the March minutes be amended on page 2 to include his wording “...the low cost power for our taxpayers and small business people”. regarding his proposed amendment to Resolution No. 44, entitled, “Resolution in Support of a New Nuclear Plant in the County of Oswego”. Upon no further objections, the March 13<sup>th</sup> minutes were approved, as amended.

**PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES:** None

**PROCLAMATIONS AND COMMENDATIONS:**

Chairman Leemann invited Leg. Beardsley and the members of the Infrastructure and Facilities Committee, along with the Director of Solid Waste Programs Frank Visser and Transfer Station Operator Robert Martin, Jr. forward. Director Visser presented a certificate to Mr. Martin in honor of his 30 years of service to the County.

Chairman Leemann invited Leg. Santore and the members of the Public Safety and Emergency Services Committee forward along with Sheriff Reuel Todd, Undersheriff Lighthall, and Deputy Scott Nappa. Leg. Santore and Sheriff Todd offered comments regarding the work and benefit to Oswego County of the Sheriff’s Dept. having received State accreditation every year since 1989. Sheriff Todd credited Deputy Nappa for much of their success in receiving it again, this year.

Chairman Leemann introduced Linda Eagan, BOCES Coordinator for Adolescent Pregnancy Prevention. A proclamation was read by Ted Jerrett citing May as Adolescent Pregnancy Prevention Month. Ms. Eagan along with Mary Lichtenstein presented the winners of the annual Children’s Poster Contest and gave a brief overview of the program.

Chairman Leemann introduced American Cancer Society Special Events Director Ms. Erin Shuff. Ms. Shuff introduced the Parish “Relay for Life” Chairperson Ms. Kim Perkins and Tom Benedetto and gave a brief report outlining the special events coming up for the Cancer Society.

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

**REPORTS OF COUNTY OFFICIALS:**

Leg. Brown stated that she was honored to receive a “Friend of the Sportsman” award at the recent Sportsman Federation annual meeting.

**REPORTS OF STANDING COMMITTEES:** None.

**REPORTS OF SPECIAL COMMITTEES:** None.

**RESOLUTIONS AND MOTIONS:**

Leg. Seager made a motion to move proposed resolution no. 17 to be the first resolution considered, seconded by Leg. Kunzwiler, all in favor.

Leg. Ospelt moved to withdraw the proposed resolution entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2008 “A LOCAL LAW PROHIBITING THE POSSESSION OF WEAPONS IN BUILDINGS OWNED OR OPERATED BY THE COUNTY OF OSWEGO”, and referred the resolution back to committee for further consideration, seconded by Leg. Doyle.

Motion to refer the resolution back to committee passed, with a voice vote  
YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 70, entitled, RESOLUTION APPOINTING INTERIM DIRECTOR OF PUBLIC HEALTH FRO THE COUNTY OF OSWEGO. This resolution appoints Dennis P. Norfleet, M.D. be appointed to serve as Interim Director of Public Health for the County of Oswego, effective May 5, 2008. Leg. Walker and Leg. Brown commended the selection of Dr. Dennis P. Norfleet, M.D.

Resolution passed, with a voice vote  
Leg. Bryant in opposition

YES: 24 NO: 1 ABSENT: 0

Dr. Norfleet and members of the Health and Human Services committee came forward to be recognized. Evan Walsh was also recognized and thanked for his work as acting commissioner during the transition of leadership, followed by a round of applause.

Leg. Proud offered Resolution No. 71, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - YOUTH BUREAU. This resolution accepted a \$1,000 grant from the Cultural Resources Council.

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

Legs. Beardsley and LeClair offered Resolution No. 72, entitled RESOLUTION URGING THE STATE OF NEW YORK TO ABANDON PLANS TO REDUCE THE HOURS OF OPERATION FOR THE CANALS WITHIN THE NEW YORK STATE CANAL SYSTEM. Leg. Kunzwiler moved to withdraw the resolution seconded by Leg. Malone. After a brief discussion, the motion and second were withdrawn. Discussion returned to the original resolution. After a lengthy discussion, Leg. Seager called the question, seconded by Leg. Santore. There were no objections.

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

Leg. Doyle offered Resolution No. 73, entitled, RESOLUTION APPROVING THE NEGATIVE DECLARATION FOR THE STATE ENVIRONMENTAL QUALITY REVIEW ACT OF THE ENVIRONMENTAL CONSERVATION LAW FOR THE AMENDMENTS TO THE OSWEGO COUNTY COMPREHENSIVE PLAN.

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

Leg. Doyle offered Resolution No. 74, entitled, RESOLUTION ADOPTING THE AMENDMENTS TO THE OSWEGO COUNTY COMPREHENSIVE PLAN.

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

Leg. Doyle offered Resolution No. 75, entitled, RESOLUTION APPOINTING MEMBERS TO THE DISTRICT FOREST PRACTICE BOARD. This resolution reappointed Leg. Barbara Brown as Legislative Representative for a term to expire 12/15/09.

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

Leg. Doyle offered Resolution No. 76, entitled, RESOLUTION APPOINTING THE DIRECTOR OF COMMUNITY DEVELOPMENT PROGRAMS AS THE PUBLIC TRANSPORTATION LIAISON. This resolution designated Donna Scanlon, as the Oswego County Public Transportation Liaison for the purpose of implementing the Oswego County Coordinated Public Transportation Plan.

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

Leg. Doyle offered Resolution No. 77, entitled, RESOLUTION TO AMEND THE AGRICULTURAL DISTRICT PLAN BOUNDARIES BY PERMITTING ADDITIONAL AREAS OF INCLUSION,

PURSUANT TO AGRICULTURE AND MARKETS LAW (AML) SECTION 303-b, AS AMENDED. Leg. Kunzwiler questioned the address of one of the properties. After a brief discussion, Leg. Walker moved to table the resolution. Leg. Kunzwiler suggested that only the parcel in question be tabled. Planning Director Dave Turner clarified the location of the property in question. After a lengthy discussion Leg. Santore called the question, seconded by Leg. Oldenburg. All in favor.

Resolution passed ,with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Doyle offered Resolution No. 78, entitled RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AGREEMENT IN RELATION TO THE SNOWMOBILE TRAIL DEVELOPMENT AND MAINTENANCE PROGRAM AND AUTHORIZING ACCEPTANCE OF GRANT MONIES AND BUDGET MODIFICATION FOR THE 2007-2008 SNOWMOBILE PROGRAM. Leg. Doyle moved to amend the resolution as follows: in the second resolve paragraph, change the words "County Administrator" to the "Chairman of the Legislature", seconded by Leg. Ospelt. All in favor.

Resolution passed, as amended, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Beardsley offered Resolution No. 79, entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2008 " A LOCAL LAW REPEALING LOCAL LAW NUMBER 1 OF 1961".

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Beardsley offered Resolution No. 80, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. This resolution authorized the transfer of \$1,246,000 from Capital Reserve No. 146 - Highway and Automotive Equipment to Capital Project No. 121- Highway Equipment - 2008 for the purpose of purchasing new equipment. Leg. Kunzwiler expressed his concern over this expenditure in light of current financial uncertainties and moved to table this resolution, seconded by Leg. Walker.

Motion to table resolution failed with a roll call vote

YES: 5 NO: 20 ABSENT: 0

YES: GEARSBECK, WALKER, KUNZWILER, MALONE, VASHO.

NO: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, BREWER, LECLAIR.

ABSENT: NONE.

Discussion returned to the proposed resolution. After a lengthy discussion Leg. Doyle called the question, seconded by Leg. Ospelt.

Upon roll call vote the Motion to call the question failed to receive the required 2/3 vote

YES: 13 NO: 12 ABSENT: 0

YES: KASTLER, POTTER, DOYLE, PROUD, BROWN, SEAGER, LOCKWOOD, OSPELT, GARDNER, SANTORE, BECKWITH, SORBELLO, LECLAIR.

NO: LEEMANN, BRYANT, GEARSBECK, BEARDSLEY, OLDENBURG, WALKER, FLETT, KUNZWILER, CHALIFOUX, MALONE, VASHO, BREWER,

ABSENT: NONE.

Discussion returned to the proposed resolution. After a lengthy discussion Leg. Beckwith called the question, seconded by Leg. Doyle. The motion to call the question passed with a show of hands, Legs. Malone, Gearsbeck, Kunzwiler, and Vasho in opposition.

Resolution passed, with a roll call vote.

YES: 20 NO: 5 ABSENT: 0

YES: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE FLETT, CHALIFOUX, BECKWITH, SORBELLO, BREWER, LECLAIR.

NO: GEARSBECK, WALKER, KUNZWILER, MALONE, VASHO.

ABSENT: NONE.

Leg. Beardsley offered Resolution 81, entitled, RESOLUTION ABANDONING CERTAIN LANDS CONSTITUTING THE FORMER COUNTY ROUTE 6 IN THE TOWN OF VOLNEY TO ABUTTING OWNERS OF RECORD PURSUANT TO HIGHWAY LAW §118-a. This resolution abandoned eleven parcels and authorized the Chairman of the County Legislature to execute quitclaim deeds to the current abutting property owners for \$1.00 each.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Beckwith offered Resolution No. 82, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION BOARD OF ELECTIONS COSTS ASSOCIATED WITH SPECIAL ELECTION FOR THE 48<sup>TH</sup> SENATORIAL DISTRICT. Leg. Malone called the question with all in favor except Legs. Chalifoux and Bryant.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Beckwith offered Resolution No. 83, entitled, RESOLUTION ADOPTING TAX DELINQUENT PROPERTY AUCTION POLICY FOR 2008. This resolution established the date of the tax delinquent property auction as September 27, 2008. The last day the prior owner, their immediate family and/or agents may buy back the properties will be 5 P.M. on Friday, August 29, 2008.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Seager offered Resolution No. 84, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT "FIXED ASSET INVENTORY SERVICE" DEPARTMENT OF PURCHASING. This resolution awarded the professional service contract for an Independent Fixed Asset Inventory to Lockwood Technology Inc., in the sum of \$12,000.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Santore offered Resolution No. 85, entitled, RESOLUTION AUTHORIZING DELETION OF ONE FULL-TIME POSITION AND CREATION OF TWO PART-TIME POSITIONS IN THE OFFICE OF EMERGENCY MANAGEMENT.

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

Leg. Ospelt and Leg. Doyle offered Resolution No. 86, entitled, RESOLUTION CHANGING THE LOCATION OF THE AUGUST 14, 2008 MEETING OF THE OSWEGO COUNTY LEGISLATURE. This resolution changes the location of the August 14<sup>th</sup> Legislative Meeting to the Pulaski Courthouse.

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

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

Chairman Leemann addressed the issue regarding the questions on the Article Rule 14. Chairman Leemann stated that he chose not to establish a committee to look into the matter because he felt that a committee would not be bipartisan. He was elected by both parties and had looked into this matter himself. Upon his examination, he has concluded that Leg. Doyle had not done anything inappropriate. Leg. Kastler asked if the Chairman's report was going to be included in the minutes. Since the results of his examination of the issue was not done in the meeting, County Attorney, Richard Mitchell, stated that it did not belong in the minutes. Leg. Seager and Kunzwiler offered comments. Chairman Leemann then stated that Leg. Doyle was exonerated of any wrongdoing and the matter was closed.

Leg. Walker moved to adjourn the meeting, seconded by Leg. Oldenburg, all in favor. The meeting was adjourned at 9:07 p.m.

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

There were no others wishing to speak.