

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD ON JUNE 12, 2008.**

CALL TO ORDER:

Chairman Leemann called the meeting to order at 7:00 p.m. Roll call was taken with all legislators present. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to flag.

MINUTES:

Leg. Kastler requested that the Town of Boylston be added following the name Stephen Smith, a student who attended Government day. The change was noted and the minutes were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

INTRODUCTION OF VISITORS:

Chairman Leemann invited Leg. Proud and the members of the Health and Human Services Committee forward as well as Commissioner of Social Services Frances Lanigan and Principal Social Welfare Examiner Roxanne Deyo to come forward. A certificate of was presented to Ms. Deyo for her dedicated service to the County for the past 30 years.

Chairman Leemann invited Oswego Elk's Lodge Exalted Ruler Elizabeth Malone to come forward. A recognition was read thanking the Oswego Elk's for their support of the Legislature's annual Government Day Program. Chairman Leemann and Exalted Ruler Malone offered a few comments.

Chairman Leemann invited the 2008 Dairy Princess, Gabrielle Glenister to come forward. A "June is Dairy Month" proclamation was read by Clerk of the Legislature Ted Jerrett. Princess Glenister offered a few comments saluting the contributions of the dairy industry to our health and economy.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

There was no one wishing to speak.

REPORTS OF COUNTY OFFICIALS:

Leg. Doyle spoke for both himself and Leg. Kastler and thanked all who had offered assistance following the recent damaging wind and rain storm.

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Santore offered Resolution No. 104, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT - FY-06 BUFFER ZONE PROTECTION PROGRAM. This resolution accepts Homeland Security Funds in the amount of \$189,000 to purchase equipment for preventive and protective measures surrounding the nuclear plants at Nine Mile Point. Leg. Kunzwiler asked the Chair for a breakdown of how this money could be spent. Chairman Leemann agreed to provide Leg. Kunzwiler with a list of expenditures allowable under this grant.

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

Leg. Santore offered Resolution No. 105, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION E-911 REIMBURSEMENT FOR 911 SERVICES. This resolution accepts funds of \$69,861.00 and transfers it to accounts for analysis and compilation of LiDAR data.

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

Leg. Santore offered Resolution No. 106, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #174 -COMMUNICATION. This resolution authorized the establishment of Capital Project #174, Communication System Assessment with a maximum authorization of \$100,000.00.

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

Leg. Beardsley offered Resolution No. 107, entitled, RESOLUTION PROVIDING FOR TEMPORARY RECLASSIFICATION OF CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS. This resolution temporarily upgrades two heavy equipment operators to crew leaders for the 2008 construction season.

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

Leg. Beardsley offered Resolution No. 108, entitled, RESOLUTION ACCEPTING A FEDERAL AVIATION ADMINISTRATION GRANT ESTABLISHING A CAPITAL PROJECT TO PERFORM THE DESIGN PHASE FOR THE REHABILITATION OF RUNWAY 15-33 AT THE OSWEGO COUNTY AIRPORT. This resolution establishes Capital Project #173, Rehabilitation Runway 15-33 - Design with a maximum expenditure of \$197,737.00. The Highway Department will receive 95% in Federal funding (\$185,000.00) and 2.5% State funding (\$4,868.00) for the project. The Local share for this project will be \$4,686.00.

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

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

NO: GEARSBECK, MALONE.

ABSENT: NONE.

Leg. Beardsley offered Resolution No. 109, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE - SAFETY TRAINING. This resolution accepts a \$26,160 grant for mandatory safety training for the period of August 1, 2008 through July 31, 2009.

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

Leg. Beardsley offered Resolution No. 110, entitled, A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A FIRST ADDENDUM TO AN AGREEMENT BETWEEN THE COUNTY OF OSWEGO AND INTERFACE SOLUTIONS, INC. The addendum will enhance access to low-cost energy for Interface Solutions and increase revenues for the County's Energy Recovery Facility.

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

Leg. Doyle offered Resolution No. 111, entitled, RESOLUTION ACCEPTING BOA PROGRAM AWARD AND APPROVING A BUDGET MODIFICATION FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING. This resolution establishes the Oswego County Brownfield Opportunity Area Program at the Department of Community Development, Tourism and Planning for \$247,500.00.

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

Leg. Doyle offered Resolution No. 112, entitled, RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO RESTORE FUNDS TO THE SNOWMOBILE TRAIL DEVELOPMENT AND MAINTENANCE FUND. This resolution supports bills S.8144 and A.11009, and urges the Governor and State Legislature to restore funding to the Snowmobile Trail Development and Maintenance Fund. Leg. Kunzwiler moved to amend the resolution in the last “resolve” paragraph to identify the County’s representatives to the New York State Legislature by name. The motion was seconded by Leg. Walker, and passed with a voice vote.

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

Leg. Beckwith offered Resolution No. 113, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 131 - BOARD OF ELECTIONS RELOCATION. This resolution added an additional \$19,000.00 to Capital Project No. 131 for security reasons.

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

Leg. Beckwith offered Resolution No. 114, 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 2005, 2006. This returns CPs #28-01 Granby, 34-05 Mexico, and 56-06 Scriba back to previous owners.

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

Leg. Seager offered Resolution No. 115, entitled, RESOLUTION AUTHORIZING A CONTRACT FOR AN EMPLOYEE ASSISTANCE PROGRAM (EAP) FOR EMPLOYEES REPRESENTED BY CSEA COUNTY OFFICE PERSONNEL (CO-OP). This resolution authorizes a one year contract with HelpPeople Employee Assistance Program, Crouse Hospital, Syracuse, New York, at a cost of \$24/employee/year (annual cost of \$13,056.00 for 524 employees), with an option for 4 additional years.

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

Leg. Ospelt offered Resolution No. 116, entitled, RESOLUTION TO APPOINT A MEMBER TO THE OSWEGO COUNTY PUBLIC UTILITY SERVICE BOARD. This resolution appointed Eric Behling of Mexico, NY to the Public Utility Service Board. Legs. Brown and Proud expressed support.

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

Leg. Ospelt offered Resolution No. 117, entitled, A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE NEW YORK STATE ASSEMBLY REGARDING A DISTRICT OFFICE IN THE FULTON COUNTY OFFICE BUILDING. This resolution extends the lease agreement for the 124th Assembly District office in the Oswego County Office Building in Fulton through June 30, 2010. Leg. Ospelt asked that the office address on the contract be corrected from “Oswego” to “Fulton”. Discussion returned to the resolution. Leg. Walker moved to increase the rent to \$750.00 per month, seconded by Malone. Leg. Ospelt stated that \$500.00 was a fair rent for that office space and requested a roll call vote. After a lengthy discussion Leg. Ospelt called the question and Leg. Santore seconded, with Legs. Malone, Bryant and Vasho opposing. Motion to call the question passed. A vote on the amendment was taken.

Motion to raise the rent failed, with a roll vote
YES: 8 NO: 17 ABSENT: 0

YES: KASTLER, DOYLE, GEARSBECK, WALKER, FLETT, KUNZWILER, MALONE, VASHO..

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

ABSENT: NONE.

Discussion returned to the resolution.

Resolution passed, with a voice vote
Legs. Malone and Walker, in opposition.
YES: 23 NO: 2 ABSENT: 0

UNFINISHED BUSINESS:

Leg. Kunzwiler requested the Legislature consider an additional resolution to remove the sales tax cap on gasoline. He expressed concern that delaying a vote could unnecessarily delay the date of implementation and thus diminish the benefit to County property tax payers. County Attorney Richard Mitchell stated that he had talked with Counsel's office and had been assured that, with the necessary waiver from the Commissioner of Taxation and Finance, the proposed July adoption date would be workable. Leg. Kunzwiler moved to consider removing the gas cap at this meeting, Leg. Walker seconded the motion. County Attorney, Richard Mitchell offered a point of order that this legislature does not yet have a resolution prepared in the specific format strictly dictated by New York State. After a lengthy discussion, Leg. Malone called the question and said it should be voted on tonight, Leg. Kunzwiler seconded the motion. Chairman Leemann stated that first, the rules would have to be waived to entertain a resolution and the proposed resolution would have to be written and printed so all could read it. Leg. Kunzwiler moved to waive the rules to consider an additional resolution, seconded by Leg. Walker.

Motion to waive the rules to consider an additional resolution failed to get a 2/3 majority
YES: 12 NO: 13 ABSENT: 0

YES: KASTLER, POTTER, DOYLE, LEEMANN, OSPELT, WALKER, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH VASHO.

NO: BRYANT, GEARSBECK, PROUD, BROWN, BEARDSLEY, SEAGER, LOCKWOOD, GARDNER, OLDENBURG, SANTORE, SORBELLO, BREWER, LECLAIR.

ABSENT: NONE.

PUBLIC COMMENT: There was no one wishing to speak.

At 8:02 Chairman Leemann moved to go into executive session to discuss financial information relating to nuclear utilities and tax agreements, seconded by Leg. Seager. A voice vote was taken with all in favor. Leg. Doyle left the meeting at 8:03 pm

The meeting reconvened at 8:50 p.m., Leg. Seager made a motion to authorize the Chairman of the Legislature, the County Administrator, the County Attorney, along with other officials deemed necessary by the Chairman to work with the Town of Scriba and the Oswego City School District, the Mexico Academy and Central Schools, and agencies of the State of New York on matters relating to the expiration of tax agreements with Entergy and Constellation and to report progress to the Strategic, Planning and Government committees. The motion was seconded by Leg. Kunzwiler. All in favor.

ADJOURNMENT: At 8:58, upon motion by Leg. Kunzwiler and seconded by Leg. Walker, the meeting was adjourned.