

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD DECEMBER 10, 2009**

Chairman Leemann called the meeting to order at 2:06 p.m. Roll call was taken with all legislators present, with the exceptions of Legs. Gearsbeck and Oldenburg. The invocation was given by Clerk of the Legislature Ted Jerrett, followed by the salute to the flag. Chairman Leemann announced that this legislature meeting will not be adjourned today, but rather be recessed after the resolutions and be reconvened on December 15th at 7:00 PM. Therefore, the usual end of the meeting public comment period on general topics will be observed December 15th. However, comments on today's resolutions will be welcome at the usual point in today's agenda.

MINUTES:

Hearing no objections/corrections to the minutes of November 12, 2009, the minutes were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Leemann called the Health and Human Services Committee forward and invited Social Services Commissioner Frances Lanigan and Support Examiner Kathleen DeRocha to join them. Ms. DeRocha was presented a certificate for her 30 years of dedicated service to the County. Commissioner Lanigan commended Ms. DeRocha for all that she has contributed to the Department.

Chairman Leemann invited Department of Social Services Support Examiner Marie Burr, Support Magistrate Eben Norfleet and Leg. Gardner to join the Committee up front. Leg. Proud presented a certificate to Ms. Burr acknowledging her 25 years of excellent service to the County. Commissioner Lanigan and Magistrate Norfleet added their recognition of a job well done.

Chairman Leemann called the Community and Consumer Affairs Committee forward and invited Real property Tax Director Dave Hastings and Real Property Data Coordinator Debra Mullenax to join them. Ms. Mullenax was presented a certificate for her 25 years of dedicated service to the County. Director Hastings offered his accolades, describing Ms. Mullenax as thoroughly knowledgeable and immensely valuable employee.

Chairman Leemann invited forward Legislators Brewer, Vasho and LeClair and Fulton resident Juan Collazo and his coach, Dave Eddy. Ted Jerrett read a recognition acknowledging Mr. Collazo's achievements in Weightlifting, including several national and world records. Leg. Brewer commended Mr. Collazo for his proud example of determination and congratulated him on his many achievements.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

Oswego City Mayor Randy Bateman urged the passage of Resolution No. 204, transferring County property near the Oswego Wal-Mart to the City, citing safety reasons and future development of that area.

Richard Henry, Oswego, NY, expressed his concerns regarding the proposed wind farms on Gallo Island and the economic and ecological impact of future power lines on the surrounding areas.

REPORTS OF COUNTY OFFICIALS:

Leg. Doyle reported that there is a lot of activity surrounding the proposed Galloo Island Power Project, noting that State Senator Aubertine recently endorsed the proposal to lay related power lines under water. Leg. Doyle added that the proposed project is poised to be very disruptive of many properties.

Leg. Brown reported that the Agriculture Protection Board recently met and has several concerns with the Galloo Island Power Project and its potential impact on agriculture.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Potter offered Resolution No. 203, entitled, A RESOLUTION ACCEPTING THE DELIVERY OF A DEED FROM THE CITY OF FULTON FOR THE CONSTRUCTION OF A COUNTY COMMUNICATIONS TOWER ON WATER TOWER HILL. Leg. LeClair offered thanks to the City of Fulton for their part in this great example of intermunicipal cooperation.

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

Leg. Potter offered Resolution No. 204, entitled, RESOLUTION AUTHORIZING THE EXECUTION OF A DEED FROM THE COUNTY OF OSWEGO TO THE CITY OF OSWEGO RELATIVE TO CERTAIN VACANT PROPERTY ADJACENT TO NYS ROUTE 104. This resolution conveyed a 60' x 1028' parcel of land to the City of Oswego for use as a city street only.

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

Leg. Potter offered Resolution No. 205, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - DISTRICT ATTORNEY'S OFFICE - CONTINGENCY FUND This resolution approved the transfer of funds from the contingent account and unappropriated fund balance to medical fees and other fees and services in the amount of \$40,000.

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

Leg. Potter offered Resolution No. 206, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - DISTRICT ATTORNEY'S OFFICE. This resolution approves the transfer of \$2,056 to cover the shortage in vacation buy-back funds.

Resolution passed, with a voice vote.
YES: 23 NO: 0 ABSENT: 2

Leg. Potter offered a proposed resolution, entitled, RESOLUTION AUTHORIZING CHAIRMAN AND CLERK TO HANDLE ALL UNFINISHED BUSINESS THROUGH DECEMBER 31, 2009. Leg. Potter noted that this resolution would more appropriately be considered at the December 15, 2009 meeting and requested it be moved to that day's agenda. Leg. Doyle so moved, Leg. Kunzwiler seconded. All in favor.

Motion to move this resolution to the December 15, 2009 meeting passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Proud offered Resolution No. 207, entitled, RESOLUTION AWARDED SENIOR NUTRITION MEALS PROGRAM. This resolution awards a contract to Oswego County Opportunities for the Senior Meals Program. The proposed cost of their services in \$5.10 per meal.

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

Leg. Proud offered Resolution No. 208, entitled, RESOLUTION APPROVING 2010 CAMP HOLLIS FEE SCHEDULE. Leg. Malone motioned to table this resolution until January 2010, when the new Legislature would be seated, seconded by Leg. Walker. A roll call vote was requested.

Motion to table resolution until the January 2010 meeting failed. With a roll call vote.
YES: 5 NO: 18 ABSENT: 2

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

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

ABSENT: GEARSBECK, OLDENBURG.

Discussion returned to the original resolution. Youth Bureau Director Kathleen Fenlon provided further information on Camp Hollis.

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

Leg. Proud offered Resolution No. 209 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES – MENTAL HYGIENE ACCOUNTS TRANSFERS. This transfers \$3,800 within the Mental Hygiene Budget to meet year end projections.

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

Leg. Proud offered Resolution No. 210 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - HOSPICE PERSONAL SERVICES. This transfers \$12,600 from full time to overtime and additional hours for coverage outside standard workday.

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

Leg. Proud offered Resolution No. 211, entitled, RESOLUTION APPOINT MEMBER TO THE OSWEGO COUNTY BOARD OF HEALTH. This appoints Dr. Lewis Watson from Pulaski, NY to the Oswego County Board of Health for a six year term to expire on December 31, 2015. Legs. Proud, Doyle and Brown offered their highest recommendations for Dr. Watson's appointment

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

Leg. Santore offered Resolution No. 212, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT TO ACCEPT AND TRANSFER FEDERAL FUNDING (SCAAP). This accepted \$13,511 in federal funding to cover costs related to inmate transports.

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

Leg. Santore offered Resolution No. 213, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. Leg. Kunzwiler moved to amend to change the number of vehicles being purchased from 12 to 10, seconded by Leg. Malone. After a lengthy discussion a roll call vote was taken on the motion.

Motion to amend failed, with a roll call vote
YES: 5 NO: 18 ABSENT: 2

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

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

ABSENT: GEARSBECK, OLDENBURG.

Discussion returned to the original resolution.

The Original Resolution passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 214, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #30 - FULTON CITY TOWER CONSTRUCTION. This \$300,000 Capital Project is to replace the existing emergency communications tower(s) at the County Emergency Operations Center in Fulton.

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

Leg. Santore offered Resolution No. 215, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT TO ACCEPT NYS BUCKLE UP GRANT. (\$1,092)

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

Leg. Beardsley offered Resolution No. 216, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A FOURTH ADDENDUM TO AN AGREEMENT BETWEEN THE COUNTY OF OSWEGO AND INTERFACE SOLUTIONS, INC. This lowers the minimum required volume and slightly raises the per unit price paid to the County by IFS.

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

Leg. Beardsley offered Resolution No. 217, entitled, RESOLUTION AUTHORIZING ENERGY CONSERVATION PROJECTS AT FOUR COUNTY FACILITIES Upon motion by Leg. Brown, seconded by Leg. Beckwith and unanimously approved, the title was amended to read "RESOLUTION ESTABLISHING CAPITAL PROJECT #32 ENERGY CONSERVATION AND AUTHORIZING ENERGY CONSERVATION PROJECTS AT FOUR COUNTY FACILITIES".

The Amended Resolution passed, with a voice vote.
Leg. Chalifoux abstained.
YES: 22 NO: 0 ABSENT: 2 ABSTAIN: 1

Leg. Beardsley offered Resolution No. 218, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 16-BRIDGES. This capital project is for painting the steel of the Lamson Road Bridge over the Oswego River and the CR 57 Bridge over the Oneida River.

Resolution passed, with a voice vote.
YES: 23 NO: 0 ABSENT: 2

Leg. Beardsley offered Resolution No. 219, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 29 CONDENSATE TANK REPAIR - ERF. Leg. Walker asked if this was being done in-house and Chairman Leemann stated it was being contracted out.

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

Leg. Ospelt offered Resolution No. 220, entitled, RESOLUTION APPROPRIATING FUNDS IN THE 2010 BUDGET IN REGARD TO FULL FUNDED GRANT PROJECTS.

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

Leg. Ospelt offered Resolution No. 221, entitled RESOLUTION AUTHORIZING OSWEGO COUNTY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE PURCHASING WITH OSWEGO COUNTY BOCES.

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

Leg. Gardner offered Resolution No. 222, entitled, RESOLUTION AWARDDING A CONTRACT FOR VIDEO SECURITY SYSTEM. This awards a contract for a closed circuit video security system to Cedar Path Solutions for \$208,304.

Resolution 222 passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Gardner offered Resolution No. 223, 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.

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

Leg. Gardner offered Resolution No. 224 entitled, RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 556 OF THE REAL PROPERTY TAX LAW, SUBDIVISIONS 8 & 9 RELATIVE TO THE REFUNDS OF FUNDS DUE TO TAX CORRECTIONS.

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

Leg. Sorbello offered Resolution No. 225, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING VISITORS GUIDE. This increases the tourism co-op advertising revenue line by \$8,000 to reflect anticipated revenue from the sale of ads in our new visitor's guide and transfers those ad proceeds to the tourism advertising expense line.

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

Leg. Sorbello offered Resolution No. 226, entitled, RESOLUTION ALLOCATING HOTEL OR MOTEL OCCUPANCY TAX REVENUES AND PROVIDING DISTRIBUTION OF OCCUPANCY TAX REVENUES FOR 2010.

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

Leg. Sorbello offered Resolution No. 227, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 25 LIGHTING CONTROLS - COUNTY FACILITIES. This resolution establishes revenue and expense lines to reflect a grant of \$183,000 through the New York State Energy Research and Development Authority (NYSERDA) and authorizes the Chairman to execute documents.

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

Leg. Sorbello offered Resolution No. 228, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING SENIOR NUTRITION PROJECT-MEXICO. This consolidates budget lines to facilitate the completion of the Senior Nutrition Facility in Mexico.

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

Leg. Sorbello offered Resolution No. 229, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING ESTABLISH ACCOUNTS FOR CDBG GRANT. This establishes the accounts necessary for a \$50,000 Community Development Block Grant and authorizes the Chairman to execute related documents. The grant assists Uniforms, Etc., in Fulton, NY, to purchase new equipment and expand.

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

Leg. Sorbello offered Resolution No. 230, entitled, RESOLUTION APPOINTING A MEMBER TO THE OSWEGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY. (Jonathan Daniels of Oswego, NY)
Legs. Walker and Ospelt offered their recommendations for the appointment.

Resolution 230 passed, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Sorbello offered Resolution No. 231, entitled, RESOLUTION PURSUANT TO SECTION 122 OF THE AGRICULTURE AND MARKETS LAW AUTHORIZING THE CHAIRMAN TO IMPOSE A DOG QUARANTINE IN THE COUNTY OF OSWEGO.

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

Leg. Sorbello offered Resolution No. 232, entitled, A JOINT RESOLUTION OF THE OSWEGO COUNTY LEGISLATURE AND THE BOARD OF LEGISLATORS OF JEFFERSON COUNTY REQUIRING A FEASIBILITY STUDY FOR THE UNDERWATER PLACEMENT OF AN ELECTRIC TRANSMISSION LINE FROM GALLO ISLAND, TOWN OF HOUNSFIELD, JEFFERSON COUNTY TO NINE MILE POINT, TOWN OF SCRIBA, OSWEGO COUNTY FOR THE PROPOSED GALLOO ISLAND WIND POWER PROJECT NYS PUBLIC SERVICE COMMISSION CASE NO.: 09-T-0049. Leg. Kunzwiler applauded the efforts of Leg. Doyle who has kept legislators informed. Legs. Doyle and Brown emphasized that the impacts of this proposal are broad and need continued study.

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

Leg. Potter offered Resolution No. 233, entitled, RESOLUTION FIXING THE TIME AND PLACE FOR THE 2010 ORGANIZATION MEETING. (January 7, 2010 at 2 p.m. at the Legislative Chambers)

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

Leg. Ospelt offered Resolution No. 234, entitled RESOLUTION INCREASING EXISTING APPROPRIATIONS FOR VARIOUS FUNDS IN SEVERAL OFFICES AND DEPARTMENTS.

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

At 3:24 p.m. Legislator Doyle moved to recess the meeting until December 15, 2009 at 7:00 p.m. It was seconded by Leg. Kunzwiler. All were in favor. Meeting was recessed.