

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD ON
JANUARY 3, 2008**

Clerk of the Legislature Ted Jerrett called the meeting to order at 4:00 p.m. Roll call was taken with all legislators present and one vacancy in District 17. A moment of silence and prayer was observed for the recent passing of County Legislator Leonard Ponzi. This was followed by the invocation and salute to the flag.

SWEARING IN OF NEW LEGISLATORS:

Supreme Court Justice The Hon. Norman W. Seiter, Jr. swore in the following newly elected legislators:

District 11, Linda Lockwood, accompanied by her husband, Gerald, and granddaughter, Sydney Campbell;
District 14, James M. Oldenburg, accompanied by his wife, Diane, and their children Emily and Matthew;
District 15, Lee B. Walker, Jr., accompanied by his wife, Katherine and their children Lee III, Melissa and Brandon;
District 23, Morris Sorbello, accompanied by his wife, Barbara, and their daughter Debbie Farr;
District 25, Louella LeClair, accompanied by and her children John LeClair, Jr., Colleen Nickolas; and Desiree Caza, and several grandchildren.

Hon. Norman W. Seiter, J.S.C., swore in the incumbent legislators as a group.

ELECTION OF CHAIRMAN:

Clerk of the Legislature Ted Jerrett opened the floor for nominations for Chairman of the Legislature.

Leg. Proud nominated Leg. Barry Leemann, seconded by Leg. Santore. Leg. Kunzwiler said the minority caucus had met and agreed to support Leg. Leemann for Chairman in hopes of continuing to work together in a bipartisan manner. Leg. Seager requested that one unanimous ballot be cast for Leg. Leemann. There being no further nominations, Leg. Leemann was elected Chairman with a voice vote of 23 in favor, Leg. Gearsbeck opposing, and one vacancy in District 17.

Leg. Leemann, accompanied by his wife Karen and Assemblyman Dave Townsend, was sworn in by The Honorable Norman W. Seiter, Jr., J.S.C. Chairman Leemann thanked Leg. Proud for the nomination and expressed his gratitude for the support of both parties.

ELECTION OF VICE-CHAIRMAN:

Chairman Leemann opened the floor for nominations for Vice-Chairman of the Legislature. Leg. Brown nominated Leg. Jack Proud, seconded by Leg. Seager. There being no further nominations, the nominations were closed. Leg. Seager requested that the Clerk of the Legislature enter one vote cast for Leg. Proud for the office of Vice Chairman. Leg. Proud was elected Vice Chairman with a voice vote of 24 in favor and 1 vacancy in District 17.

Leg. Proud, accompanied by his wife Allie, was sworn in by The Honorable Norman W. Seiter, Jr., J.S.C.

ELECTION OF CLERK OF THE LEGISLATURE:

Chairman Leemann opened the floor for nominations for Clerk of the Legislature. Leg. Gardner nominated Ted Jerrett, seconded by Leg. Brown. There being no other nominations, Ted Jerrett was

elected as Clerk of the Legislature by a voice vote with 22 in favor, Legs. Chalifoux and Bryant in opposition, and 1 vacancy in District 17.

Ted Jerrett, accompanied by his wife Donna, was sworn in by The Honorable Norman W. Seiter, Jr., J.S.C.

MINUTES:

Leg. Brown, moved to accept the minutes of December 13, 2007, seconded by Leg. Ospelt. All in favor.

INTRODUCTION OF VISITORS/PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

Chairman Leemann invited retiring New York State Senator James W. Wright and Assemblymen Will Barclay, Bob Oaks, and Dave Townsend to come forward. (Assemblywoman Scozzafava was unable to attend). A plaque was presented to Sen. Wright and a proclamation was read recognizing the Senator's remarkable achievements during his tenure. Senator Wright thanked the Legislature for their recognition and years of support. Assemblymen Barclay, Townsend, and Oaks added their praises of Senator Wright's successes as a strong leader and advocate for the families and businesses of Oswego County.

Chairman Leemann invited Leg. Proud and Leg. Oldenburg and members of the Health and Human Services Committee forward to recognize retiring Health Department Director Kathleen A. Smith. Leg. Proud thanked Kathy Smith for her years of dedicated service, working up through the ranks at the Health Department and serving admirably as Director. Director Smith thanked the Legislature for their support.

REPORTS OF COUNTY OFFICIALS:

Leg. Brown reported the 8-year Agriculture District Review has been completed and accepted by NYS.

ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERS/WHIPS:

The Republican Caucus announced the appointment of Leg. Seager as Majority Leader and Leg. Santore as Majority Whip.

The Democratic Caucus announced the appointment of Leg. Kunzwiler as Minority Leader and Leg. Malone as Minority Whip.

RESOLUTIONS:

Leg. Kunzwiler offered Resolution No. 1, entitled, RESOLUTION APPOINTING COUNTY ADMINISTRATOR FOR THE COUNTY OF OSWEGO, seconded by Leg. Brown. Philip R. Church was appointed County Administrator, for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Bryant offered Resolution No. 2, entitled, RESOLUTION APPOINTING COUNTY ATTORNEY FOR THE COUNTY OF OSWEGO, seconded by Leg. Walker. Richard C. Mitchell was appointed for a term of two years commencing January 1, 2008.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Kunzwiler offered Resolution No. 3, entitled, RESOLUTION APPOINTING AUDITOR, seconded by Leg. Vasho. Stephen Loadwick was appointed Auditor for the County of Oswego.

Resolution passed, with a voice vote
Leg. Gearsbeck in opposition
YES: 23 NO: 1 ABSENT: 0 VACANT: 1

Leg. Proud offered Resolution No. 4, entitled, RESOLUTION APPOINTING AGING SERVICES ADMINISTRATOR, seconded by Leg. Gardner. Laurence Schmidt was appointed Aging Services Administrator for a term to coincide with this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Malone offered Resolution No. 5, entitled, RESOLUTION APPOINTING DIRECTOR OF CENTRAL SERVICES, seconded by Leg. Ospelt. Richard M. Hogan was appointed Director of Central Services for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Chalifoux offered Resolution No. 6, entitled, RESOLUTION APPOINTING DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING, seconded by Leg. Beardsley. David R. Turner was appointed Director of the Department of Community Development, Tourism and Planning for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
Leg. Santore abstained due to family ties to Mr. Turner.
YES: 23 NO: 0 ABSENT: 0 VACANT: 1 ABSTAIN: 1

Leg. Potter offered Resolution No. 7, entitled, RESOLUTION APPOINTING DIRECTOR OF EMERGENCY MANAGEMENT, seconded by Leg. Kastler. Patricia Egan was appointed Director of Emergency Management for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Potter offered Resolution No. 8, entitled, RESOLUTION APPOINTING DIRECTOR OF 911 COMMUNICATION SYSTEM, seconded by Leg. Ospelt. Michael Allen was appointed Director of 911 Communication System for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Kunzwiler offered Resolution No. 9, entitled, RESOLUTION APPOINTING PURCHASING DIRECTOR, seconded by Leg. Seager. Fred Maxon was appointed Purchasing Director for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Vasho offered Resolution No. 10, entitled, RESOLUTION APPOINTING DIRECTOR OF SOLID WASTE PROGRAMS, seconded by Leg. Sorbello. Frank Visser was appointed Director of Solid Waste Programs for a term to coincide with the term of this Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Proud offered Resolution No. 11, entitled, RESOLUTION APPROVING APPOINTMENT OF VETERANS SERVICES, seconded by Leg. Santore. Donna Kestner was appointed Director of Veterans Services.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Proud offered Resolution No. 12, entitled, RESOLUTION APPOINTING DIRECTOR OF YOUTH BUREAU, seconded by Leg. Brown. Kathleen Fenlon was appointed Director of the Youth Bureau for a term to coincide with the term of the Legislature.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Kunzwiler offered Resolution No. 13, entitled, RESOLUTION ADOPTING AN OSWEGO COUNTY INVESTMENT POLICY AND DESIGNATING BANKS AS DEPOSITORIES OF COUNTY FUNDS.

Resolution passed, with a voice vote
YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Legs. Seager and Kunzwiler offered Resolution No. 14, entitled, RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR PUBLICATION OF ALL ELECTION NOTICES, OFFICIAL CANVASS, LOCAL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED. The Republican Caucus designated the Oswego County Weeklies of Mexico, New York and The Valley News of Fulton, New York as their official newspapers. The Democratic Caucus designated The Palladium Times of Oswego, New York as their official newspapers. Leg. Kunzwiler questioned whether it was prudent to designate more than two newspapers. The question was raised regarding how many newspapers could be designated. County Attorney, Richard Mitchell referenced section 214 subdivision 2 of the County Law which states that the board or legislature shall designate **at least** two newspapers published within the county, therefore designating two or more newspapers would be proper. After a short discussion, Leg. Malone moved to table this resolution, seconded by Leg. Gearsbeck and a roll call vote was requested with the following results:

Motion to table resolution failed, with a roll call vote
YES: 5 NO: 19 ABSENT: 0 VACANT: 1

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

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

ABSENT: NONE

VACANT: DISTRICT 17.

Leg. Doyle called the question, seconded by Leg. Santore, and a roll call vote was requested with the following results:

Motion to call the question passed, with a roll call vote

YES: 19 NO: 5 ABSENT: 0 VACANT: 1

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

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

ABSENT: NONE

VACANT: DISTRICT 17

Resolution passed, with a voice vote

Legs. Gearsbeck, Kunzwiler, Malone, Vasho, and Walker in opposition

YES: 19 NO: 5 ABSENT: 0 VACANT: 1

Leg. Proud offered Resolution No. 15, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY HEALTH BOARD. Joseph Osetek, and Dr. Joseph E. Mather were appointed to the Oswego County Board of Health for a term to expire December 31, 2013.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 0 VACANT: 1

Leg. Seager moved to waive the rules to consider two additional resolutions, seconded by Leg. Santore. Motion passed with a show of hands, Legs. Malone, Kunzwiler and Walker in opposition.

Leg. Seager offered Resolution No. 16, entitled, A RESOLUTION PROVIDING FOR A RETROACTIVE STEP INCREASE FOR THE INTERIM HIGHWAY SUPERINTENDENT. County Administrator Phil Church explained the increment is based on the management compensation plan. Leg. Kunzwiler stated that this issue should go through the committee and be brought back to the floor in February. Leg. Kunzwiler moved to table the resolution until next month's meeting. Leg. Malone agreed. Motion to Table was seconded by Leg. Walker. A roll call vote was requested.

Motion to table the resolution failed, with a roll call vote

YES: 5 NO: 19 ABSENT: 0 VACANT: 1

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

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

ABSENT: NONE.

VACANT: DISTRICT 17.

Leg. Doyle called the question, seconded by Leg. Santore. A roll call vote was requested.

Motion to call the question passed, with a roll call vote
YES: 19 NO: 5 ABSENT: 0 VACANT: 1

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

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

ABSENT: NONE.

VACANT: DISTRICT 17.

Resolution passed, with a show of hands
Legs. Malone, Kunzwiler, Walker, Vasho, Gearsbeck opposing.
YES: 19 NO: 5 ABSENT: 0 VACANT: 1

Leg. Brewer offered Resolution No. 17, entitled, A RESOLUTION APPOINTING A SUPERINTENDENT OF HIGHWAYS IN AND FOR THE COUNTY OF OSWEGO PURSUANT TO NEW YORK STATE HIGHWAY LAW §100 AND COUNTY LAW §400(4)(a). This resolution appointed Kurt P. Ospelt as Superintendent of Highways. After a lengthy discussion Leg. Doyle called the question, seconded by Leg. Santore.

Motion to call the question passed, with a show of hands
Legs. Malone, Kunzwiler, Walker, Vasho, Gearsbeck opposing
YES: 19 NO: 5 ABSENT: 0 VACANT: 1

Resolution passed, with a show of hands
Leg. Malone, Kunzwiler, Walker, Vasho, Gearsbeck opposing
Leg. Ospelt abstained due to family ties to Kurt Ospelt.
YES: 18 NO: 5 ABSENT: 0 ABSTAIN: 1 VACANT: 1

ADJOURNMENT:

Meeting adjourned at 5:30 under motion by Leg. Doyle, seconded by Leg. Oldenburg, all in favor, with the exception of Leg. Malone.

PUBLIC SPEAKERS:

There were no others wishing to speak.