

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD JULY 12, 2007.**

Chairman Johnson called the meeting to order at 2:00 p.m. Roll call was taken with a Vacancy in District #1. All legislators were present. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to the flag.

MINUTES:

Hearing no objections and/or corrections to the minutes of June 14, 2007, the minutes were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Johnson invited Leg. French, the Infrastructure Committee and Interim Highway Superintendent Kurt Ospelt to come forward. Leg. French presented Kurt Ospelt with a certificate for 30 years of dedicated service to Oswego County. Leg. French commended Kurt Ospelt for his management of the Highway Department and particularly for his timely and effective responses to questions or concerns that he has brought to Kurt. Leg. French added that he would support a resolution to appoint Kurt Ospelt as Oswego County Highway Superintendent. Leg. Arthur Ospelt expressed pride in his son's accomplishments and Kurt Ospelt thanked the Legislature for the opportunity to serve.

Chairman Johnson asked Leg. French and the Infrastructure Committee to remain up front and invited Leg. Leemann and Heavy Equipment Operator Bertram Drought to join them. Interim Superintendent Ospelt presented a certificate to Mr. Drought for 30 years of dedicated service to Oswego County. Kurt Ospelt commended Mr. Drought for his unfailing commitment to his job, even under the most difficult and exhausting conditions. Mr. Drought thanked everyone for the chance to work for the County.

Chairman Johnson invited Leg. Malone and members of the Community and Consumer Affairs Committee forward and invited Real Property Director David Hastings and Tax Map Technician Deborah West to join them. Leg. Malone moved for a ten-minute recess, seconded by Leg. French, all were in favor. The meeting reconvened at 2:15 pm. Leg. Malone presented Ms. West with a certificate recognizing her 30 years of dedicated service to Oswego County.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS:

Leg. Kunzwiler reported on a meeting he and Chairman Johnson recently attended in Albany with the Governor and his staff. Representatives of small counties across New York State were invited to discuss topics of particular interest to small counties. Leg. Kunzwiler stressed the importance of the upcoming census in order to get an accurate count of people for future state aid. Chairman Johnson commented on the upcoming revisions to the STAR program. He also noted that the state was looking to expand the current bottle bill to additional forms of beverage, including water and fruit juices.

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Leemann moved to waive the rules to add one resolution to fill the vacancy in District #1. Leg.

Santore seconded the motion.

Motion to waive the rules failed by a show of hands to gain the required 2/3 vote
YES: 15 NO: 9 ABSENT: 0 VACANT: 1

Leg. Bryant offered a Resolution entitled, RESOLUTION AUTHORIZING AMENDMENTS IN THE OSWEGO COUNTY LEGISLATURE RULES AND ORDER OF BUSINESS. Leg. Bryant explained that the changes were highlighted in bold print and that this was an annual update to keep the rules and order of business current. Leg. Seager moved to amend this resolution first on Page 5, Rule 8 as follows: to change “within six weeks” to read “within eight weeks” in the first paragraph on page 5; seconded by Leg. Brown. In addition to this motion, Leg. Seager presented a second motion to amend the resolution as follows: on page 5, second paragraph insert the following language as a second sentence: “In the event the rules are not suspended by two thirds vote the resolution shall be considered referred to the appropriate committee. The resolution so referred shall within six weeks of its referral be acted upon by the committee as follows...” A request was made to provide the proposed amendments to writing. Leg. Leemann moved for a ten-minute recess. Leg. Brown seconded the motion. The meeting was recessed at 2:25 p.m.

The meeting was reconvened at 2:37 p.m. After a brief discussion, a roll call on the first amendment was taken:

Motion on the first amendment failed with a roll call vote
YES: 12 NO: 12 ABSENT: 0 VACANT: 1

YES: POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, SANTORE, BECKWITH, BREWER

NO: BRYANT, GEARSBECK, NATOLI, BULLARD, OSETEK, PONZI, KUNZWILER, CHALIFOUX, MALONE, VASHO, FRENCH, JOHNSON

ABSENT: NONE

VACANT: DISTRICT ONE

Discussion returned to the motion on the second amendment to the resolution. Following a lengthy discussion, Leg. Leemann moved to call the question, seconded by Leg. Kunzwiler. A roll call vote on the second amendment was taken.

Motion on the second amendment failed with a roll call vote
YES: 12 NO: 12 ABSENT: 0 VACANT: 1

YES: POTTER DOYLE LEEMANN, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, BULLARD, SANTORE, BECKWITH, BREWER.

NO: BRYANT GEARSBECK, NATOLI, GARDNER, OSETEK, PONZI, KUNZWILER, CHALIFOUX, MALONE, VASHO, FRENCH, JOHNSON.

ABSENT: NONE

VACANT: DISTRICT ONE

Leg. Bryant offered the original resolution as presented earlier. A roll call vote was taken.

Resolution failed with a roll call vote
YES: 12 NO: 12 ABSENT: 0 VACANT: 1

YES: BRYANT, GEARSBECK, NATOLI, BULLARD, OSETEK, PONZI, KUNZWILER, CHALIFOUX, MALONE, VASHO, FRENCH, JOHNSON.

NO: POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, SANTORE, BECKWITH, BREWER.

ABSENT: NONE

VACANT: DISTRICT ONE.

Leg. Malone offered Resolution No. 103, 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 1999, 2001, 2003, 2005.

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

Leg. Chalifoux offered Resolution No. 104, entitled RESOLUTION ADOPTING THE MODIFIED AGRICULTURAL DISTRICT #11 AND FINDING THAT THE PROPOSED DISTRICT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT. Leg. Chalifoux moved to amend the resolution to include 12 parcels left off due to a clerical error. Leg. Seager asked if this amendment had been voted on in committee and Chairman Johnson said no. After a brief discussion a roll call vote was requested.

Amendment to the resolution passed, with a roll call vote
YES: 23 NO: 0 ABSENT: 0 VACANT: 1 ABSTAIN: 1

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

NO: NONE

ABSENT: NONE

VACANT: DISTRICT ONE

ABSTAIN: OSPELT.

Resolution passed, with a roll call vote
YES: 18 NO: 0 ABSENT: 0 VACANT: 1 ABSTAIN: 6

YES: DOYLE, BRYANT, GEARSBECK, PROUD, BROWN, BEARDSLEY, SEAGER, GARDNER, BULLARD, OSETEK, SANTORE, PONZI, KUNZWILER, CHALIFOUX, MALONE, VASHO, BREWER, JOHNSON.

NO: NONE

ABSENT: NONE

VACANT: DISTRICT ONE

ABSTAIN: POTTER, LEEMANN, NATOLI, OSPILT, BECKWITH, FRENCH.

Leg. French offered Resolution No. 105, entitled, RESOLUTION AUTHORIZING NOTICE BE SENT TO OSWEGO HARBOR POWER, LLC AND NRG ENERGY, INC. PURSUANT TO SECTION 51 OF THE HIGHWAY LAW.

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

Leg. Chalifoux offered Resolution No. 106, entitled, RESOLUTION AUTHORIZING PAYMENTS FROM ECONOMIC DEVELOPMENT INITIATIVE FUND.

Resolution passed, with a voice vote
Leg. Ospelt opposing
YES: 23 NO: 1 ABSENT: 0 VACANT: 1

Leg. French offered Resolution No. 107, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 148- ROAD EQUIPMENT PURCHASE

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

Leg. Proud offered Resolution No. 108, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146-HIGHWAY & AUTOMOTIVE EQUIPMENT - PUBLIC HEALTH Leg. Malone asked what make/model of vehicles were being purchased. Administrator Church stated they would be put out to bid, therefore couldn't give an exact make/model. Leg. Malone suggested Crown Victoria models and standardizing county vehicle purchases. After a brief discussion, the resolution passed.

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

Leg. Proud offered Resolution No. 109, entitled, RESOLUTION AUTHORIZING RECLASSIFICATION OF A POSITION IN THE DEPARTMENT OF SOCIAL SERVICES AND CREATION OF A NEW POSITION IN THE DEPARTMENT OF HEALTH.

Resolution passed, with a voice vote
Legs. Gearsbeck and Gardner opposing
YES: 22 NO: 2 ABSENT: 0 VACANT: 1

Leg. Proud offered Resolution No. 110 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TO ACCEPT ADDITIONAL STATE AID - OASAS.

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

Leg. Proud offered Resolution No. 111, entitled, RESOLUTION BUDGETARY MODIFICATION YOUTH BUREAU - REALITY CHECK

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

Leg. Proud offered Resolution No. 112, entitled, RESOLUTION AUTHORIZING BUDGETARY
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MODIFICATION YOUTH BUREAU SUMMER SCHOOL PROGRAM FOR DEAF AT CAMP HOLLIS.

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

Leg. Proud offered Resolution No. 113, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU ACCEPTING FUNDS FROM U.S. TENNIS ASSOCIATION.

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

Leg. Bullard offered Resolution No. 114, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT TO ACCEPT FUNDING FROM STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

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

Leg. Bullard offered Resolution No. 115, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT START UP FEES FOR ELECTRONIC SUBMISSION OF FINGERPRINTS.

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

Leg. Bullard offered Resolution No. 116, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION E-911 TO ACCEPT FUNDING FROM NEW YORK STATE AND MAKE APPROPRIATE TRANSFERS.

Resolution passed, with a voice vote
Legs. Seager and Natoli abstaining
YES: 22 NO: 0 ABSENT: 0 VACANT: 1 ABSTAIN: 2

Leg. Bullard offered Resolution No. 117, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION EMERGENCY MANAGEMENT OFFICE TO PURCHASE AHURA FIRST DEFENDER.

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

Leg. Bullard offered Resolution No. 118, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PROBATION DEPARTMENT TO ACCEPT ENHANCED DPCA REIMBURSEMENT.

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

Leg. Chalifoux offered Resolution No. 119, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COMMUNITY DEVELOPMENT, TOURISM & PLANNING DEPT. TO USE DONATED FUNDING.

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

Leg. Chalifoux offered Resolution No. 120, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COMMUNITY DEVELOPMENT, TOURISM & PLANNING DEPT. PRO-AM TOURNAMENT DONATION.

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

Leg. French offered Resolution No. 121, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE - SAFETY TRAINING.

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

Leg. Proud offered Resolution No. 122, entitled, RESOLUTION IN SUPPORT OF FORMING A NEW YORK STATE COMMISSION ON POVERTY AND ECONOMIC SECURITY.

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

Leg. Bryant offered Resolution No. 123, entitled, RESOLUTION APPOINTING A MEMBER TO THE COUNTY BOARD OF ETHICS. This resolution appoints Robert J. Nicholson, Oswego, to the County Board of Ethics.

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

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Chalifoux thanked Kathy Fenlon and the staff at Camp Hollis for the great job they did on the recent Camp Hollis open house.

Leg. Doyle thanked everyone who supported the County Fair this year. Leg. Doyle noted that Leg. Milferd Potter had committed an exceptional amount of time and energy to the Fair this year and should be recognized for the critical role he played in repairing and preparing the Fairgrounds and buildings for this year's event. A round of applause was offered.

Leg. Kunzwiler moved to adjourn the meeting, and Leg. Leemann seconded the motion. All approved and the meeting was adjourned at 3:30 p.m.

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

Dave Turner, Director of Community Development, Tourism and Planning, thanked the Legislators for their faith and support earlier in the year when they approved funding for an economic development initiative that required confidentiality and has since evolved into a great success.