

**MINUTES OF THE PUBLIC HEARING HELD ON NOVEMBER 15, 2007
RELATIVE TO THE COUNTY OF OSWEGO LOCAL LAW #1 OF THE YEAR 2007,
ENTITLED "A LOCAL LAW AMENDING COUNTY OF
OSWEGO LOCAL LAW #3 OF THE YEAR 1990".**

Vice-Chairman Greg Osetek opened the public hearing at 2:03 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice of the proposed Local Law # 1 of the Year 2007, entitled LOCAL LAW AMENDING COUNTY OF OSWEGO LOCAL LAW #3 OF 1990". Vice-Chairman Osetek offered the floor to any wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 2:05 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD NOVEMBER 15, 2007.**

Vice-Chairman Osetek called the meeting to order at 2:05 p.m. Roll call was taken with all legislators present, except Chairman Russ Johnson. The invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to flag.

MINUTES:

Leg. Malone asked that the record show that he was excused for last month's meeting, not absent. There were no objections to this request. Hearing no other objections or corrections the minutes of October 11, 2007 were approved as amended. The minutes of the special meeting held on October 15, 2007 were approved with no objections.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Vice-Chairman Osetek called members of the Health and Human Services to the front as well as Frances Lanigan, Commissioner of Social Services and Margaret Hall. Ms. Hall was presented with a certificate acknowledging her 25 years of service to the County. Commissioner Lanigan offered a few comments.

With the members of the Health and Human Services still up front, Vice-Chairman Osetek invited Elaine Haffenden to come forward. Ms. Haffenden was presented with a special certificate acknowledging her 25 years of service with the County. Commissioner Lanigan offered a few comments.

Vice-Chairman Osetek invited Executive Director of Friends of Oswego Hospice Debbie Bishop, to join Leg. Proud and the Health Committee. Ms. Bishop thanked the Legislature for its proclamation of November as Hospice Month.

Vice-Chairman Osetek invited members of the Economic Development and Planning Committee and Executive Director of Cooperative Extension Paul Forestiere to come forward. Director Forestiere gave an overview of the activities of Cooperative Extension during 2007 and its plans for the coming year. He noted that the agricultural sector is a major driver of the Oswego County economy and briefly outlined plans to add a new agent position that would focus on expanding markets. Mr. Forestiere also cited Extension's partnering with Oswego County Opportunities to get a \$40,000.00 grant from the JC Penny Foundation to provide after-school care for youth. This partnership was one of only three entities in NY State to get this. Cooperative Extension is also planning a two-year trial program of "Parenting Parents" who are going through separation or divorce. He urged legislators to review the Annual Report and thanked the legislature for its continuing support.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS: None.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES:

Leg. Brown gave a brief report on the NYS Fish and Wildlife Board meeting held in Watertown, NY on October 25 through the 27.

RESOLUTIONS AND MOTIONS:

Leg. Proud offered Resolution No. 184, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES WORKFORCE INVESTMENT ACT INCENTIVE AWARD. This resolution accepts an incentive award from the New York State Department of Labor in the amount of \$799,718 to provide employment and training services. Commissioner Fran Lanigan offered a few comments.

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

Leg. Malone moved to pull the next resolution entitled, RESOLUTION OPPOSING GOVERNOR'S PROPOSAL TO ALLOW ISSUANCE OF NEW YORK STATE DRIVERS' LICENSES TO ILLEGAL ALIENS, seconded by Leg. Leemann.

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

Leg. Proud offered Resolution No. 185, entitled, RESOLUTION SUPPORTING THE "MEDICAID COUNTY PROTECTION ACT OF 2007" H.R.326. This Federal Legislation would prohibit states from passing the cost of Medicaid on to counties and, if enacted, would likely save the Oswego County in excess of twenty million dollars, annually.

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

Leg. Proud offered Resolution No. 186, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TRANSPORTATION ASSISTANCE. This resolution accepts an additional \$70,000 from NY State to help remove transportation as an obstacle to employment. Leg. Malone expressed concern for associated costs such as tickets, maintenance, and repair.

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

Leg. Proud offered Resolution No. 187, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES. This resolution accepts state funds to offset projected expenses for foster care and adoption expenses.

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

Leg. French offered Resolution No. 188, entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW #1 OF 2007, "A LOCAL LAW AMENDING LOCAL LAW #3 OF THE YEAR 1990". This resolution amends the Solid Waste Fee Schedule. Leg. Malone moved to amend the resolution by requiring that all future changes be approved by the full legislature. It was seconded by Leg. Gearsbeck. After a lengthy discussion Leg. Seager proposed an amendment to the amendment which would remove the words "residential use fees, sticker fees" from section (v). It was seconded by Leg. Gearsbeck. Leg. Gardner called the question, seconded by Leg. Leemann. Leg. Seager called a point of order. Leg. Malone moved for a 10-minute recess, seconded by Leg. Seager.

Motion for recess passed with a voice vote with Legs. Bryant, Ospelt, Gardner, Vasho, and Proud in opposition. The meeting was recessed at 2:51 and reconvened at 3:01.

Legs. Malone and Seager withdrew their amendments.

Leg. Kunzwiler moved to correct the date of the Public Hearing on the proposed resolution to November 15, 2007, seconded by Leg. Leemann. Motion passed with a voice vote.

Leg. Malone moved to consider a written amendment that any change in Residential Use Fees and Sticker Fees would require a vote of the full legislature. Amendment was seconded by Leg. Gearsbeck. After a brief discussion, Leg. Beardsley called the question seconded by Leg. Leemann. The motion to call the question passed, with Leg. Malone and Leg. Chalifoux in opposition.

Motion on the proposed written amendment failed with a roll call vote

YES: 7 NO: 17 ABSENT: 1

YES: GEARSBECK, NATOLI, PONZI, KUNZWILER, CHALIFOUX, MALONE, BECKWITH.

NO: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, OSPELT, GARDNER, BULLARD, OSETEK, SANTORE, VASHO, FRENCH, BREWER

ABSENT: JOHNSON.

Resolution passed, with a roll call vote

YES: 17 NO: 7 ABSENT: 1

YES: DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, NATOLI, OSPELT, BULLARD, OSETEK, SANTORE, PONZI, KUNZWILER, VASHO, FRENCH, BREWER.

NO: KASTLER, POTTER, GEARSBECK, GARDNER, CHALIFOUX, MALONE, BECKWITH

ABSENT: JOHNSON

Leg. French offered Resolution No. 189, entitled, RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL-AID AND STATE "MARCHICELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT". This would increase Capital Project #147 by \$3,115,000 with an authorization level of \$3,695,000 for the

construction, supervision and inspection phase of the County Rout 48 (Pineville) Bridge over Salmon River project.

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

Leg French offered Resolution No. 190, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION AIRPORT T-HANGAR CONSTRUCTION. This resolution increases the authorization of Capital Project No. 109- Airport T-hanger to reimburse the Highway Department for the site preparation work. After a lengthy discussion Leg. Leemann called the question, seconded by Leg. Santore. Motion to call the question passed, with Legs. Malone and Gearsbeck opposing. A roll call vote was requested.

Resolution passed, with a roll call vote
YES: 21 NO: 3 ABSENT: 1

YES: KASTLER, POTTER, DOYLE, LEEMANN BRYANT, PROUD, BROWN, BEARDSLEY, SEAGER, NATOLI, OSPELT GARDNER, BULLARD OSETEK, SANTORE, PONZI, KUNZWILER, CHALIFOUX, BECKWITH, VASHO, BREWER.

NO: GEARSBECK, MALONE, FRENCH.

ABSENT: JOHNSON.

Leg. Bryant offered Resolution No. 191, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DISTRICT ATTORNEY'S OFFICE - MEDICAL EXAMINER AND CORONERS' FEES. The modification is needed to cover the costs of unanticipated death investigation cases necessitating autopsies. After a lengthy discussion, Leg. Malone called the question, Leg. Brown seconded, motion passed.

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

Leg. Bullard offered Resolution No. 192, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION - SHERIFF'S DEPARTMENT - SCAAP. This resolution accepts \$1,150 federal funding under the State Criminal Alien Assistance Program (SCAAP)

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

Leg. Bullard offered Resolution No. 193, entitled, RESOLUTION AUTHORIZING RENEWAL OF A CONTRACT BY AND BETWEEN THE SHERIFF AND THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURT SECURITY SERVICES.

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

Leg. Chalifoux offered Resolution No. 194, entitled, RESOLUTION AUTHORIZING BUDETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING LIGHT DETECTION AND RANGING (LIDAR).

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

Leg. Chalifoux offered Resolution No. 195, entitled, RESOLUTION AMENDING PROFESSIONAL SERVICES CONTRACT "LiDAR" ACQUISITION - DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM & PLANNING.

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

Leg. Kunzwiler offered Resolution No. 196, entitled, RESOLUTION ESTABLISHING DATE FRO RELEVY OF 2007 UNPAID VILLAGE TAXES.

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

Leg. Kunzwiler offered Resolution No. 197, entitled, RESOLUTION ESTABLISHING DATE FOR RELEVY OF 2007/2008 UNPAID SCHOOL TAXES. County Treasurer, John Kruk, offered a few comments.

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

Leg. French offered Resolution No. 198, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW #2 OF THE YEAR 2007, ENTITLED, "A LOCAL LAW PERMITTING SNOWMOBILE OPERATION ON CERTAIN COUNTY ROADS WITHIN THE COUNTY OF OSWEGO"
A motion to delete the three references to towns in Section IV was passed by voice vote.

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

Leg. Kunzwiler offered Resolution No. 199, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING ON THE TENTATIVE COUNTY BUDGET FOR THE YEAR 2008.

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

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Bullard asked for an update on the Fire School. County Attorney, Richard Mitchell, stated that the Public Service Commission approved the sale on November 8, 2007. The Commission also issued a determination of non significance regarding adverse environmental impact. Right-a-ways and installation of heaters still need to be completed, but hope to have everything completed by the end of the year.

County Attorney, Richard Mitchell, briefed the Legislature on the upcoming pharmaceutical litigation. Judge McCarthy will hear the case in January.

Leg. Leemann wanted clarification of the pharmaceutical litigation. County Attorney Mitchell gave a brief time line and description of the litigation. Also, the contract for ProAct has been signed and the

prescription cards should be coming in the near future.

Regarding the airport hangar resolution, County Administrator Phil Church stated that, in the future, all monies for capital projects will come from the capital project accounts and not use department operating budget lines.

Leg. Proud reminded members of the Health and Human Services Committee of the meeting immediately following the legislative meeting. Leg. Kunzwiler reminded the body that there would be a meeting on November 19, 2007 at 5:00 p.m. for the final approval of the proposed budget.

Leg. Leemann moved to adjourn the meeting, Leg. Kunzwiler seconded the motion. The motion passed with a show of hands, with Leg. Malone opposing. The meeting was adjourned at 3:48 p.m.

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

There was no one wishing to speak.