

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD ON
MARCH 9, 2006**

Chairman Russ Johnson called the meeting to order at 2:03 p.m. Roll call was taken with all legislators present, except Leg. Bryant. Invocation was given by Ted Jerrett, Clerk of the Legislature, followed by the salute to the flag. Leg. Brown asked that her name be added to the opposition votes on the first resolution offered by Leg. Beardsley in the minutes of the meeting of February 9, 2006. The minutes were approved as amended.

PUBLIC SPEAKERS:

Mary and Myrnie Hall and Al Whitney, Fulton, NY, spoke regarding their application to have some of their land join the agricultural district.

Daniel Mandigo, Pulaski, NY, spoke on the resolution regarding the agricultural district, expressing his desire that it not be held up. This is valuable not only for farm land, but also for open space and tourism.

Nancy Weber, Mexico, voiced her concern regarding the importance of the proposed agricultural law and not to delay any entrance into an agricultural district. She also expressed her Oswego County Farm Bureau's complete support for the Department of Tourism. Agri-tourism is becoming very important in this area. Finally, she reminded the Legislators of the Legislative Luncheon to be held on March 24, 2006 at the Greenview Country Club and urged all to attend.

Mercedes Niess, Oswego, NY, Associate Director of the H. Lee White Museum, spoke regarding the proposed merging of the Departments of Promotion and Tourism and Planning.

Steve Cronk, Altmar, NY, spoke regarding merger of the Planning and the Promotion and Tourism Departments and stressed that the decision made should be based on what is in the best interest for the county. He also invited the Legislators to see the unit that was purchased to build trails with on April 15, 2006.

Judy Rappaport, Oswego, NY, spoke on behalf of Safe Haven and her concerns regarding the consolidation of the Planning and Promotion and Tourism Departments.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS, AND NOTICES:

Chairman Johnson invited the Executive Director of Aurora of CNY, Debra Chaiken, and the President of the Oswego County Visually Impaired, Laura Smith to give a presentation of their services and programs for those in Oswego County.

PROCLAMATIONS AND COMMENDATIONS: None

REPORTS OF TOWN AND COUNTY OFFICIALS: None

REPORTS FROM STANDING COMMITTEES: None

REPORTS FROM SPECIAL COMMITTEES: None

RESOLUTIONS:

Leg. Kunzwiler moved to waive the rules to consider the resolution establishing the Department of Community Development, Tourism and Planning as the first resolution instead of last, Leg. Bullard seconded. Motion passed with a voice vote.

Leg. Kunzwiler moved to waive the rules to entertain an additional piece of legislation, seconded by Leg. Leemann. Motion passed with a voice vote.

Leg. Santore offered Resolution No. 28, entitled RESOLUTION ESTABLISHING DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING. Leg. Seager expressed her concern that the legislators had not spent enough time familiarizing themselves with the details of this merger. She stressed that the Tourism Department is separate and distinct from the Planning Department. She stated her concern that this consolidation had not been discussed by the committees. In 2003 tourists spent \$35.2 million in Oswego County and she contributed this to the efforts of the tourism Department. She stated that it had not been openly brought up before the board, and was never discussed by the subcommittee on economic development and she questioned the necessity of combining these Departments. Leg. Kunzwiler strongly disagreed with Leg. Seager and said that this was a change in order to make the departments better and in turn making Oswego County better. Leg. Leemann stated that people are reluctant to change. Leg. Gearsbeck said that he was not against this but would like to see more time spent on discussing this issue. He moved to table the resolution, Leg. Seager seconded the motion. The motion to table the resolution was defeated by a show of hands. Leg. Ponzi moved the question. Legislator Chalifoux seconded the motion. Chairman Johnson asked that the floor remain open for debate on this issue. The motion and second were withdrawn and discussion continued. Leg. Proud has had an opportunity to express his objections and tried to change opinions, but felt that we needed to move forward now. Leg. Santore said that he was not against change. He stressed that he was not against the merging of the Departments but objected to the way it was being done. Leg. Brown objected to the lack of information as well as the fact that it did not come through the appropriate committee. Leg. Beardsley stated that it was never the intention to eliminate the Promotion and Tourism Department. Leg. Ponzi moved the question and a roll call vote was requested.

Resolution passed, by a roll call vote

YES: 20 NO: 4 ABSENT: 1

YES: THOMAS, POTTER, DOYLE, LEEMANN, PROUD, BEARDSLEY, NATOLI, OSPELT, GARDNER, BULLARD, OSETEK, PONZI, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, FRENCH, BREWER, JOHNSON.

NO: GEARSBECK, BROWN, SEAGER, SANTORE.

ABSENT: BRYANT

Leg. Proud offered Resolution No. 29, entitled, RESOLUTION APPOINTING AGING SERVICES ADMINISTRATOR. This resolution reappoints Laurence Schmidt as Aging Services Administrator.

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

Leg. Osetek offered Resolution No. 30, entitled, RESOLUTION APPOINTING AUDITOR. This resolution reappoints Stephen Loadwick as Auditor for Oswego County.

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

Leg. Thomas offered Resolution No. 31, entitled, RESOLUTION APPOINTING DIRECTOR OF CENTRAL SERVICES. This resolution reappoints Richard M. Hogan as Director of Central Services.

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

Leg. Bullard offered Resolution No. 32, entitled, RESOLUTION APPOINTING DIRECTOR OF EMERGENCY MANAGEMENT. This resolution reappoints Patricia Egan as Director of Emergency Management. Leg. Beardsley commented on the great job Ms. Egan did recently regarding a train wreck in Pulaski.

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

Leg. Bullard offered Resolution No. 33, entitled, RESOLUTION APPOINTING DIRECTOR OF 911 COMMUNICATION SYSTEM. This resolution reappoints Michael Allen as Director of 911 Communication System. Legs. Bullard and Brown offered comments regarding Mr. Allen's performance and qualifications.

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

Leg. Proud offered Resolution No. 34, entitled, RESOLUTION APPOINTING DIRECTOR OF PUBLIC HEALTH. This resolution reappoints Kathleen Smith as Director of Public Health.

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

Leg. Osetek offered Resolution No. 35, entitled, RESOLUTION APPOINTING PURCHASING DIRECTOR. The purchasing Department is currently without a director and Mr. Church has been performing the duties for the past few years associated with this position and therefore the committee wishes to appoint Philip R. Church as Purchasing Director for Oswego County. Leg. Malone questioned whether this job was mandated by State Law. County Attorney, Richard Mitchell, offered comments regarding this position. Leg. Gearsbeck questioned the necessity of needing a director now when the position has been vacant for two years. County Administrator,

Steve Lyman, explained that although the position was eliminated, the Department was not eliminated and neither were the responsibilities. For the past two years, Mr. Church has been fulfilling the duties and responsibilities of this position. He suggested that the position of Executive Assistant could be redefined since that was the capacity that Mr. Church had been in. It doesn't change the staff, that it was the appropriate time to make this appointment and that Mr. Church was highly qualified to do this. Leg. Leemann commented that Mr. Church has always been helpful and knowledgeable when he has dealt with him for the Infrastructure committee. Chairman Johnson also spoke on his behalf.

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

Leg. Proud offered Resolution No. 36, entitled RESOLUTION APPROVING APPOINTMENT OF DIRECTOR OF VETERANS SERVICES. This resolution reappoints Donna Kestner as Director of Veterans Services. Leg. Brown commented

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

Leg. Proud offered Resolution No. 37, entitled, RESOLUTION APPOINTING DIRECTOR OF YOUTH BUREAU. This resolution reappoints Kathleen Fenlon as Director of the Youth Bureau. Leg. Malone requested that if she had been compensated for Sandy Island Beach and would like to see that go back to committee and have it compensated back to the taxpayers. Chairman Johnson referred Leg. Malone's question back to committee.

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

Leg. Beardsley offered Resolution No. 38, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SUBMIT AN APPLICATION FOR THE HUD-NYS ADMINISTERED SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2006. This resolution will authorize the Chairman to authorize the application to the NYS Small Cities Community Development Block Grant Program for low to moderate income homeowner housing rehabilitation and repair and replacement of private water and waste water systems grant funds.

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

Leg. Beardsley offered Resolution No. 39, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO THE REQUESTS OF LANDOWNER INCLUSION WITHIN THE EXISTING CERTIFIED AGRICULTURAL DISTRICT PURSUANT TO THE NYS AGRICULTURAL AND MARKETS LAW (AML), SECTION 303-b, AS AMENDED. Leg. Brown requested that this be brought to the floor in a timely manner so that people can continue to make plans for the coming farming year.

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

Leg. Proud offered Resolution No.40, entitled, RESOLUTION AUTHORIZING THE EXECUTION OF A STIPULATION OF SETTLEMENT BY AND BETWEEN THE NEW YORK STATE Department OF HEALTH, THE NEW YORK STATE OFFICE OF MENTAL HEALTH, THE NEW YORK STATE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AND THE COUNTY OF OSWEGO REGARDING A 621 ELIGIBLE RECONCILIATION. This resolution authorizes the acceptance of term of a stipulation settlement agreement in the amount of \$157,337 from the State Department of Health. Leg. Brown complimented the people in the health, audit and social services Departments who went after this money.

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

Leg. Bullard passed Resolution No. 41 to Leg. Thomas to present, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT "OSWEGO WIRELESS NETWORK PROJECT" CENTRAL SERVICES.

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

Leg. Thomas offered Resolution No. 42, entitled, RESOLUTION CORRECTING A CLERICAL ERROR ON THE COUNTY TAX ROLLS FOR THE CITY OF OSWEGO.

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

Leg. Thomas offered Resolution No. 43, entitled, RESOLUTION AUTHORIZING THE SALE AND DISPOSITION OF CERTAIN SURPLUS COUNTY PROPERTY SITUATE IN THE TOWN OF RICHLAND TO THE OSWEGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY. Leg. Doyle complimented those involved so this could be accomplished. Leg. Ospelt also went on the record in support of this.

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

Leg. Bullard offered Resolution No. 44, entitled, RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT BY AND BETWEEN THE COUNTY OF MONROE AND THE MONROE COUNTY SHERIFF AND THE COUNTY OF OSWEGO AND THE OSWEGO COUNTY SHERIFF REGARDING JAIL SECURITY SERVICES AT THE ROCHESTER PSYCHIATRIC CENTER FORENSIC UNIT.

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

Leg. Proud offered Resolution No. 45, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION Department OF SOCIAL SERVICES. This resolution accepts an allocation of \$77,874 for the Department of Social Services to assist low-income families faced with transportation difficulties to obtain and/or retain employment. This allocation is 100% federally funded. Leg. Brown said that this would close the gaps between the areas where buses don't run so that people can meet the appointments and requirements when they have to seek public assistance.

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

Leg. Bullard offered Resolution No. 46, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S Department. This resolution allows the Sheriff's office to accept a donation from the Central New York District Credit Unions in the amount of \$1,000 into revenue line 3110.4270.5 (DARE Program) and to transfer that amount into an expenditure line 3110.5455.1 (DARE Program) to purchase supplies to be used by DARE instructors and students.

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

Leg. Santore offered Resolution No. 47, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION STOP D.W.I. - BYRNE GRANT. This resolution accepts a grant from the Bryne Memorial in the amount of \$6,000.

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

Leg. Leemann offered Resolution No. 48, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT. This resolution transfers \$28,500 from Capital Reserve No 146 - Highway & Automotive Equipment to Capital Project No. 120 - Vehicle Purchase- Buildings and Grounds to buy a minivan and a truck.

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

Leg. Bullard offered Resolution No. 49, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. This transfers \$30,000 from Capital Reserve No. 146 - highway and automotive equipment to Capital Reserve No. 119 -vehicle purchase for the replacement of the fire coordinator's vehicle. This includes the truck and the equipment.

Resolution passes, by a voice vote
YES: 24 NO: 0 ABSENT: 1

Leg. Leemann offered Resolution No. 50, entitled RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE. This resolution transfers \$997,500 from Capital Reserve No. 146 - highway & automotive equipment to Capital Project No. 121 - highway equipment to purchase needed for the highway Department. Leg. Gearsbeck stated that he thought this was unnecessary spending. A roll call vote was requested.

Resolution passes, by a roll call vote
YES: 23 NO: 1 ABSENT: 1

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

NO: GEARSBECK.

ABSENT: BRYANT.

Leg. Osetek offered Resolution No. 51, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION COUNTY ADMINISTRATORS OFFICE.

Resolution passes, by a voice vote
YES: 24 NO: 0 ABSENT: 1

Leg. Leemann offered Resolution No. 52, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY SOLID WASTE MANAGEMENT BOARD. This resolution establishes the solid waste management members.

Resolution passes, by a voice vote
YES: 24 NO: 0 ABSENT: 1

UNFINISHED BUSINESS: None

NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Bullard reminded members that the next meeting of the Public Safety & Emergency Services committee is going to held at the Public Safety Building.

Ted Jerrett told the members that the 2006 Oswego County Government Directory can be picked at the Promotion and Tourism Department.

Leg. Osetek stated that the County Capital Plan that he mentioned before is available for review by the legislators.

Leg. Ospelt voiced his concern regarding the report from the County Treasure that was never received, but he was glad the resolution for the new equipment passed, even though he felt it should have been passed a month ago.

Leg. Bullard moved to adjourn the meeting, seconded by Leg. Ospelt. All in favor. The meeting was adjourned at 3:32 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE LEGISLATURE:

Leg. Santore reminded everyone that the Salvation Army was having a fund raising dinner.