

**MINUTES OF THE PUBLIC HEARING HELD ON APRIL 13, 2006
TO AMEND THE AGRICULTURAL DISTRICT PLAN BOUNDARIES BY PERMITTING
ADDITIONAL AREAS OF INCLUSION, PURSUANT TO
AGRICULTURE MARKETS LAW (AML) SECTION 303-b, AS AMENDED**

Chairman Russ Johnson opened the public hearing at 7:05 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice. Chairman Johnson offered the floor to anyone wishing to speak on the requests of the landowners' inclusion within the existing certified agricultural district pursuant to the Agricultural and Markets Law (AML), section 303-b, as amended.

Ron Woodward, Fulton, NY, spoke regarding the City of Fulton's concerns. He presented a packet of information that he requested be added to the minutes. His concerns on behalf of the City of Fulton, come primarily from the recommendations of the following agencies: Oswego County Health Department, Oswego County Planning Department, New York State Department of Health, Planning Board of the Town of Schroepfel, and an expert that the City of Fulton had hired.

John Florek, Fulton, NY, expressed his concerns on the possible contamination of the water supply, and the effects of that on the surrounding communities.

Nancy Weber, Mexico, NY, a representative of the Oswego County Farm Bureau, spoke in support of the landowners' requests, which will afford them protections associated with agricultural and market laws and possible agricultural tax benefits.

Mary and Myrnie Hall, Fulton, NY, urged support for inclusion and gave a brief overview of the section of land that they wish to have included in the agricultural district.

There being no one else wishing to speak, the public hearing was declared closed at 7:25 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD APRIL 13, 2006.**

Chairman Johnson called the meeting to order at 7:26 p.m. Roll call was taken with all legislators present. The invocation was given by Clerk of the Legislature Ted Jerrett followed by the salute to the flag. In the absence of any objections/corrections, the minutes of March 9, 2006 were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATIONS AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Johnson invited Leg. Osetek, Maureen Sullivan, Personnel Director, and members of the Finance and Personnel Committee forward to recognize Ms. Sullivan's 30 years of service to the County. Leg. Osetek presented Ms. Sullivan a certificate and offered a few comments.

Chairman Johnson invited Co-Director of the Phoenix Central School Marching Band Liza Grethel and members of the Band to join Legs. Seager, Ospelt and Brown up front in recognition of the Band's December 31, 2005 recognition as Grand Champions at the "Outback Bowl" competition in Tampa, Florida. A proclamation was read and legislators and Ms. Grethel offered comments.

Chairman Johnson introduced Linda Eagan, BOCES Coordinator for Adolescent Pregnancy Prevention. A proclamation was read citing May as Adolescent Pregnancy Prevention Month. Ms. Eagan along with Mary Lichtenstein presented the winners of the annual Children's Poster Contest

and gave a brief overview of the program.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

Ron Woodward, Sr., Fulton, NY, spoke in support of Resolution No. 10 and expressed his desire for the County to be united as one, and urged continued cooperation and communication in the future for the success of this area.

REPORTS OF COUNTY OFFICIALS:

Leg. Brown attended the NYS Fish and Wildlife Conference in Albany, March 30 through April 1, 2006. Leg. Brown highlighted topics of the Conference such as: carbon credits; modification of hunting and fishing equipment so that returning veterans with disabilities could still enjoy these activities; utilizing some of the acreage at the Seneca Army depot for handicap recreation; a lot of counties had roads in State Forest Lands in need of repair and are needed for fire control and other emergencies; and there were no more cases of wasting disease found in the deer. They will be meet again in the fall to discuss the handicap issue.

REPORTS OF STANDING COMMITTEES: None

REPORTS OF SPECIAL COMMITTEES: None

RESOLUTIONS AND MOTIONS:

Leg. Beardsley offered Resolution No. 53, entitled RESOLUTION TO AMEND THE AGRICULTURAL DISTRICT PLAN BOUNDARIES BY PERMITTING ADDITIONAL AREAS OF INCLUSION, PURSUANT TO AGRICULTURE AND MARKETS LAW (AML) SECTION 303-b, AS AMENDED. This resolution allows the inclusion of eleven (11) parcels of land into the Oswego County Agricultural District Plan that will then be submitted to the New York State Commissioner of Agriculture and Markets for certification. Leg. Brown thanked the people who served on the Oswego County Agriculture and Farmland Protection Board for their work and research. She also thanked Nancy Weber for her assistance in this matter and urged support of this resolution. Leg. Beckwith thanked John DeHollander for his assistance.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Beardsley offered Resolution No. 54, entitled RESOLUTION APPOINTING DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING. This resolution appoints David R. Turner to fill the position of Director of the Department of Community Development, Tourism and Planning for the County of Oswego commencing on April 17, 2006.

Resolution passed, with a voice vote

Leg. Santore abstained

YES: 24 NO: 0 ABSENT: 0 ABSTAIN: 1

Chairman Johnson introduced Mr. Turner.

Leg. Osetek offered Resolution No. 55, entitled, RESOLUTION RECOGNIZING THE "OSWEGO COUNTY PROFESSIONAL ASSOCIATION" AS A BARGAINING AGENT. This resolution recognizes the Oswego County Professional Association as the exclusive bargaining agent for the

employees previously in the Public Employees Federation (PEF). The agreement ratified on December 15, 2005 for the PEF Union (Resolution #172) will continue as the terms and conditions of employment for this new association. Legs. Bullard, Kunzwiler, and Beardsley added supportive comments regarding the membership of this association.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 56, entitled, RESOLUTION CREATING CAPITAL PROJECT NO. 123-DUMP FLOOR REPAIR-ERF. This resolution creates Capital Project #123 with a balance of \$360,000 to repair the dump floor at the Energy Recovery Facility.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Beardsley offered Resolution No. 57, entitled, RESOLUTION RECOMMENDING APPOINTMENTS TO THE CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY. This resolution recommends to the Governor of New York State that David H Hawthorne and Robert Raby be considered to fill the Oswego County seat on the Board of Directors of the Central New York Regional Transportation Authority, which is currently vacant.

Resolution passed, with a voice vote
Leg. Seager in opposition
YES: 24 NO: 1 ABSENT: 0

Legs. Beardsley and Brown offered Resolution No. 58, entitled, RESOLUTION IN OPPOSITION TO EXECUTIVE BUDGET PROPOSAL TO RAID THE DEDICATED SNOWMOBILE TRAIL GRANT FUND. This resolution maintains that the Oswego County Legislature opposes the Executive Budget Proposal to divert the funds from the dedicated snowmobile trail fund to other uses. Leg. Brown stated that this is in response to a letter received by Sen. Wright and questioned why the Governor would transfer monies that are in a dedicated fund for any reason.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Osetek offered Resolution No. 59, entitled, RESOLUTION TO INCREASE CAPITAL RESERVE 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. This resolution allows for a budget modification transferring \$2,000,000 to the Highway and Automotive Equipment Reserve which will enable the County to continue to meet equipment needs for the next two years. Leg. Ospelt pointed out that this is for automotive needs for all departments, not just the highway department. A roll call vote was requested.

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

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

NO: GEARSBECK

ABSENT: NONE

Leg. Osetek offered Resolution No. 60, entitled, RESOLUTION INCREASING AUTHORIZATION LEVEL - CAPITAL PROJECT 134, SILK ROAD REMEDIATION. This resolution increases the Capital Project 134 by \$200,000, which will fund the current monitoring costs for the Silk Road Landfill. Leg. Seager pointed out that this is part of the plan to stabilize taxes in the future and not spending this money today, but rather planning for the future.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Osetek offered Resolution No. 61, entitled, RESOLUTION TO INCREASE CAPITAL RESERVE 195 - SILK ROAD REMEDIATION. This resolution increases the Silk Road Reserve by \$800,000 and will provide a source of funding for the next three to four years monitoring expenses.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Bryant offered Resolution No. 62, entitled RESOLUTION REQUESTING INTRODUCTION OF LEGISLATION TO AMEND THE STATE TAX LAW. This resolution requests that our state representatives introduce a bill that would change the tax law allowing Oswego County and the City of Fulton to enter into an agreement regarding the collection of sales and use taxes. Legs. Seager, French, Kunzwiler, Bullard, Proud, Leemann, Brewer and Brown spoke in support of this resolution. A roll call vote was requested.

Resolution passed, with a roll call vote

YES: 21 NO: 4 ABSENT: 0

YES: THOMAS, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, SEAGER, NATOLI, OSPELT, GARDNER, BULLARD, OSETEK, SANTORE, PONZI, KUNZWILER, MALONE, VASHO, FRENCH, BREWER, JOHNSON.

NO: GEARSBECK, BEARDSLEY, CHALIFOUX, BECKWITH.

ABSENT: NONE.

Leg. Thomas offered Resolution No. 63, entitled RESOLUTION AUTHORIZING 2006 TAX PROPERTY AUCTION.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 64, entitled, RESOLUTION ESTABLISHING THE TAX DELINQUENT PROPERTY AUCTION POLICY FOR 2006.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 65, entitled, RESOLUTION AWARDDING PROFESSIONAL SERVICES CONTRACT - OFFICE OF REAL PROPERTY TAX SERVICES. This resolution awards a professional service contract to Fountains Spatial, Inc., pending receipt of the Administration Technology Grant, for the sum of \$60,000.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 66, entitled, RESOLUTION AWARDDING PROFESSIONAL SERVICES CONTRACT - OFFICE OF REAL PROPERTY TAX SERVICES. This resolution awards a professional service contract to Systems Development Group, Inc., upon receipt of the Administration Technology Grant, for the sum of \$30,000. Leg. Thomas deferred to Steve Lyman, County Administrator, for clarification. Mr. Lyman explained that this resolution and the previous resolution refer to products that the County will be procuring as a result of the grants.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 67, entitled, RESOLUTION AUTHORIZING THE SALE OF COUNTY PROPERTY 365 SITUATE IN THE TOWN AND VILLAGE OF SANDY CREEK TO RICHARD TURO.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 68, entitled, RESOLUTION AUTHORIZING THE SALE OF COUNTY PROPERTY 587 SITUATE IN THE TOWN OF SCHROEPPLE AND VILLAGE OF PHOENIX TO POWNAL DEVELOPMENT CORP. Leg. Seager gave a brief overview of the property and explained that the Pownal Development Corporation specializes in cleanup of contaminated sites and will put this property back on the tax rolls. Legs. Bullard, Doyle, and Brown offered comments.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 69, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU - U.S. Tennis Association Grant. The Youth Bureau has received \$4,492 through a grant that the Association of NYS Youth Bureaus has with the US Tennis Association to promote tennis in Oswego County.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 70, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU - Camp Hollis Facility Repair. Leg. Proud stated that Sen. Wright has secured \$15,000 to repair the pool at Camp Hollis.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Proud offered Resolution No. 71, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU -NYS Division of Criminal Justice Services (DCJS). The

DCJS has awarded \$68,476 to the Youth Bureau for the second year of the program entitled Families and Schools Together (FAST). The program is targeted for families who reside in the Leighton Elementary School district in Oswego.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Bullard offered Resolution No. 72, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION -PROBATION DEPARTMENT: Prober-Web Software. The Oswego County Probation Department has received \$22,531 from the Division of Criminal Justice Services for the specific purposes of one-time costs for the purchase of Prober-Web Software, an automated case management system.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Bullard offered Resolution No. 73, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION -SHERIFF'S DEPARTMENT. This resolution allows the Sheriff's Department to accept grants totaling \$30,000 to purchase equipment to provide emergency response to the three nuclear plants located at Nine Mile Point.

Resolution passed, with a voice vote
Leg. Kunzwiler abstained
YES: 24 NO: 0 ABSENT: 0 ABSTAIN: 1

Leg. Bullard offered Resolution No. 74, entitled, RESOLUTION DESIGNATING THE NATIONAL INCIDENT MANAGEMENT SYSTEM AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE COUNTY OF OSWEGO. This resolution adopts the National Incident Management System (NIMS) in Oswego County in accordance with Homeland Security Presidential Directive 5 (HSPD-5), Management of Domestic Incidents.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Thomas offered Resolution No. 75, entitled, RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DEED FOR PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE TITLES TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURES OF 2001,2002,2003,2004.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann moved to waive the rules to introduce three additional resolutions, Leg. Kunzwiler seconded the motion. Motion unanimously passed with a voice vote.

Leg. Proud offered Resolution No. 76, entitled, RESOLUTION IN SUPPORT OF EQUITABLE PAYMENTS BY EXCELLUS TO OSWEGO COUNTY PHYSICIANS. This resolution urges Excellus Blue Cross/blue Shield to reconsider its decision to arbitrarily reduce payments for services provided by the physicians of Oswego County and instead negotiate with them in good faith. Leg. Beardsley expressed his concern regarding the effect of this might have on the Lifetime Health

Center in the Village of Central Square, Town of Hastings. Leg. Seager moved to amend the resolution to add two additional resolve paragraphs as follows: 1) The Oswego County Legislature resolve to support the efforts of the State Legislature in resolving this problem; and 2) That this resolution be sent to our State Representatives. The motion was seconded by Leg. Ospelt. The motion to amend the resolution passed by a voice vote. Discussion returned to the resolution as amended. Legs. Osetek, Brown, and Santore offered comments.

Resolution passed, as amended, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Leemann offered Resolution No. 77, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE AN UNDERTAKING IN CONNECTION WITH HIGHWAY WORK PERMITS ISSUED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION. The County of Oswego DPW is required to obtain a highway work permit from the NYS Department of Transportation for various projects conducted near or upon state property, and this resolution authorizes the Chairman of the Legislature to execute such documents as needed.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

Leg. Doyle offered Resolution No. 78, a verbal resolution, to change the venue of the August 10, 2006 meeting of the Oswego County Legislature to the Pulaski Courthouse, seconded by Leg. Potter. Legs. Bullard, Seager, and Beardsley offered comments.

Resolution passed, with a voice vote
YES: 25 NO: 0 ABSENT: 0

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS: None

Leg. Seager moved to adjourn the meeting, Leg. Bullard seconded the motion. All in favor. The meeting was adjourned at 8:43 p.m.

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

There were no others wishing to speak.