

**MINUTES OF THE PUBLIC HEARING HELD ON OCTOBER 9, 2008 RELATIVE  
TO THE PROPOSED LOCAL LAW NUMBER 3 OF 2008, ENTITLED, OSWEGO COUNTY  
RECYCLING AND SOLID WASTE LOCAL LAW.**

Chairman Barry Leemann opened the public hearing at 2:05 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative to the proposed Local Law Number 3 of 2008, entitled "Oswego County Recycling and Solid Waste Local Law". Chairman Leemann offered the floor to anyone wishing to speak on this matter. The following individuals expressed their concerns regarding this matter:

- Jim Ridgeway, Fulton, NY, Chairman of the Oswego County Solid Waste Management Board, expressed his full support for LL #3.
- Dan O'Brien, City of Fulton DPW Superintendent, expressed his support for LL #3.
- Todd Butler, Owner/Operator of Butler Disposal of Oswego, NY expressed his opposition to LL #3 with concerns that "flow control" would raise costs.
- Hans Arnold, Gerhard, LLC, noted that a "flow control" instituted in the Oneida-Herkimer area led to lower fees and that if passed here, would help stem the annual loss of over \$500,000 worth of recyclables and lost Construction and Demolition material revenue.
- Frank Visser, Oswego County Director of Solid Waste noted that Oswego County has the lowest solid waste fees in Central New York and that LL #3 with "flow control" was critical to the Solid Waste Department's ability achieve the self-supporting goal set by the county legislature.

There being no others wishing to speak, the public hearing was declared closed at 2:26 p.m.

**MINUTES OF THE PUBLIC HEARING HELD ON OCTOBER 9, 2008 RELATIVE  
TO THE PROPOSED LOCAL LAW #2 OF 2008, ENTITLED  
"A LOCAL LAW AMENDING LOCAL LAW #4 OF 2005 RELATIVE  
TO THE SALARY OF THE OSWEGO COUNTY SHERIFF".**

Chairman Leemann opened the public hearing at 2:26 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative to the proposed local law number 2 of 2008, entitled, "A Local Law Amending Local Law Number 4 of the Year 2005 Relative to the Salary of the Oswego County Sheriff". Chairman Leemann offered the floor to anyone wishing to speak on this matter. The following individuals expressed their concerns regarding this matter:

- Ed Williamson of Granby suggested waiting until details of the proposed State Budget are clear.
- Joe Caruana of Hannibal, NY was very supportive of the job done by Sheriff Todd and LL #2.
- Miles Becker of Oswego, NY was in full support of raise for Sheriff
- Undersheriff Robert Lighthall of Oswego supported citing the Sheriff's extensive responsibilities.

There being no one else wishing to speak, the public hearing was declared closed at 2:35 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY  
LEGISLATURE HELD OCTOBER 9, 2008.**

Chairman Leemann called the meeting to order at 2:35 pm. Roll call was taken with all legislators present, except Leg. Brown. 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 the minutes of September 11, 2008 were approved.

**PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES:** None

**PROCLAMATIONS AND COMMENDATIONS:**

Chairman Leemann invited Leg. Proud and members of the Health and Human Services Committee

forward as well as ARISE Executive Director, Sabine Ingerson. A proclamation was read in recognition of White Cane Safety Day. Ms. Ingerson thanked the Legislature and offered a few comments on the importance of courtesies to the visually impaired. She also thanked Constellation for their generous support of the "Call-N-Ride" Program for the visually impaired.

Chairman Leemann invited Leg. Doyle and members of the EDP Committee forward as well as 4-H Program Director Linda Brosch, and Richard Dudden, a third generation 4-H member. A proclamation was read declaring October as 4-H Month in Oswego County. Mr. Dudden offered comments on the value of 4-H in youth development and thanked the Legislature for the recognition.

**PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:** None.

**REPORTS OF COUNTY OFFICIALS:**

Leg. Doyle stated that due to Leg. Brown's absence, the report from the NYSAC conference would be given at next month's meeting.

Ted Jerrett, Clerk of the Legislature, read a letter from Congressman John McHugh acknowledging receipt of the Legislature's request to support HR 5268, designed to bring relief to counties by temporarily increasing the Federal share of the cost of the Medicaid Program. Congressman McHugh noted that not only is he supportive, but is actually a cosponsor.

**REPORTS OF STANDING COMMITTEES:** None.

**REPORTS OF SPECIAL COMMITTEES:**

Leg. Walker, a member of the Traffic Safety Advisory Board, and Undersheriff Robert Lighthall urged the Legislature to support efforts to use handicap parking fines to protect and enhance handicap access.

**RESOLUTIONS AND MOTIONS:**

Leg. Seager offered Resolution No. 165, entitled, RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW # 2 OF 2008, "A LOCAL LAW AMENDING LOCAL LAW #4 OF 2005 RELATIVE TO THE SALARY OF THE OSWEGO COUNTY SHERIFF. Leg. Kunzwiler moved to amend the resolution to a 2% increase for this year, and another 2% increase the following year. Leg. Malone seconded. After a brief discussion, Leg. Chalifoux moved for a 5 minute recess. Leg. Vasho seconded. All in favor. The meeting recessed at 3:03 and reconvened at 3:09 p.m. A roll call vote on the amendment to change the rate to a 2% increase was requested.

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

YES: 5 NO: 19 ABSENT: 1

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

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

ABSENT: BROWN.

Discussion returned to the original resolution. Leg. Gearsbeck moved to take \$7,000 of proposed raise and apply it against the 2009 tax levy. Leg. Malone seconded. Chairman Leemann ruled the motion out of order. After a lengthy discussion, Leg. Bryant moved to call the question. Leg. Ospelt seconded. Motion to call the question passed with only Leg. Walker in opposition. A roll call vote was requested on the resolution.

Resolution passed, with a roll call vote.

Leg. Beckwith abstained, citing family connection.

YES: 19 NO: 4 ABSENT: 1 ABSTAIN: 1

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

NO: GEARSBECK, KUNZWILER, MALONE, VASHO.

ABSENT: BROWN.

ABSTAIN: BECKWITH.

Leg. Beardsley offered Resolution No. 166, entitled, A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 3 OF 2008 "OSWEGO COUNTY RECYCLING AND SOLID WASTE LOCAL LAW. Leg. Seager offered that "flow control" is needed to protect taxpayers' investment in the Solid Waste System. Leg. Beardsley noted that LL #3 is needed to stem the loss of recyclables to being burned and/or buried and that it is the right thing to do for both taxpayers and the environment.

Leg. Bryant left at 3:32 and returned at 3:35.

Leg. Walker said he received too many calls in opposition to support the resolution. Leg. Kunzwiler said issue should be put to a referendum and then moved to table the resolution. Leg. Walker seconded.

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

YES: 7 NO: 17 ABSENT: 1

YES: BRYANT, GEARSBECK, WALKER, SANTORE, FLETT, KUNZWILER, MALONE.

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

ABSENT: BROWN.

Discussion returned to the resolution. After brief discussion, Leg. Oldenburg moved to call the question, seconded by Leg. Gardner. A roll call vote was requested.

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

YES: 18 NO: 6 ABSENT: 1

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

NO: GEARSBECK, SEAGER, WALKER, FLETT, KUNZWILER, MALONE.

ABSENT: BROWN.

At 3:56, Leg. Kunzwiler moved for a 5 minute recess, seconded by Leg. Seager. The meeting reconvened at 4:03 p.m. A roll call vote was taken on the resolution.

Resolution passed, with a roll call vote.

YES: 16 NO: 8 ABSENT: 1

YES: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BEARDSLEY, SEAGER, LOCKWOOD, OSPELT, GARDNER, BECKWITH, VASHO, SORBELLO,

BREWER, OLDENBURG, LECLAIR.

NO: BRYANT, GEARSBECK, WALKER, SANTORE, FLETT, KUNZWILER,  
CHALIFOUX, MALONE.

ABSENT: BROWN.

Leg. Doyle offered Resolution No. 167, entitled, RESOLUTION TO ACCEPT AND DISBURSE NYS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS AND AUTHORIZING THE CHAIRMAN TO SIGN THE NYS CDBG PROGRAM AGREEMENT. This resolution accepts New York State Community Development Block Grant (CDBG) Program funds in the amount of \$749,729.00.

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

Leg. Beardsley offered Resolution No. 168, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECTS #176-REHABILITATION OF COUNTY ROUTE 54 OVER SIXMILE CREEK, #177-REHABILITATION OF THE COUNTRYMAN ROAD BRIDGE OVER SAGE CREEK, #178-REHABILITATION OF THE SUTTON ROAD BRIDGE OVER FISH CREEK, AND #180-REPLACEMENT OF THE COUNTY LINE ROAD BRIDGE.

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

Leg. Beardsley offered Resolution No. 169, entitled, RESOLUTION RE-ESTABLISHING CAPITAL PROJECT #122 - BRIDGE REHABILITATION COUNTY ROUTE 42, TOWN OF MINETTO.

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

Leg. Beardsley offered Resolution No. 170, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR ONSITE PHYSICALS -DEPARTMENTS OF SOLID WASTE AND HIGHWAY. This resolution awards a professional services contract to Examinetics for on-site physicals for the Solid Waste and Highway Departments in the amount of \$24,388.00.

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

Leg. Seager offered Resolution No. 171, entitled, RESOLUTION AUTHORIZING OSWEGO COUNTY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE PURCHASING WITH OSWEGO COUNTY BOCES.

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

Leg. Seager offered Resolution No. 172, entitled, RESOLUTION TO INCREASE CAPITAL RESERVE 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. This resolution authorized the transfer of the auction proceeds (\$282,366.00) to Capital Reserve #146 - Highway and Heavy Equipment. Leg. Gearsbeck moved to amend the resolution transferring the auction proceeds to the general fund instead of the highway and heavy equipment fund. It was explained that the monies received from the highway auction are required to be deposited in the highway equipment fund. The motion was withdrawn.

Resolution passed, with a voice vote  
Leg. Gearsbeck in opposition

YES: 23 NO: 1 ABSENT: 1

Leg. Seager offered Resolution No. 173, entitled, RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT TREASURER'S OFFICE - ANNUALLY REQUIRED FEDERAL SINGLE AUDIT. This resolution approved the professional services contract for Independent Audit Services, as required each year by the New York State Comptroller's Office and its Federal Agencies, to CDL&M, CPA's of Ithaca, New York.

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

Leg. Seager offered Resolution No. 174, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT TAX COLLECTION SERVICES STUDY-TREASURERS OFFICE. This resolution awards the contract to the Systems East Company.

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

Leg. Beckwith offered Resolution No. 175, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT FOR ASSESSMENT IMPROVEMENT STUDY GRANT REAL PROPERTY TAX SERVICES OFFICE. This resolution awards the contract to Jay Franklin, CAMA Consultants.

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

Leg. Beckwith offered Resolution No. 176, 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 2001, 2002, 2003, 2004, 2005, 2006.

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

Leg. Beckwith offered Resolution No.177, entitled, RESOLUTION ESTABLISHING THE 2008 EQUALIZATION RATES FOR TOWNS AND CITIES WITHIN OSWEGO COUNTY.

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

Leg. Beckwith offered Resolution No. 178, entitled, A RESOLUTION REQUESTING THE APPROVAL OF THE COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE REGARDING ADDITIONAL MORTGAGE TAX MONIES TO BE RETAINED BY THE COUNTY UNDER TAX LAW §262.

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

Leg. Beckwith offered Resolution No. 179, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 4 OF THE YEAR 2008, ENTITLED, "A LOCAL LAW ESTABLISHING LOCAL RECORDING INDEXING, ENTERING AND ENDORSEMENT FEES IN THE OSWEGO COUNTY CLERK'S OFFICE PURSUANT TO CIVIL PRACTICE LAW AND RULES §8021(4)(A) (2). This resolution sets the date for a public hearing on the 13<sup>th</sup> day of November, 2008 at 2:00 p.m. at the Oswego County Legislative Chambers, Legislative Office Building, 4<sup>th</sup> Floor, 46 East Bridge Street, Oswego, NY 13126.

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

Leg. Proud offered Resolution No. 180, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION YOUTH BUREAU - AMERICORPS GRANT TRAINING. This resolution provides resources to attend the mandatory State Conference of AmeriCorps grantees.

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

Leg. Proud offered Resolution No. 181, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES - ACCEPTING INCREASED WORKFORCE INVESTMENT ACT FUNDING. This accepts additional funds in the amount of \$2,788.08

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

Leg. Proud offered Resolution No. 182, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 - HIGHWAY & AUTOMOTIVE EQUIPMENT. This authorizes funds to replace worn out vehicles in the Health Department and Social Services. Leg. Malone inquired if there are plans to standardize on cars. Administrator Church responded, no. Leg. Walker inquired as to the age of the cars being replaced. Administrator Church replied that the model year of the cars is 2000-2001 with the usual mileage of cars that old.

Resolution passed, with a voice vote  
Legs. Malone and Gearsbeck in opposition.  
YES: 22 NO: 2 ABSENT: 1

Leg. Beckwith offered Resolution No. 183, entitled, RESOLUTION AUTHORIZING THE RECLASSIFICATION OF A POSITION AND THE DELETION OF A POSITION IN THE CENTRAL SERVICES DEPARTMENT. This reclassification and position elimination will result in an annual savings of \$42,994

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

Leg. Seager motioned to waive the rules to consider an additional resolution, Leg. Santore seconded the motion. All in favor.

Leg. Seager offered Resolution no. 184, entitled, RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE AND FEDERAL PROGRAMS TO COUNTY GOVERNMENT.

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

**UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:**

Leg. Seager moved to adjourn the meeting, seconded by Leg. Kunzwiler, all in favor. The meeting was adjourned at 4:39 p.m.

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

Myles Becker urged that someone be held responsible for the living conditions of Erin Maxwell. There were no others wishing to speak.