

**MINUTES OF THE PUBLIC HEARING HELD ON NOVEMBER 13, 2008 RELATIVE  
TO THE PROPOSED LOCAL LAW NUMBER 4 OF 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)”.**

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 4 of 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). Chairman Leemann offered the floor to anyone wishing to speak on this matter. There being no one wishing to speak, the public hearing was declared closed at 2:06 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY  
LEGISLATURE HELD NOVEMBER 13, 2008.**

Chairman Leemann called the meeting to order at 2:06 pm. Roll call was taken with all legislators present. A moment of silence was observed in honor of former Legislator Mark Fruce of Fulton (1960-1985) who recently passed away. 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 October 9, 2008 were approved.

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

**PROCLAMATIONS AND COMMENDATIONS:**

Chairman Leemann invited Leg. Proud, the Health and Human Services Committee, Social Services Commissioner Frances Lanigan, and Senior Social Welfare Examiner Virginia Wainman forward. A certificate was presented to Ms. Wainman for 35 years of dedicated service to the County.

Chairman Leemann invited Leg. Beckwith, the Community and Consumer Affairs Committee, County Clerk George Williams, and Motor Vehicle Supervisor Colleen Bacon and her family forward. Clerk Williams recounted Ms. Bacon’s record of exemplary service and presented to her a certificate for 35 years of dedicated service to the County.

Chairman Leemann made note of Veteran’s Day and the Veterans present were given a round of applause.

Chairman Leemann invited Donna Scanlon of the Community Development Office forward to explain the “Adopt a Platoon” program through which county employees have adopted 31 American soldiers in stationed in Afghanistan.

Chairman Leemann invited Executive Director of Cooperative Extension Paul Forestiere to come up front give a brief overview of the Cooperative Extension’s Annual Report. Mr. Forestiere stressed the need for education and talked about the “Keep Smart New York” program. He also outlined some of the programs available to residents to help homeowners manage energy costs and improve their financial management. Mr. Forestiere stated that this year the 4-H program had 10,595 youths participate. He expressed his appreciation for the support from the legislature and commended his Cooperative Extension staff that were present, including: Karen Meyers, Rene Horning , Cindy Walsh, Jonathan Schell and Linda Rowels.

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

**REPORTS OF COUNTY OFFICIALS:**

Leg. Brown gave a report of the fall NYSAC Conference and presented a copy of the resolutions passed to be filed with the Clerk. Leg. Brown also reported on a recent meeting in Dunkirk, NY of the State Fish and Wildlife Board and stressed the importance of supporting servicemen and their families in reference to a resolution before the Legislature to assist them with hunting and fishing licenses.

Chairman Leemann congratulated Leg. Seager on her recent election to become the Oswego County Family Court Judge and presented her with flowers and a gavel on behalf of the legislature. He noted her many years of service on the Legislature and her continuing commitment to the people of Oswego County. Leg. Seager introduced members of her family in attendance and offered a few comments. She was also presented with flowers from citizens Sue and Myron Pringle.

Leg. Kunzwiler stated that people should support their elected officials, regardless of party affiliations, and work together for the benefit of all the residents of Oswego County. Leg. Seager congratulated fellow legislator Mary Flett on her recent victory in the election.

County Administrator Philip Church commented on Governor Paterson's proposed budget cuts and its potential effect on the County of Oswego. He credited NYSAC, in large part, for their effective lobbying on behalf of counties for the absence of major proposals to shift costs from the State to the Counties. He also gave a brief report on the Governor's town hall meeting held in Syracuse, on November 11, 2008, which, though dire in outlook, reflected a focus on cost cutting rather than cost shifting as NYSAC suggests.

County Administrator Philip Church announced that the County and SUNY Oswego are hosting a Municipal Summit Meeting including representatives of town, village, school and county government at Sheldon Hall, SUNY Oswego, 6:00 p.m. to 9:00 p.m., on Monday, November 17, 2008. The agenda includes presentations by State and local officials offering suggestions on cost-saving cooperative agreements and consolidation opportunities.

**REPORTS OF STANDING COMMITTEES:** None.

**REPORTS OF SPECIAL COMMITTEES:** None

**RESOLUTIONS AND MOTIONS:**

Leg. Beckwith offered Resolution No. 185, entitled, RESOLUTION ADOPTING 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). Leg. Seager moved to amend the resolution's effective date from December 6, 2008 to January 1, 2009, seconded by Leg. Ospelt. All in favor. Discussion returned to the amended resolution. Leg. Malone stated that he views this as a tax increase. A roll call vote was requested.

Resolution, as amended, passed with a roll call vote

YES: 17 NO: 8 ABSENT: 0

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

NO: BRYANT, GEARSBECK, WALKER, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO.

ABSENT: NONE.

Leg. Beckwith offered Resolution No. 186, entitled, RESOLUTION IN SUPPORT OF THE NEW YORK STATE FISH AND WILDLIFE MANAGEMENT BOARD'S REQUEST TO WAIVE HUNTING, TRAPPING, AND FISHING LICENSE FEES FOR MILITARY PERSONNEL.

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

Leg. Beckwith offered Resolution No. 187, entitled, RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 556 OF THE REAL PROPERTY TAX LAW, SUBDIVISIONS 8 & 9 RELATIVE TO THE REFUNDS OF FUNDS DUE TO TAX CORRECTIONS.

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

Leg. Beckwith offered Resolution No. 188, entitled, RESOLUTION APPOINTING COMMISSIONERS OF ELECTION FOR THE COUNTY OF OSWEGO. This resolution appoints Donald Wart and William Scriber as Commissioners of Elections for the County of Oswego for a term beginning January 1, 2009 through December 31, 2012. Leg. Gearsbeck stated that he could not support pay raises at this time.

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

Leg. Doyle offered Resolution No. 189, entitled, RESOLUTION PURSUANT TO SECTION 122 OF THE AGRICULTURE AND MARKETS LAW AUTHORIZING THE CHAIRMAN TO IMPOSE A DOG QUARANTINE IN THE COUNTY OF OSWEGO. Leg. Malone had a question regarding the effective date. Clerk Ted Jerrett explained that this gave the Chairman of the Legislature the authority to impose the quarantine as needed.

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

Leg. Doyle offered Resolution No. 190, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING HOME LOAN REPAYMENT PROGRAM.

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

Leg. Doyle offered Resolution No. 191, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING PUBLIC TRANSPORTATION GRANT. This resolution accepts an additional \$140,000 for the State Transportation Operating Assistance (STOA) Program.

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

Leg. Doyle offered Resolution No. 192, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING SEPTIC AND WELL LOAN REPAYMENT PROJECT.

Resolution passed, with a voice vote

YES: 25 NO: 0 ABSENT: 0

Leg. Doyle offered Resolution No. 193, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING OCO GRANT. This accepts a pass-through of \$67,700 to Oswego County Opportunities for the county's Rural Public Transportation Service.

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

Leg. Beardsley offered Resolution No. 194, entitled, RESOLUTION ESTABLISHING THE TIPPING FEES FOR THE DEPARTMENT OF SOLID WASTE FOR THE YEAR 2009.

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

Leg. Beardsley offered Resolution No. 195, entitled RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A SECOND ADDENDUM TO AN AGREEMENT BETWEEN THE COUNTY OF OSWEGO AND INTERFACE SOLUTIONS, INC. This addendum increases the price paid to Oswego County for steam provided from the ERF to Interface Solutions, Inc.

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

Leg. Beardsley offered Resolution No. 196, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE HEAVY DUTY COMPACTOR. After a brief discussion, the resolution was passed with the understanding that a cost analysis would be done for transportation of recyclables to Syracuse, in-house vs. contracted.

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

Leg. Beardsley offered Resolution No. 197, entitled, RESOLUTION PROVIDING FOR TEMPORARY RECLASSIFICATION OF CERTAIN POSITIONS IN THE HIGHWAY DEPARTMENT.

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

Leg. Beardsley offered Resolution No. 198, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HIGHWAY DEPARTMENT INSURANCE RECOVERY. This resolution returns insurance proceeds to the Hwy. Dept. to replace overhead doors damaged by the June 2008 wind storm.

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

Leg. Beardsley offered Resolution No. 199, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HIGHWAY DEPARTMENT - INCREASE ANTICIPATED REVENUE - AIRPORT. This resolution adjusts for expected increased revenues and expenses for airport fuel.

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

Leg. Proud offered Resolution No. 200, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES ACCEPT ADDITIONAL FOOD STAMP

NUTRITION EDUCATION FUNDS.

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

Leg. Proud offered Resolution No. 201, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT INCREASE IN OVERTIME AND ADDITIONAL HOURS FOR CHHA (CERTIFIED HOME HEALTH AGENCY).

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

Leg. Proud offered Resolution No. 202, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 164 - CAMP ZERBE RENOVATIONS. Leg. Kunzwiler commented that our state representatives do a good job in coming up with financial support for projects such as this.

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

Leg. Proud offered Resolution No. 203, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TO ACCEPT ADDITIONAL FUNDING - PINS.

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

Leg. Proud offered Resolution No. 204, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TANF FUNDING. This resolution accepts an allocation of \$1,172,777 for a locally designed program for needy families and an additional \$140,000 for FFY 2007-2008.

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

Leg. Proud offered Resolution No. 205, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES TANF INTENSIVE CASE SERVICES. This resolution accepts an additional \$15,833 of for TANF Intensive Case Services.

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

Leg. Proud offered Resolution No. 206, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES ADULT AND FAMILY SERVICES. This resolution provides funds for additional hours needed to address staff turn-over and training needs.

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

Leg. Proud offered Resolution No. 207, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT LONG TERM ADDITIONAL HOURS. This resolution provides funds for additional hours needed to address NYS DOH regulations for documentation.

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

Leg. Santore offered Resolution No. 208, entitled, RESOLUTION AUTHORIZING EXPENDITURE

FROM CAPITAL RESERVE NO. 146 - HIGHWAY AND AUTOMOTIVE EQUIPMENT. This resolution authorized transfer of \$138,000 from Capital Reserve No. 146 - Highway & Automotive Equipment to Capital Project No. 137 - Sheriff's Department Vehicles. Leg. Malone asked if the cars would be used for commuting and Sheriff Todd replied "no". A roll call vote was requested.

Resolution passed, with a roll call vote  
YES: 22 NO: 3 ABSENT: 0

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

NO: GEARSBECK, MALONE, VASHO.  
ABSENT: NONE.

Leg. Santore offered Resolution No. 209, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 174 - COMMUNICATIONS SYSTEM ASSESSMENT. Leg. Kunzwiler congratulated Mike Allen on the great job he has done at E-911.

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

Leg. Santore offered Resolution No. 210, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION EMERGENCY MANAGEMENT OFFICE TO ACCEPT FUNDS FROM HAZARD MITIGATION GRANT PROGRAM. This resolution accepts \$112,500 to reduce vulnerability to hazards.

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

Leg. Santore offered Resolution No. 211, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT TO ACCEPT FEDERAL FUNDING - (SCAAP) (STATE CRIMINAL ALIEN ASSISTANCE PROGRAM)

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

Leg. Santore offered Resolution No. 212, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT UNANTICIPATED OVERTIME EXPENSES.

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

Leg. Santore offered Resolution No. 213, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT UNANTICIPATED OVERTIME EXPENSES (CORRECTIONS)

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

Leg. Santore offered Resolution No. 214, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT TO ACCEPT FUNDING - BUCKLE UP NEW YORK.

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

Leg. Seager offered Resolution No. 215, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #181 - FINANCIAL SOFTWARE UPGRADE. County Administrator Philip Church explained that the County's present financial and management software is 20 years old and outdated. This upgrade will dramatically improve the County's capabilities and efficiencies in the financial, budgeting, personnel, and accounting areas. Leg. Ospelt noted that this upgrade would be accomplished by County personnel.

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

Leg. Seager offered Resolution No. 216, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACTS "FINANCIAL AND MANAGEMENT SOFTWARE UPGRADE AND CUSTOMIZATION" TREASURER'S AND CENTRAL SERVICES DEPARTMENT. This resolution awards the contract to "Oracle" of Redwood Shores, California; "DLT" of Herndon, Virginia; and "Leverage" of Washington D.C.

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

Leg. Seager offered Resolution No. 217, entitled, RESOLUTION ESTABLISHING DATE FOR RELEVY OF 2008/2009 UNPAID SCHOOL TAXES.

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

Leg. Seager offered Resolution No. 218, entitled, RESOLUTION ESTABLISHING DATE FOR RELEVY OF 2008 UNPAID VILLAGE TAXES.

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

Leg. Seager offered Resolution No. 219, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING ON THE TENTATIVE COUNTY BUDGET FOR THE YEAR 2009.

Leg. Seager made a motion to amend the proposed resolution, changing the time for the public hearing from 7:00 p.m. to 2:00 p.m. on December 11, 2008, seconded by Leg. Santore. A voice vote was taken, with all in favor. Discussion returned to the amended resolution.

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

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

Leg. Malone asked for an update on the cold war exemptions and the coal burning plant in Scriba. Leg. Leemann said that there was no news on the coal burning plant. Leg. Beckwith noted the Cold War Veterans' Exemption is being looked into by the Real Property Department.

County Administrator, Philip Church, stated that the tentative budgets were in the legislator's mailboxes.

Ted Jerrett reminded those in attendance about the municipal meeting at Sheldon Hall on December 17, 2008 (Monday) from 6:00 p.m. to 9:00 p.m. He also noted the beginning of the United Way Campaign.

Chairman Leemann pointed out that Leg. Brewer will be turning 80 on 11/21/08 and wished him a happy birthday. He also announced that former Sheriff Charles Nellis is gravely ill.

At 3:38, Leg. Walker moved to adjourn, seconded by Leg. Oldenberg, all in favor.

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

Jackie Siver of Fulton commended the County for its daily handling of many tough decisions. But, she expressed her deep pain and regret for the difficult living conditions suffered by the recently murdered Erin Maxwell. She noted that she did not know the details of the situation but felt compelled to call for the removal of the Oswego County DSS Commissioner and presented petitions to that affect.

Colleen Scott of Fulton also spoke about the Erin Maxwell Case claiming the DSS Commissioner failed to act appropriately and should be removed. She also submitted petitions to that affect.

There were no others wishing to speak.