

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD ON
JANUARY 6, 2009**

Chairman Leemann called the meeting to order at 2:00 p.m. Roll call was taken with all legislators present and one vacancy, District 10. A moment of reflection was observed for former Oswego County Fire Coordinator Bill Denery, who recently passed away and for the victims of the tragic house fire in Richland. The invocation was given by Terri Somers, Deputy Clerk of the Legislature, followed by the salute to the flag.

ELECTION OF CHAIRMAN:

Deputy Clerk of the Legislature Terri Somers opened for nominations for Chairman of the Legislature. Leg. Proud nominated Leg. Barry Leemann, seconded by Leg. LeClair. Leg. Walker nominated Leg. Michael Kunzwiler, seconded by Leg. Vasho. There being no further nominations, a roll call vote was requested by Leg. Brown, seconded by Leg. Santore. A roll call vote was taken with the following result: Leg. Leemann, 19; Leg. Kunzwiler, 5, one vacancy, District 10.

FOR LEG. LEEMANN: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, BREWER, LECLAIR.

FOR LEG. KUNZWILER: GEARSBECK, WALKER, KUNZWILER, MALONE, VASHO.

VACANT: DISTRICT 10.

Leg. Leemann, accompanied by his wife Karen, was sworn in by Honorable James W. McCarthy, J.S.C. Chairman Leemann thanked the legislature.

ELECTION OF VICE-CHAIRMAN:

Chairman Leemann opened the floor for nominations for Vice-Chairman of the Legislature. Leg. Sorbello nominated Leg. Jack Proud, seconded by Leg. Santore. Leg. Vasho nominated Leg. Doug Malone, seconded by Leg. Gearsbeck. There being no further nominations, the nominations were closed. A roll call vote was taken with the following results: Leg. Proud, 19; Leg. Malone, 5, one vacancy, District 10.

FOR LEG. PROUD: KASTLER, POTTER, DOYLE, LEEMANN, BRYANT, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, BREWER, LECLAIR.

FOR LEG. MALONE: GEARSBECK, WALKER, KUNZWILER, MALONE, VASHO.

VACANT: DISTRICT 10

Leg. Proud, accompanied by his wife Allie, was sworn in by Honorable James W. McCarthy, J.S.C. Minority Leader Kunzwiler stated that the Minority looks forward to working with the majority for the benefit of the residents of the County. Leg. Doyle echoed Leg. Kunzwiler's comments.

ELECTION OF CLERK OF THE LEGISLATURE:

Chairman Leemann opened the floor for nominations for Clerk of the Legislature. Leg. Gardner nominated Theodore Jerrett, seconded by Leg. Brown. Leg. Kunzwiler moved to close the nominations. Leg. Santore seconded the motion. A roll call vote was taken with 22 in favor, Legs. Chalifoux and Bryant in opposition, and 1 vacancy in District 10. Mr. Jerrett was not in attendance due to a family emergency and will be sworn in at a later date.

Newly elected Leg. Mary Flett, accompanied by her grandson Josh Flett, was sworn in by Honorable James W. McCarthy, J.S.C.

MINUTES:

Under a motion by Leg. Kunzwiler and seconded by Leg. Oldenburg, the minutes of December 11, 2008 were approved.

INTRODUCTION OF VISITORS/PUBLIC SPEAKERS ON RESOLUTION OF THE DAY:

Chairman Leemann invited forward the Community and Consumer Affairs Committee, Leg. Kunzwiler, Elections' Commissioner Don Wart and Mr. and Mrs. Henry "Hank" O. Babcock. A Commendation was read honoring Mr. Babcock for his lifetime of public service and especially for the past 32 years as a Voting Machine Custodian. Leg. Kunzwiler and Elections Commissioner Wart offered a few comments. Mr. Babcock thanked his wife of 57 years, the staff at Board of Elections and fellow legislators.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS:

Leg. Potter spoke on the recent fire that claimed eight lives in Richland and stressed the importance that all houses have working smoke detectors. Leg. Doyle said donations were being collected at the Rural and Migrant Ministry, 15 Stewart Street, in Richland.

ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERS/WHIPS:

The Republican Caucus announced the appointment of Leg. Doyle as Majority Leader and Leg. Santore as Majority Whip.

The Democratic Caucus announced the appointment of Leg. Kunzwiler as Minority Leader and Leg. Malone as Minority Whip.

RESOLUTIONS:

Leg. Ospelt offered Resolution No. 1, entitled, RESOLUTION APPOINTING AN INDIVIDUAL TO FILL A VACANCY IN THE OFFICE OF COUNTY LEGISLATOR IN AND FOR THE 10TH LEGISLATIVE DISTRICT. Robert Hayes, Sr. of Phoenix, NY was recommended by the committee to fill the vacancy in District 10. Leg. Kunzwiler stated that the minority had put up another name in committee and that as a matter of protocol two people should have been recommended to fill this position and allow the legislature to vote between them.

Resolution passed, with a voice vote
Legs. Malone, Walker, Kunzwiler and Vasho in opposition.
YES: 20 NO: 4 ABSENT: 0 VACANT: 1

Robert Hayes, Sr., accompanied by his son Jim, was sworn in by Honorable James W. McCarthy, J.S.C. Former Assemblyman Raymond Chesbro was also in attendance. Chairman Leemann thanked Judge McCarthy for his help with today's ceremonies.

Leg. Ospelt offered Resolution No. 2, entitled, RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR PUBLICATION OF ALL ELECTION NOTICES, OFFICIAL CANVASS, LOCAL LAWS, NOTICES AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED. Leg. Ospelt stated that the Oswego County Weeklies of Mexico, NY; the Valley News of Fulton, NY; and The Palladium Times of Oswego, NY had passed in committee and suggested that the County Attorney make a decision on how many newspapers should be used. Leg. Kunzwiler requested an official ruling from the Attorney General's office regarding how many newspapers can be designated as official newspapers. He stressed the need to curb the expenditures and using two instead of three publications would be a beginning. County Attorney Richard Mitchell stated that section 214(1) pertains to concurrent

resolutions of the state legislature, election notices and official canvass in the County. Each party would designate one paper. However, for the County purposes in section 214(2) it is stated that the board of supervisors or legislature shall designate at least two newspapers as official newspapers. After a lengthy discussion, Leg. Doyle called the question, seconded by Leg. Santore. Legs. Malone, Gearsbeck, Walker, Vasho were in opposition to the motion to call the question.

Resolution passed, with a voice vote
Legs. Malone, Gearsbeck, Walker, Kunzwiler, and Vasho in opposition.
YES: 20 NO: 5 ABSENT: 0

Leg. Kunzwiler offered Resolution No. 3, entitled, RESOLUTION ADOPTING AN OSWEGO COUNTY INVESTMENT POLICY AND DESIGNATING BANKS AS DEPOSITORIES OF COUNTY FUNDS.

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

Leg. Kunzwiler offered Resolution No. 4, entitled, RESOLUTION PURSUANT TO SECTION 35 OF GENERAL MUNICIPAL LAW RESPONSE AND CORRECTIVE ACTION PLAN - HEALTH INSURANCE AUDIT.

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

Leg. Kunzwiler offered Resolution No. 5, entitled, RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT COUNTY TREASURER'S OFFICE.

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

Leg. Beardsley offered Resolution No. 6, entitled, RESOLUTION AUTHORIZING OSWEGO COUNTY TO FILE APPLICATION AND TO ENTER INTO A STATE CONTRACT FOR A STATE GRANT-IN-AID FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAMS.

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

UNFINISHED BUSINESS:

Leg. Malone suggested that the legislative meetings be held at 7:00 p.m. and if possible, have the budget available for review in July or August.

ADJOURNMENT:

Under motion by Leg. Walker seconded by Leg. Ospelt, all in favor, the meeting adjourned at 2:45 p.m.

PUBLIC SPEAKERS:

There were no others wishing to speak.