

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD AUGUST 13, 2009
AT THE H. DOUGLAS BARCLAY COURTHOUSE IN PULASKI, NEW YORK.**

Chairman Leemann called the meeting to order at 2:04 p.m. Roll call was taken with all legislators present, with the exception of Leg. Beckwith. The invocation was given by Clerk of the Legislature Ted Jerrett, followed by the salute to the flag.

MINUTES:

Under a motion by Leg. Oldenburg and seconded by Leg. LeClair the minutes of July 9, 2009 were approved.

INTRODUCTION OF VISITORS:

Chairman Leemann welcomed everyone to Pulaski and introduced Richland Deputy Supervisor Ron Crandall and Pulaski Mayor Ernie Wheeler. Both welcomed the Legislators and thanked them for their cooperation with Towns and Villages. Chairman Leemann thanked them for their hospitality. Former Sheriff, Assemblyman and County Legislator Ray Chesbro was in attendance and received applause.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Leemann invited members of the Community and Consumer Affairs Committee forward as well as County Clerk George Williams and Motor Vehicle Clerk Helen Stroud. Ms. Stroud was given a certificate of appreciation for her 25 years of dedicated service to Oswego County and County Clerk Williams offered a few word of praise.

Chairman Leemann invited members of the Health and Human Services Committee forward as well as Director of Public Health Dr. Dennis Norfleet, Associate Public Health Sanitarian Natalie Roy, Richland Deputy Supervisor Ron Crandall and Water Director Bob Hicks to join them. Ms. Roy gave a brief explanation of the annual drinking water contest and Dr. Norfleet presented the 1st place award to Richland Deputy Supervisor Ron Crandall.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS:

Leg. Doyle announced that the Regional Planning Board would be having their next meeting in Pulaski on August 19, 2009.

Leg. Brown stated that there was going to be a meeting on August 14, 2009, in West Winfield regarding the dairy situation affecting the dairy farmers both locally and nationally.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Ospelt offered Resolution No. 130, entitled, RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF OSWEGO INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK. This resolution would continue the current sales tax rate. Leg. Gearsbeck said he did not believe the sales tax has ever helped to reduce property taxes as intended and so he would not support the resolution.

Resolution passed, with a voice vote
Legs. Gearsbeck and Malone in opposition.

YES: 22 NO: 2 ABSENT: 1

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Legs. Gardner and Ospelt offered Resolution No. 131, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 2 OF THE YEAR 2009, ENTITLED, "A LOCAL LAW PROVIDING FOR A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS UNDER REAL PROPERTY TAX LAW §458-b". The public hearing on proposed Local Law No. 2 of 2009 will be held on September 10, 2009 at 7:00 p.m. at the Legislative Chambers, County Office Building, 46 E. Bridge Street, Oswego, New York 13126. Leg. Malone thanked the committee for getting this resolution to the floor of the legislature. Leg. Brown stated that she had received many phone calls in support of this resolution.

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

Leg. Ospelt offered Resolution No. 132, entitled, RESOLUTION IN REGARDS TO RECOVERY ZONE DESIGNATION. County Administrator Philip Church noted this resolution positions the County to be able to apply for certain ARRA Federal economic recovery funds.

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

Leg. Ospelt offered Resolution No. 133, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PURCHASING DEPARTMENT COPIER MAINTENANCE COSTS. This resolution transferred \$4,500 from the contingency account to cover additional copier maintenance costs.

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

Leg. Gardner offered Resolution No. 134, 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 2006 and 2007. Leg. Gardner moved to amend the resolution by removing the third and fourth properties listed (both in the Town of Orwell), seconded by Leg. Oldenburg and passed. Discussion returned to the amended resolution.

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

Leg. Proud offered Resolution No.135 entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES - WAGE SUBSIDY PROGRAM. This resolution authorized the acceptance of an award of \$367,928 to operate a Wage Subsidy Program for TANF (Temporary Assistance for Needy Families).

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

Leg. Proud offered Resolution No. 136, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES MENTAL HYGIENE PROGRAMS. This resolution accepted additional State Aid into the Mental Hygiene Budget with no county costs. Leg. Gearsbeck expressed his opposition.

Resolution passed, with a voice vote
Leg. Gearsbeck in opposition.
YES: 23 NO: 1 ABSENT: 1

Leg. Beardsley offered Resolution No. 137, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT FOR ARCHITECT SERVICES RELATED TO THE LOB ROOF REPAIR. This resolution awarded a professional service contract for the Legislative Office Building roof repair to MacKnight Architects for architectural services for a sum not to exceed \$6,650. Leg. Walker expressed concerns in needing an architect. Building and Grounds Superintendent Bill Malone noted that hiring an architect for such a project is standard procedure and is considered prudent.

Resolution passed, with a voice vote
Leg. Walker in opposition
YES: 23 NO: 1 ABSENT: 1

Leg. Beardsley offered Resolution No. 138, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT FOR BRIDGE ENGINEERING. This resolution awards a professional service contract to C&S Engineers of Syracuse for four different bridges for a sum not to exceed \$12,250. Leg. Gearsbeck questioned the need for an outside engineer. Highway Superintendent Kurt Ospelt explained that these bridge studies require specific equipment that is very expensive and that the County cannot justify buying.

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

Leg. Beardsley offered Resolution No. 139, entitled RESOLUTION ESTABLISHING CAPITAL PROJECTS - BRIDGES. This resolution established Capital Project #22 - replacing Pendergast Road Bridge over Hinmansville Creek; Capital Project #23 - replacing Myers Road Bridge over Black Creek, and Capital Project #24 - replacing the CR 54 bridge over Fish Creek. Leg. Walker questioned why each project was exactly \$20,000. County Administrator Philip Church explained that this resolution just establishes the capital projects and provides funding enough to develop the detailed needs.

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

Leg. Beardsley offered Resolution No. 140, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 197 ERF/INTERFACE WARM WATER RECOVERY. This resolution established Capital Project No. 197 in the amount of \$250,000 so that the County might be eligible for the maximum \$500,000 grant from the Federal Environmental Protection Agency. Leg. Beardsley commended the Solid Waste Department for developing this heat recovery project at ERF; it supports local industry, protects local jobs, reduces waste released to the environment, and reduces costs to taxpayer.

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

Leg. Santore offered Resolution No. 141, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT "DATA SERVICES AGREEMENT" DEPARTMENT OF EMERGENCY COMMUNICATIONS, E-911. This resolution awarded a professional services agreement with Vorstar Corporation, Inc. so that county residents can voluntarily add special needs and conditions to the E-911 Database should they require emergency services.

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

Leg. Santore offered Resolution No. 142, entitled, RESOLUTION AUTHORIZING OSWEGO COUNTY E-911 TO NEGOTIATE WITH MOTOROLA TO DEVELOP A FINAL DESIGN AND PREPARE A DETAILED COST FOR THE NEW EMERGENCY RADIO COMMUNICATIONS SYSTEM. Leg. Doyle praised the idea of the 5-county consortium as a way to reduce duplication and enhance emergency services cooperation across county lines. Leg. Kunzwiler asked if E-911 Director Mike Allen was representing the County in the Consortium. Chairman Leemann said "Yes".

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

Leg. Santore offered Resolution No. 143, entitled, RESOLUTION EXTENDING COMMUNICATIONS CONSULTING CONTRACT, DEPARTMENT OF EMERGENCY COMMUNICATIONS, E-911. This resolution extended an agreement with Charles Gabriel to continue project management and implementation of the new communications system for Oswego County until the close of 2009.

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

Leg. Santore offered Resolution No. 144, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PROBATION DEPARTMENT - DOMESTIC VIOLENCE. This accepts \$25,000 from a 100% Federal Grant which has been extended to June 30, 2010.

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

Leg. Santore offered Resolution No. 145, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT - UNANTICIPATED EXPENSES. This resolution authorized a transfer of funds from Sheriff's medical fees into uniforms, clothing & tools to provide uniforms for the Correction Officers hired in 2009 as mandated by the NYS Commission of Corrections.

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

Leg. Sorbello offered Resolution No. 146, entitled, RESOLUTION TO EMBRACE SMART AND SUSTAINABLE ENERGY POLICIES AND PRACTICES WITH THE GOAL OF BECOMING A CLIMATE SMART COMMUNITY.

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

Leg. Sorbello offered Resolution No. 147, entitled, RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR THE COMPLETION OF ENERGY CONSERVATION STUDIES AT THE BUNNER STREET HEALTH COMPLEX AND THE LEGISLATIVE OFFICE BUILDING. Leg. Brown noted that the savings will more than pay for this.

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

Leg. Ospelt made a motion to waive the rules to consider two (2) additional resolutions; Leg. Oldenburg seconded. All were in favor.

Leg. Proud offered Resolution No. 148, entitled RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT -EMERGENCY MOSQUITO CONTROL TOAD HARBOR. This transfers \$48,652 from Health Dept. Other Fees and Services to pay for emergency mosquito spraying to combat the spread of the EEE virus recently discovered at Toad Harbor.

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

Leg. Beardsley offered Resolution No. 149, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 25 - LIGHTING/CONTROLS - COUNTY FACILITIES. The County applied for a grant from the NYS Energy Research and Development Authority (NYSERDA) to install energy conservation measures at the Bunner Street Complex and the Legislative Office Building. The total cost is estimated at \$285,000. This transfers \$70,000 from the Unappropriated Fund Balance for the County Share.

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

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Doyle spoke briefly regarding changing plans for a proposed power line through local communities and stated that he will give a more detailed update as soon as possible.

Leg. Kunzwiler moved to adjourn the meeting, seconded by Leg. Gearsbeck, all in favor. The meeting was adjourned at 2:47 p.m.

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

Mercedes Neiss of the Oswego Maritime Museum noted the recent passing of Oswego author, scholar and historian Rosemary Nesbitt and invited the public to a tribute to Ms. Nesbitt to be held at Brietbeck Park.

There were no other speakers wishing to address the Legislature.

Leg. Doyle thanked everyone for coming to Pulaski for the meeting and extended an invitation to a reception at his house immediately following the meeting.