

**MINUTES OF THE PUBLIC HEARING HELD ON DECEMBER 15, 2009
RELATIVE TO THE PROPOSED 2010 COUNTY BUDGET**

Chairman Leemann opened the public hearing at 7:00 p.m. County Attorney Richard C. Mitchell read the Public Hearing Notice on the proposed county budget for 2010. Chairman Leemann offered the floor to anyone wishing to speak on the proposed county budget.

The following people spoke in support of keeping the Hannibal Solid Waste Transfer Station open:

Hannibal Town Supervisor Ron Greenleaf; Faye Beckwith, Hannibal; and Everett "Bud" Hubbard, Hannibal.

Miles Becker of Oswego said he had no problem with closing the Hannibal Transfer Station as long as similar cuts were made throughout the rest of the Proposed County Budget.

The following people spoke on behalf of libraries and urged the legislature to continue their support:

Marion Stanton, Fulton; Carol Ferlito, Oswego; Warren Lieb, Pulaski who was speaking on behalf of Selma Rowlands; Penny Kerfien, Williamstown; and Faye Beckwith, Hannibal.

Donald Dodd, Oswego, NY, requested that the budget be amended to add an additional Assistant District Attorney position in the District Attorney's Budget. He stated increased crimes necessitate this request.

Ed Williamson, Granby, NY, expressed his concerns over department head salaries stating that no one should receive more than \$75,000. He urged the legislators to cut the size and spending of departments. He added that Oswego County has one of the best paving and bridge crews in New York State.

Cheryl Homes, Granby, NY, urged the legislature to remember that they are elected to serve the taxpayers.

There being no others wishing to speak, Chairman Leemann closed the public hearing at 7:37 p.m.

**MINUTES OF THE MEETING OF THE
OSWEGO COUNTY LEGISLATURE HELD DECEMBER 15, 2009.
(RECESSED FROM DECEMBER 10, 2009)**

Upon motion by Leg. Kunzwiler, seconded by Leg. Doyle and unanimously supported, the December meeting of the Legislature was reconvened at 7:38 p.m. Roll call was taken with all legislators present, with the exception of Legs. Bryant and Brewer.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

Leg. Doyle moved to waive the rules to consider 3 additional resolutions, seconded by Leg. Kunzwiler, a roll call vote was taken.

Motion to waive the rules passed, with a roll call vote

YES: 23 NO: 0 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, GEARSBECK, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, WALKER SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

NO: NONE.

ABSENT: BRYANT, BREWER.

Leg. Potter offered Resolution No. 235, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE OSWEGO COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE FOR THE 2010 STOP-DWI PROGRAM.

Resolution 235 passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 236, entitled, RESOLUTION DECLARING THE COUNTY OF OSWEGO, NEW YORK, SEQRA LEAD AGENCY AND ISSUING A POSITIVE DECLARATION FOR THE PROPOSED EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT AND, DETERMINING THAT CONTRACTING FOR DESIGN, MICROWAVE RELAYS, COMPUTER AIDED DISPATCH SOFTWARE AND OTHER SERVICES AND OBTAINING BONDING FOR THE PROPOSED EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE MAY AND SHALL BE PERMISSIBLY SEGMENTED FORM THE SEQRA REVIEW OF THE PROPOSED EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT. County Attorney, Richard Mitchell stated that this resolution was covered under the previous motion to waive to rules. A roll call vote was taken.

Resolution passed, with a roll call vote.

YES: 23 NO: 0 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, GEARSBECK, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

NO: NONE.

ABSENT: BRYANT, BREWER.

Leg. Ospelt offered Resolution No. 237, entitled, A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE COUNTY OF OSWEGO, NEW YORK, IN RELATION TO AN EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000 PURSUANT TO LOCAL FINANCE LAW TO FINANCE SAID PROJECT, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE COUNTY TREASURER.

Leg. Kunzwiler moved to amend the resolution to conform to the format in the resolution packet provided December 15th, seconded by Leg. Doyle. Leg. Gearsbeck questioned the cost. Legs. Doyle and Kunzwiler urged support and praised E-911 Director Mike Allen and the Committee for all the work they have done to advance the project and minimize costs. Legs. Walker, Ospelt, Sorbello, Beardsley, Brown and LeClair concurred with the need for this upgrade to protect lives and applauded successes in containing costs.

Resolution passed, with a roll call vote

YES: 22 NO: 1 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

NO: GEARSBECK.

ABSENT: BRYANT, BREWER.

Leg. Santore offered Resolution No. 238 entitled, RESOLUTION DETERMINING THAT THE EXECUTION OF A COMMUNICATIONS SYSTEM AGREEMENT WITH MOTOROLA, INC. AND TO EXTEND A COMMUNICATIONS CONSULTING CONTRACT WITH LANGONE AND ASSOCIATES IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT CONSTITUTE AN UNLISTED ACTION UNDER SEQRA AND ADOPTING A NEGATIVE DECLARATION.

Resolution passed, with a voice vote

YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 239, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A COMMUNICATIONS SYSTEM AGREEMENT WITH MOTOROLA, INC. IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT. Leg. Oldenburg moved to amend the resolution to conform to the format in the resolution packet provided December 15th, seconded by Leg. Walker; all in favor.

Resolution passed as amended, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 240, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A COMMUNICATIONS SYSTEM-AGREEMENT WITH NEC, INC. IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT. Leg. Walker moved to amend the resolution to conform to the format in the resolution packet provided December 15th, seconded by Leg. Oldenburg, all in favor.

Resolution passed as amended, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 241, entitled, RESOLUTION EXTENDING COMMUNICATION CONSULTING CONTRACT BETWEEN LANGONE AND ASSOCIATES AND THE E-911 DEPARTMENT IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT. Leg. Ospelt moved to amend the resolution to conform to the format in the resolution packet provided December 15th, seconded by Leg. Doyle, all in favor.

Resolution passed as amended, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Santore offered Resolution No. 242, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE AN AGREEMENT WITH POSITRON, INC. IN CONNECTION WITH THE EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT. Leg. Kunzwiler moved to amend the resolution to conform to the format in the resolution packet provided December 15th, Leg. LeClair seconded, all in favor.

Resolution passed as amended, with a voice vote
YES: 23 NO: 0 ABSENT: 2

Leg. Ospelt offered Resolution No. 243, entitled, RESOLUTION ADOPTING COUNTY BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2010.

Leg. Kunzwiler moved to remove the health insurance line for legislators from the budget, seconded by Leg. Walker. Leg. Brown expressed her concern for herself and other legislators that have a pre-existing condition that would preclude them from obtaining health insurance elsewhere. A roll call vote was requested.

Motion failed, with a roll call vote
YES: 5 NO: 18 ABSENT: 2

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

NO: KASTLER, POTTER, DOYLE LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

Leg. Beardsley stated that the Legislature, this year by resolution, had approved an agreement with the County Management employees and that the Legislature should not renege on that agreement. Leg. Beardsley moved to reinstate the performance incentives for management employees per the 2009 agreement, seconded by Leg. Santore. Leg. Kunzwiler stated that the base raise (3%) was not being taken away, only the performance incentive. Leg. Proud noted that there has been no county tax rate increase in

6 years and none expected for next year. He expressed that especially in such an environment, it would be totally unethical for the Legislature to renege on its agreement. Leg. Brown noted that this legislature just passed this agreement with management employees by resolution in February and that dishonoring it would be shameful. Leg. Santore stated that he would stand by his word and support the motion to honor our commitment. After a lengthy discussion, a roll call vote was taken.

Motion failed with a roll call vote.

YES: 11 NO: 12 ABSENT: 2

YES: KASTLER, LEEMANN, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPILT, GARDNER, OLDENBURG, FLETT.

NO: POTTER, DOYLE, GEARSBECK, HAYES, WALKER, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

Leg. Gearsbeck moved to reduce the solid waste overtime budget line by \$200,000 and return to a five day schedule, seconded by Leg. Malone. Director of Solid Waste Frank Visser explained the need for overtime funds. After a lengthy discussion, Leg. Beckwith called the question, seconded by Leg. Brown.

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

YES: 20 NO: 3 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, GEARSBECK, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPILT, GARDNER, OLDENBURG, SANTORE, FLETT, KUNZWILER, CHALIFOUX, BECKWITH, VASHO, SORBELLO, LECLAIR.

NO: PROUD, WALKER, MALONE.

ABSENT: BRYANT, BREWER.

Motion to take \$200,000 from the overtime line in Solid Waste, failed with a roll call vote

YES: 6 NO: 17 ABSENT: 2

YES: GEARSBECK, WALKER, KUNZWILER, MALONE, BECKWITH, VASHO.

NO: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPILT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

Upon motion by Leg. Kunzwiler, seconded by Leg. Doyle and unanimously supported, the issue of closing the Hannibal Transfer Station was brought to the floor. Leg. Beardsley acknowledged that the cost of solid waste transfer stations is a valuable discussion, but is one that should not be entered into in the 11th hour and should not single out one station for closure without a discussion of closing all transfer stations. The issue deserves more time for a study of impacts and options before coming to a vote. Leg. LeClair said she would not support closing Hannibal without closing all transfer stations. Leg. Sorbello expressed support for keeping Hannibal open at least until all options are understood and citizens have time to make arrangements. Leg. Beckwith said he is open to positive change, but it must be fair and not treat Hannibal residents like second-class citizens. Leg. Doyle moved to close the Hannibal Transfer Station, seconded by Leg. Walker. Leg. Malone moved to amend Leg. Doyle's motion to changing the hours of the Hannibal Transfer Station to Mondays, Wednesdays, Thursdays, and a half a day on Saturdays, closed Tuesdays and Fridays; seconded by Leg. Kunzwiler. Leg. Proud questioned the feasibility of those hours and Chairman Leemann sought clarification from Director Visser. Director Visser explained that the proposed scheduling change would neither enhance service nor save significant tax dollars. Leg. Ospelt moved the question, seconded by Leg. Doyle; all in favor. A roll call vote was requested.

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

YES: 20 NO: 3 ABSENT: 2

YES: POTTER, DOYLE, LEEMANN, GEARSBECK, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

NO: KASTLER, PROUD, GARDNER.

ABSENT: BRYANT, BREWER.

Roll call vote was taken on the amendment presented by Leg. Malone.

Amendment to the resolution failed, with a roll call vote.

YES: 5 NO: 18 ABSENT: 2

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

NO: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

A roll call vote was requested on the original motion to close the Hannibal Transfer Station.

Motion to close the Hannibal Transfer Station failed, with a roll call vote.

YES: 10 NO: 13 ABSENT: 2

YES: POTTER, DOYLE, LEEMANN, HAYES, GARDNER, OLDENBURG, WALKER, SANTORE, KUNZWILER, VASHO.

NO: KASTLER, GEARSBECK, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, FLETT, CHALIFOUX, MALONE, BECKWITH, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

Leg. Gearsbeck moved to take out \$300,000 from the overtime line on highway budget, seconded by Leg. Malone. After a brief discussion a roll call vote was requested.

Motion to decrease highway overtime by \$300,000, failed by a roll call vote.

YES: 1 NO: 22 ABSENT: 2

YES: GEARSBECK.

NO: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, WALKER, SANTORE, FLETT, KUNZWILER, CHALIFOUX, MALONE, BECKWITH, VASHO, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

Leg. Kunzwiler moved to decrease Pg.4 Operation Oswego County line 6989.5465.1-Economic Development Projects from \$40,000 to \$20,000, seconded by Leg. Vasho.

After a brief discussion, Leg. Doyle called the question, seconded by Leg. Vasho. Motion to call the question was passed by a show of hands, Leg. Malone in opposition. A roll call vote Leg. Kunzwiler's motion was requested.

Motion to decrease line 8969.5465.1 by \$20,000 failed, with a roll call vote.

YES: 5 NO: 18 ABSENT: 2

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

NO: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, LECLAIR.

ABSENT: BRYANT, BREWER.

A roll vote was requested on the proposed budget for 2010.

Resolution passed, with a roll call vote.

YES: 18 NO: 5 ABSENT: 2

YES: KASTLER, POTTER, DOYLE, LEEMANN, PROUD, BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, SANTORE, FLETT, CHALIFOUX, BECKWITH, SORBELLO, LECLAIR.

NO: GEARSBECK, WALKER, KUNZWILER, MALONE, VASHO.

ABSENT: BRYANT, BREWER

Leg. Ospelt offered Resolution No. 244, entitled, RESOLUTION MAKING APPROPRIATION FOR THE CONDUCT OF GOVERNMENT FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2010.

Resolution passed, with a voice vote.

YES: 23 NO: 0 ABSENT: 2

Leg. Potter offered Resolution No. 245, entitled, RESOLUTION AUTHORIZING CHAIRMAN AND CLERK TO HANDLE ALL UNFINISHED BUSINESS THROUGH DECEMBER 31, 2009.

Resolution passed, with a voice vote.

YES: 23 NO: 0 ABSENT: 2

Chairman Leemann recognized the outgoing legislators and provided each with a mounted nameplate engraved with their years of service:

Leg. Brewer (who was ill and unable to be present)

Leg. Bryant (who was also absent)

Leg. Gearsbeck declined to come forward.

Leg. Walker thanked everyone for the experience and wished the Legislature good luck.

Leg. Santore thanked the Legislators and encouraged all to follow their hearts.

Leg. Beckwith wished everyone good luck and thanked them for their friendship.

Leg. Vasho said he's enjoyed the opportunity to serve and wished everyone good luck.

Leg. Kunzwiler requested that Leg. Brewer be invited back for the January meeting to be recognized, and Chairman Leemann requested that Leg. Bryant be invited, too.

At 10:00 PM, the meeting adjourned upon motion by Leg. Vasho, seconded by Leg. Walker, all in favor.

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS: None.

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

There were none wishing to speak.