

**MINUTES OF THE MEETING OF THE  
OSWEGO COUNTY LEGISLATURE HELD ON  
FEBRUARY 11, 2010**

Chairman Leemann called the meeting to order at 2:02 p.m. Roll call was taken with all legislators present. A moment of silence was observed for Bill Russell. The invocation was given by Clerk of the Legislature, Ted Jerrett, followed by the salute to the flag.

**MINUTES:** In the absence of any objections/corrections, the minutes of the January 7, 2010 meeting were approved.

**INTRODUCTION OF VISITORS/RECOGNITIONS:**

Chairman Leemann called the members of the Infrastructure Committee forward and invited Highway Superintendent Kurt Ospelt and Highway Crew Leader Mark Bailey to join them. Leg. Beardsley presented a certificate to Mr. Bailey for his 30 years of dedicated service to the County. Superintendent Ospelt offered additional words of congratulations.

Chairman Leemann called the Consumer Affairs Committee forward and invited County Clerk George Williams and Index Clerk Susan Sweet to join them. Leg. Hayes presented a certificate to Ms. Sweet for 25 years of outstanding service to the County. County Clerk George Williams offered a few words of congratulations.

Chairman Leemann called the Public Safety Committee forward and invited Probation Director Debbie Meyer and Principal Clerk Sylvan Johnson to the front. Leg. Lockwood presented a certificate to Ms. Johnson for 25 years of dedicated service to the County. Director Meyer offered additional words of congratulations.

Chairman Leemann called the Health and Human Services Committee forward and invited DSS Commissioner Frances Lanigan and Social Welfare Examiner Carol Stoker to join them. Leg. Proud presented a certificate to Ms. Stoker for her 25 years of outstanding service to the County. Commissioner Lanigan commended her service and offered congratulations.

Chairman Leemann invited Employment Advisor Michelle K. Smith to come up front. Leg. Proud presented a certificate to Ms. Smith for her 25 years of dedicated service to the County. Commissioner Lanigan commended her service and offered congratulations.

Chairman Leemann invited DSS Resource Coordinator Patricia Hyde to join the Committee up front. Leg. Proud presented a certificate to Ms. Hyde for her 25 years of service to the County. Commissioner Lanigan commended her service and offered congratulations.

Chairman Leemann invited DSS Caseworker Carleen Palmitesso to join the Committee up front. Leg. Proud presented a certificate to Ms. Palmitesso for her 25 years of service to the County. Commissioner Lanigan commended her service and offered congratulations.

Chairman Leemann announced that Leg. Kastler had been recognized at the NYSAC conference as a graduate of the Pelletier Institute Program. The Pelletier Institute is an educational program established by NYSAC in conjunction with Cornell University. The Institute is designed to enhance the knowledge, skills and abilities of county officials, allowing them to engage in informed, constructive and civil discussions on the challenges they face as public servants. Leg. Kastler received a round of applause.

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

**REPORTS OF COUNTY OFFICIALS:**

Chairman Leemann presented the 2010 State of the County Address. (A complete copy is attached.)

Leg. Brown presented a brief report on both the recent NYSAC Conference and the meeting of the Farmland Protection Board.

Leg. Sorbello stated that he was very proud of the legislators who represented Oswego County at the NYSAC Conference. Several were new legislators and they received intense, specialized training at the Conference

County Administrator Philip Church stated that at a meeting with NYMIR, the County's insurance carrier, he was presented a dividend check in the amount of \$76,000.00, the highest dividend check paid to any municipality in New York State.

**RESOLUTIONS:**

Leg. Proud offered Resolution No. 18, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO, LOCAL LAW NO. 1 OF THE YEAR 2010 "A LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 2001 GRANTING TO NUCLEAR POWERED ELECTRIC GENERATING FACILITIES AN EXEMPTION FROM TAXATION, SPECIAL AD VALOREM LEVIES AND SPECIAL ASSESSMENTS TO THE EXTENT PROVIDED IN SECTIONS 485 AND 490 OF THE NEW YORK REAL PROPERTY TAX LAW".

The public hearing was proposed for February 25, 2010 at 7 p.m. at the Oswego County Legislative Chambers. County Administrator Philip Church stated that the Town of Scriba and the affected school districts were taking similar actions.

Resolution passed, with a voice vote  
Legs. Kunzwiler, Doyle and Oldenburg abstained.  
YES: 22 NO: 0 ABSENT: 0 ABSTAIN: 3

Leg. Ospelt offered Resolution No. 19, entitled, RESOLUTION FIXING A TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 2 OF THE YEAR 2010 "A LOCAL LAW PROVIDING FOR THE SALARIES OF CERTAIN COUNTY OFFICERS OF THE COUNTY OF OSWEGO". Leg. Lockwood noted that the percentages listed in The Palladium-Times were wrong.

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

Leg. Ospelt offered Resolution No. 20, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PURCHASING DEPARTMENT - ADDITIONAL HOURS LINE. This resolution authorized a budget modification of \$500 from salary line 1345.5110 to additional hours 1345.5143.

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

Leg. Ospelt offered Resolution No. 21, entitled, RESOLUTION ESTABLISHING A PREQUALIFIED LISTING OF CERTAIN PROFESSIONAL SERVICES.

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

Leg. Ospelt offered Resolution No. 22, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF PERSONNEL - 2010 COUNTY OBLIGATIONS. This resolution allows a transfer of funds within the 9060.5860 account to cover the county's 2010 obligations.

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

Leg. Beardsley offered Resolution No. 23, entitled, RESOLUTION AUTHORIZING EXTENSION OF SNOW AND ICE CONTRACT HIGHWAY DEPARTMENT. The snow and ice contract was extended for one year from July 1, 2011 to June 30, 2012.

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

Leg. Beardsley offered Resolution No. 24, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY SOLID WASTE MANAGEMENT BOARD.

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

Leg. Beardsley offered Resolution No. 25, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 22-BRIDGE-PENDERGAST ROAD OVER HINMANVILLE CREEK.

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

Leg. Beardsley offered Resolution No. 26, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 23 -BRIDGE- MYERS ROAD BRIDGE OVER BLACK CREEK. Leg. Brown moved to correct the capital project number to CP 23; seconded by Leg. Ospelt, all in favor.

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

Leg. Beardsley offered Resolution No. 27, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. #199 BRIDGE-COUNTY ROUTE 54 BRIDGE OVER FISH CREEK. Leg. Beardsley moved to correct the number of the capital project in the body of the resolution to #199; seconded by Leg. Brown, all in favor.

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

Leg. Beardsley offered Resolution No. 28, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECTS - BRIDGES. The purpose of this capital project is to replace the bridge over the North Branch Little Salmon River.

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

Leg. Beardsley offered Resolution No. 29, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE 16-BRIDGES. The purpose of this capital project is to replace the County Route 11 Culvert over Slocum Creek.

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

Leg. Beardsley offered Resolution No. 30, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 131 - BOARD OF ELECTION RELOCATION. This resolution provides for increasing the warehouse space to house additional voting machines at the Board of Elections.

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

Leg. Beardsley offered Resolution No. 31, entitled, RESOLUTION ACCEPTING A FEDERAL AVIATION ADMINISTRATION GRANT ESTABLISH A CAPITAL PROJECT TO PERFORM THE CONSTRUCTION PHASE FOR THE REHABILITATION OF RUNWAY 15-33 AT THE OSWEGO COUNTY AIRPORT. This resolution established a capital project # 36, to accept the grants from Federal and State sources. The Highway Department will receive 95% Federal funding (\$3,420,000), 2.5% State funding (\$90,000) and the local share will be 2.5% (\$90,000).

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

Leg. Lockwood offered Resolution No. 32, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S DEPARTMENT. This resolution accepted a \$15,500 grant through the NYS Sheriff's Association into revenue line 3110.4330.6 and to transfer \$15,500 into expenditure line 3110.5120.

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

Leg. Lockwood offered Resolution No. 33, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY FIRE ADVISORY BOARD FOR 2010.

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

Leg. Lockwood offered Resolution No. 34, entitled, RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING. This resolution authorized Chairman to execute an application to the NYS Division of Probation and Correctional Alternative for Alternative to Incarceration Funds from 01/01/10 – 12/31/10.

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

Leg. Proud offered Resolution No. 35, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - RECOGNIZE FUNDING AND TRANSFER FUNDS FOR OBESITY GRANT. This resolution accepted a \$34,000 Healthy Community Initiative Grant. Leg. Proud noted that the monies must be spent by March 31, 2010.

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

Leg. Proud offered Resolution No. 36, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY COMMUNITY SERVICES BOARD. This resolution appointed Nancy Simmons-Henderson and Carol Alfieri, for terms to expire December 31, 2013. Leg. Flett stated that she was a related to one of the individuals and questioned whether she should abstain from voting. County Attorney, Richard Mitchell, stated that it is a non-paid position and the individual was not dependent on Leg. Flett, therefore she could vote.

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

Leg. Sorbello offered Resolution No. 37, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AGREEMENT IN RELATION TO THE SNOWMOBILE TRAIL DEVELOPMENT AND MAINTENANCE PROGRAM AND AUTHORIZING ACCEPTANCE OF GRANT MONIES AND BUDGET MODIFICATION FOR THE 2009-2010 SNOWMOBILE PROGRAM. This established account to administer the 2009-2010 Snowmobile Trail Maintenance Grant.

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

Leg. Sorbello offered Resolution No. 38, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING. This allows the use of an Entergy donation of \$2,000 for the Pro-Am Fishing Tournament.

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

Leg. Sorbello offered Resolution No. 39, entitled, RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO THE REQUESTS OF LANDOWNER INCLUSION WITHIN THE EXISTING CERTIFIED AGRICULTURAL DISTRICT PURSUANT TO THE NYS AGRICULTURAL AND MARKETS LAW (AML), SECTION 303-b, AS AMENDED. The public hearing will be held on March 11, 2010 at 2:00 pm at the Oswego County Office Building.

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

Leg. Sorbello offered Resolution No. 40, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS. Hon. Terry Wilbur (12/31/10); Hon. Linda Lockwood (12/31/10); and Mr. Sam Weber, Jr. (12/31/12).

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

\* 3:00 Leg. Malone left the Chamber

Leg. Hayes offered Resolution No. 41, entitled, RESOLUTION CORRECTING AN ERROR IN ESSENTIAL FACT ON THE RAX ROLLS FOR THE TOWN OF AMBOY.

Resolution passed, with a voice vote  
Leg. Malone left the meeting briefly  
YES: 24 NO: 0 ABSENT: 1

\* 3:04 Leg. Malone returned to the Chamber

Legs. Potter and Doyle offered Resolution No. 42, entitled, RESOLUTION CHANGING THE LOCATION OF THE AUGUST 2010 MEETING AND THE DATE OF THE NOVEMBER 2010 MEETING OF THE OSWEGO COUNTY LEGISLATURE. The August meeting will be held at 2:00 pm at the H. Douglas Barclay Courthouse in Pulaski, New York. The November meeting will be held on Wednesday, November 10, 2010 at 2:00 pm at the Oswego County Legislative Building, Oswego, NY.

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

Leg. Potter offered Resolution No. 43, entitled, RESOLUTION AUTHORIZING AMENDMENTS IN THE OSWEGO COUNTY LEGISLATURE RULES AND ORDER OF BUSINESS. The resolution was an affirmation of the Rules with no actual changes from the prior adoption.

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

Leg. Beardsley offered Resolution No. 44, entitled, RESOLUTION AUTHORIZING TO AMEND THE CONTRACT WITH GERHARDT LLC-SOLID WASTE MANAGEMENT PLAN. This adds fact finding regarding trash collection services in Oswego County to the original scope of work.

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

Leg. Beardsley offered Resolution No. 45, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT 159 - SOLID WASTE MANAGEMENT PLAN. (To cover cost of Res. 44)

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

**UNFINISHED BUSINESS:** None.

**MISCELLANEOUS BUSINESS:**

Ted Jerrett, Clerk of the Legislature, handed out Official Notices of a Special Legislative Meeting to be held February 25, 2010 immediately after the 7:00 p.m. Public Hearing.

**ADJOURNMENT:**

Under motion by Leg. Ospelt, seconded by Leg. Beardsley, the meeting adjourned at 3:09 p.m.

**PUBLIC SPEAKERS:**

There were no others wishing to speak.