

**MINUTES OF THE PUBLIC HEARING HELD ON MARCH 11, 2010
RELATIVE TO THE PROPOSED COUNTY OF OSWEGO LOCAL LAW
NUMBER 2 OF 2010, ENTITLED, "A LOCAL LAW PROVIDING FOR THE
SALARIES OF CERTAIN COUNTY OFFICERS OF THE COUNTY OF OSWEGO**

Chairman Barry Leemann opened the public hearing at 2:06 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice of the proposed County of Oswego Local Law Number 2 of 2010, entitled "A LOCAL LAW PROVIDING FOR THE SALARIES OF CERTAIN COUNTY OFFICERS OF THE COUNTY OF OSWEGO". Chairman Leemann offered the floor to any wishing to speak on this matter.

Mike Noto, New Haven, spoke against any raises in light of the current economic conditions.

There being no others wishing to speak, the public hearing was declared closed at 2:10 p.m.

**MINUTES OF THE PUBLIC HEARING HELD ON MARCH 11, 2010
RELATIVE TO THE REQUESTS FOR LANDOWNER INCLUSION WITHIN
THE EXISTING CERTIFIED AGRICULTURAL DISTRICT PURSUANT TO
THE NYS AGRICULTURE AND MARKETS LAW, SECTION 303-b, AS AMENDED.**

Chairman Leemann opened the public hearing at 2:10 p.m. County Attorney, Richard Mitchell, read the Public Hearing Notice relative to "REQUESTS FOR LANDOWNER INCLUSION WITHIN THE EXISTING CERTIFIED AGRICULTURAL DISTRICT PURSUANT TO THE NYS AGRICULTURE AND MARKETS LAW, SECTION 303-b, AS AMENDED. Chairman Leemann offered the floor to anyone wishing to speak. There being no one wishing to speak, the hearing was closed at 2:10 p.m.

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD MARCH 11, 2010.**

Chairman Leemann called the meeting to order at 2:10 p.m. Roll call was taken with all legislators present, with the exception of Leg. Robert Hayes, Sr. The invocation was given by the Clerk of the Legislature Ted Jerrett, followed by the salute to the flag.

MINUTES:

Hearing no objections/corrections to the February 11 and 25, 2010 minutes, they were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Leemann invited members of the Infrastructure Committee, County Highway Superintendent Kurt Ospelt, and Highway Supervisor Michael Kinney forward. Leg. Beardsley presented a certificate to Mr. Kinney for his 36 years of dedicated service to the County. Superintendent Ospelt commended Mr. Kinney for his good work and extended his best wishes for him in his retirement.

Chairman Leemann introduced Jefferson County Legislator Barry Ormsby .

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:

A number of people spoke on Resolution No. 48, which opposed a NYPA proposal to build a wind powered, electricity generating facility in Lake Ontario.

Those supporting Resolution No. 48 were: Dick Drosse, Fulton; Dawn Holynski, Pulaski; Jim Jerome, Pulaski; Dick Henry, Oswego; Leg. Barry Ormsby, Jefferson County; Debbie Jones, Pulaski; David Depasquale, Martville; Margaret Clerkin, Pulaski; Bob Bashadine, Jefferson County; Carl Williams, Henderson Harbor; Kathy Schiff; and Tom Muroski, Oswego. The common views were that significant

economic and cultural losses were certain should the NYPA wind farm be approved and that the State's compressed completion timetable denies appropriate study of other potentially negative impacts. Additionally, the non-taxable status of the project would deny localities any tax relief or funds to offset any negative impacts.

Those opposing Resolution No. 48 were: Rhea Jezer, Tully; Lisa Glidden, Oswego; Kestutis Bendinskas, Oswego; June MacArthur, Oswego; Mr. Gibbons, Oswego; and Anita Pratt. The common views were that the proposed wind farm would bring jobs and economic development to the area and that "Green" energy production should be supported.

Those requesting that Resolution No. 48 be tabled were: Gary Toth, Mexico; Al Thompson, Hannibal; Heidi Hartwich, Oswego; Tim Braun, Oswego; Ann Pagano, Oswego; Bill MacArthur, Oswego; Nola Heidlebaugh, Oswego; Robert French, Sandy Creek; and Ken Stevens, Scriba. Their common views were that the available information on the likely impacts of the proposal was inadequate for making an informed decision and that protection of the environment, support for "Green" energy, and the need for jobs and economic development deserved more study and discussion.

Tina Ruth, Oswego, and Margaret Clerkin, Pulaski, expressed strong opposition to the possible closing of Fort Ontario by New York State, noting that it is both a cultural and economic asset to the community.

Go Takahashi, a Japanese graduate student from Syracuse University spoke briefly on jurisdictional differences he has observed. He also praised our open forum for discussion and debate.

Leg. Kunzwiler moved for a brief recess, seconded by Leg. Brown. The legislature went into recess at 3:48 p.m and reconvened at 4:05 p.m.

REPORTS OF COUNTY OFFICIALS:

Leg. Doyle gave a brief report on the meetings he had attended regarding the New York Power Authority's proposal for offshore wind power electric generation.

Legislature Clerk Ted Jerrett announced that the 2010 County Government Directories were now available at the Promotion and Tourism Department. He praised the hard work of Mary Ellen Barbeau and the other members of the department for a superb job. Ms. Barbeau stated that the contributions and cooperation of the town, city and village clerks were greatly appreciated.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES:

Leg. Brown reported that she and Legs. Wilbur and Tresidder have been asked to be on NYSAC's blue ribbon task force on the future of Agriculture. They will leave for Albany on Monday.

RESOLUTIONS AND MOTIONS:

Leg. Sorbello offered Resolution No. 48, entitled, RESOLUTION OPPOSING THE NEW YORK POWER AUTHORITY PROPOSAL TO PROVIDE INCENTIVES FOR THE SITING OF WIND TOWERS (GREAT LAKES OFFSHORE WIND PROJECT) IN LAKE ONTARIO'S EASTERN BASIN. Leg. Sorbello moved to amend the wording on the first resolved from "**Resolved, that the Oswego County Legislature strongly opposes the proposal of the New York State Power Authority and objects to the placement of wind turbines in the Eastern Basin of Lake Ontario**" to "**Resolved, that the Oswego County Legislature encourages and welcomes job-creating economic development projects, business expansions, and new businesses in the County that are consistent with our communities' values, enhance quality of life, and present no harm to the unique characteristics of this County that we all cherish, however we feel this project is inconsistent with our community goals and so we strongly oppose the New York Power Authority plan for the placement of wind turbines in the East Basin of Lake Ontario**", seconded by Leg. Brown; all were in favor. Discussion

returned to the amended resolution. At the request of Leg. Brown, County Administrator Phil Church gave a brief explanation of the State's short time lines for the RFP's involved in the proposed project. Leg. Mulcahey offered that an opportunity for jobs and tax base should not be ignored. Leg. Doyle concurred with the need to pursue opportunities but noted that the State's proposal offers few jobs, no tax base and few if any long-term benefits. Leg. Doyle noted that in this, "the 11th hour" of the State's timetable, additional time for further study is not an option we're given. He added that Jefferson County unanimously rejected the proposal. Leg. Sorbello offered that there is too much risk to our small businesses with no sure local benefits in return. After a lengthy debate, Leg. Beardsley called the question, seconded by Leg. Ospelt. A roll call vote was taken.

Motion to call the question failed to receive the required 2/3 vote, with a roll call vote.

YES: 15 NO: 9 ABSENT: 1

YES: KASTLER, POTTER, LEEMANN, SAKONYI, MARTINO, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, CHALIFOUX, SORBELLO, FRUCE, LECLAIR.

NO: DOYLE, PROUD, MULCAHY, TRESIDDER, FLETT, KUNZWILER, MALONE, WILBUR, KARASEK.

ABSENT: HAYES.

Discussion returned to the amended resolution. Leg. Kunzwiler moved to table the resolution and then a second amendment to the resolution to delay the time table. A roll call vote was taken on the motion to table.

Motion to table the amended resolution, failed with a roll call vote.

YES: 4 NO: 20 ABSENT: 1

YES: MULCAHY, TRESIDDER, KUNZWILER, MALONE.

NO: KASTLER, POTTER, DOYLE, LEEMANN, SAKONYI, MARTINO, PROUD, BROWN, BEARDSLEY, LOCKWOOD, OSPELT, GARDNER, OLDENBURG, FLETT, CHALIFOUX, WILBUR, KARASEK, SORBELLO, FRUCE, LECLAIR.

ABSENT: HAYES.

Leg. Kunzwiler withdrew the second motion to add an additional "resolved".

Resolution passed, as amended, with a voice vote.

Legs. Malone, Mulcahy, Kunzwiler and Tresidder in opposition.

YES: 20 NO: 4 ABSENT: 1

Leg. Sorbello offered Resolution No. 49, entitled, RESOLUTION OPPOSING RECOMMENDATION BY GOVERNOR PATERSON AND THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION TO CLOSE FORT ONTARIO STATE HISTORIC SITE IN OSWEGO, NY. Leg. Brown urged all legislators to attend a support rally on March 14th from noon to 3 p.m. at Fort Ontario.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Sorbello offered Resolution No. 50, entitled, RESOLUTION OPPOSING RECOMMENDATION BY GOVERNOR DAVID PATERSON AND THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION TO CLOSE THE PUBLIC SWIMMING BEACH AT SELKIRK SHORES STATE PARK IN THE TOWN OF RICHLAND.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Ospelt offered Resolution No. 51, entitled, RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2010 ENTITLED, "A LOCAL LAW PROVIDING FOR THE SALARIES OF CERTAIN COUNTY OFFICERS OF THE COUNTY OF OSWEGO". This resolution adjusts the salaries of the County Clerk, County Sheriff, and County Treasurer. Leg. Kunzwiler expressed concern about increasing salaries during New York State's budget crisis.

Resolution passed, with a voice vote

Legs. Malone, Kastler, Kunzwiler, Mulcahey, Gardner, and Tresidder in opposition.

YES: 18 NO: 6 ABSENT: 1

Leg. Lockwood offered Resolution No. 52, entitled RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ESTABLISH CAPITAL PROJECT #37 FOR THE CONSTRUCTION OF AN EMERGENCY RADIO SYSTEM. This resolution is for the purpose of tracking expenses and funding for the Emergency Communications Project; i.e. Radio, Microwave, Civil, and Project Management costs. Per the request of Leg. Ospelt, County Administrator Church provided an explanation of the funding strategy and how acquired grants and cooperative agreements with other counties will save Oswego County taxpayers millions of dollars.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Lockwood offered Resolution No. 53, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PROBATION DEPARTMENT. This resolution established account lines for a 5-year/\$200,000 per year grant received for Juvenile-Risk Intervention Coordination Services (J-RISC).

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Proud offered Resolution No. 54, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOCIAL SERVICES VIA INCENTIVE AWARD. This resolution accepted a \$27,642.08 incentive award from the New York State Department of Labor to provide employment and training services. Leg. Proud noted that the incentive award recognizes outstanding performance by our Social Services Department.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Proud offered Resolution No. 55, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY COMMUNITY SERVICES BOARD. This resolution appointed Larry Schmidt, Mexico, NY; Jennifer Riznyk, North Syracuse; and Paul Whitehouse, Fulton to the Oswego County Community Services Board for a term to expire February 28, 2014.

Resolution passed, with a roll call vote

YES: 24 NO: 0 ABSENT: 1

Leg. Proud offered Resolution No. 56, entitled, RESOLUTION ESTABLISHING AND APPOINTING THE OSWEGO COUNTY CHILD PROTECTION ADVISORY COUNCIL. Leg. Kunzwiler moved to amend the resolution in Section 1(c) adding the words "...a majority and minority leader or their designee..."; and in Section 1(e) to strike the words.." Legislative Chairman, and replace that with the Health and Human Services Committee, Leg. Malone seconded the motions. After a brief discussion Leg. Beardsley moved for a 5 minute recess, Leg. Kunzwiler seconded, all in favor. The meeting recessed at 5:15 p.m. and reconvened at 5:24 p.m. After further discussion, a vote was taken on the first amendment presented by Leg. Kunzwiler, which was defeated by a show of hands. The second amendment was presented for a vote, seconded by Leg. Wilbur. The amendment was approved with Legs. Ospelt, Chalifoux and Fruce in opposition.

Resolution passed, as amended, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Sorbello offered Resolution No. 57, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING. This resolution transferred \$10,000 from Community Development Block Grant Septic Well Grant Administration to CDBG Septic Well Installation.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Sorbello offered Resolution No. 58, entitled, RESOLUTION SUPPORTING APPOINTMENT TO THE REGION 7 FISH AND WILDLIFE MANAGEMENT BOARD. This resolution appointed Leg. Terry Wilbur of Hannibal as the County Legislative Representative and reappointed Jim Petreszyn of Central Square as the Sportsman Representative with terms to expire December 31, 2011. Chm. Leemann noted that Leg. Brown has served as Legislative Representative with distinction the maximum four consecutive 2-year terms allowed. Leg. Brown received a round of applause.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Sorbello offered Resolution No. 59, entitled, RESOLUTION URGING ATTORNEY GENERAL CUOMO TO REOPEN LAWSUIT TO PREVENT ASIAN CARP FROM ENTERING GREAT LAKES ECOSYSTEM AND URGING GOVERNOR PATERSON TO SEEK SEVERANCE OF ACCESS POINTS IN THE CHICAGO SANITARY AND SHIP CANAL PERMITTING SPECIES MIGRATION AT WHITE HOUSE ASIAN CARP SUMMIT.

Resolution passed, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Sorbello offered Resolution No. 60, entitled, RESOLUTION SUPPORTING THE CONTINUATION OF THE NYS TOURISM MATCHING FUNDS PROGRAM. Leg. Sorbello moved to amend the resolution to add an additional "whereas" stating **"Oswego County has received notification from Empire State Development Chairman Dennis Mullen that the New York State Tourism and Matching Grants Program has been cancelled, that the remaining matching grants for 2009-2010 budget will not be awarded, and that the program may not be continued in the 2010-2011 budget, representing a loss to Oswego County of \$60,000, therefore, be it,"** A copy of the amended resolution was distributed to the legislators for consideration. All in favor of the amendment.

Resolution passed, as amended, with a voice vote

YES: 24 NO: 0 ABSENT: 1

Leg. Potter offered Resolution No. 61, entitled, RESOLUTION DESIGNATING OSWEGO COUNTY APPOINTEE TO THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION. This resolution appointed Ronald Darrow as Oswego County's representative to the Western Regional Off-Track Betting Corporation. Leg. Malone moved to table the resolution for a month, there was no second.

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

Leg. Flett offered Resolution No. 62, entitled, A RESOLUTION AUTHORIZING THE OSWEGO COUNTY BOARD OF ELECTIONS TO DISPOSE OF SURPLUS AVM LEVER-STYLE VOTING MACHINES. Leg. Doyle asked if the villages could keep the machines to use for village elections. Election Commissioner Don Wart answered "no".

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

Leg. Beardsley offered Resolution No. 63, entitled, RESOLUTION TO SUPPORT ELECTRONICS RECYCLING AND EXTENDED PRODUCER RESPONSIBILITY LEGISLATION FOR ELECTRONIC WASTES AND URGING LOCAL GOVERNMENTS IN OSWEGO COUNTY TO DO THE SAME. This resolution urged the New York State Legislature to adopt Extended Producer Responsibility legislation for consumer electronic waste recycling and management.

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

Leg. Sorbello offered Resolution No. 64, entitled, RESOLUTION OPPOSING RECOMMENDATION BY GOVERNOR PATERSON TO "SWEEP" FUNDS FROM THE SNOWMOBILE TRAIL AND MAINTENANCE FUND INTO THE GENERAL FUND. Leg. Brown protested the Governor's proposal in that the funds were provided by snowmobilers through extra fees, specifically dedicated to enhancing and supporting snowmobiling. Betrayal by the State on that commitment is unacceptable.

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

Leg. Brown moved to waive the rules to consider another resolution, Leg. Wilbur seconded, all in favor.

Leg. Sorbello offered Resolution No. 65, entitled, RESOLUTION TO AMEND THE AGRICULTURAL DISTRICT PLAN BOUNDARIES BY PERMITTING ADDITIONAL AREAS OF INCLUSION, PURSUANT TO AGRICULTURE AND MARKETS LAW (AML) SECTION 303-b, AS AMENDED. This resolution accepted the application of four new parcels into the Oswego County Agriculture District.

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

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS: None.

Leg. Kunzwiler moved to adjourn the meeting, seconded by Leg. Wilbur, all in favor. The meeting was adjourned at 5:40 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE LEGISLATURE REGARDING COUNTY ISSUES: There was no one wishing to speak.