

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY
LEGISLATURE HELD APRIL 15, 2010.**

Chairman Leemann called the meeting to order at 7:02 p.m. Roll call was taken with all legislators present, with the exception of Leg. Kunzwiler. The invocation was given by the Clerk of the Legislature, Ted Jerrett, followed by the salute to the flag.

MINUTES:

Hearing no objections and/or corrections to the minutes of the March 11th, 2010 meeting, the minutes were approved.

PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES: None.

PROCLAMATIONS AND COMMENDATIONS:

Chairman Leemann called the Public Safety Committee forward and invited Probation Director Debbie Meyer and retiring Senior Probation Officer Robert Finn to join them. Leg. Lockwood presented a certificate to Mr. Finn for 30 years of dedicated service to the County. Director Meyer offered congratulations and Mr. Finn thanked the Legislature for supporting the probation department's mission.

Chairman Leemann invited representatives of the 2009-2010 SUNYAC Championship Oswego State "Lakers" Men's Hockey Team, including Assistant Coach Dan Ford and three of the players to come forward. A recognition of the team's championship season was read and presented to Assistant Coach Dan Ford. A recap of the Lakers' season was read, highlighting several individuals' accomplishments as well as the team's outstanding year. Assistant Coach Ford thanked Dave Turner for initiating the recognition and all the work he put into the program this year. Coach Ford stated that they were humbled and grateful for the recognition. He compared the program and team of Oswego State to the people of Oswego in that they are both resourceful and resilient. A standing ovation followed.

Chairman Leemann called the Health and Human Services Committee forward and invited DSS Commissioner Frances Lanigan and members of the Oswego County Child Protection Advisory Council to join them. Leg. Proud read a Proclamation naming April 2010 as Child Abuse Prevention Month. Commissioner Lanigan offered additional comments and introduced the members of the Advisory Council. Father John Canorro, pastor of Saint Anne Mother of Mary Church in Mexico thanked the Legislature for creating the Child Protection Advisory Council and shared his belief that the Council can play an important role in child protection in Oswego County.

Chairman Leemann introduced BOCES Coordinator for Adolescent Pregnancy Prevention Linda Egan. Ms. Egan asked the representatives of the program to come forward. A proclamation was read naming May 2010 as Adolescent Pregnancy Prevention Month. A brief power point presentation was given by Ms. Egan and a narrative on adolescent pregnancy prevention was presented by the students.

PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY: None.

REPORTS OF COUNTY OFFICIALS: None.

REPORTS OF STANDING COMMITTEES: None.

REPORTS OF SPECIAL COMMITTEES: None.

RESOLUTIONS AND MOTIONS:

Leg. Beardsley offered Resolution No. 66, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT 39 - LOWER APRON REPAIR ERF. The funded CP 39 with \$150,000.

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

Leg. Beardsley offered Resolution No. 67, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT 154 - TRANSFER STATIONS REHABILITATIONS. This resolution transfers the balances of 6 other completed capital projects to replace the fuel tanks at the Bristol Hill site.

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

Leg. Beardsley offered Resolution No. 68, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #38 - WHEEL LOADER ERF. This resolution replaces a 2.75 cu. yard wheel loader at ERF.

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

Leg. Beardsley offered Resolution No. 69, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146-HIGHWAY AND AUTOMOTIVE EQUIPMENT. This resolution transfers \$1,278,591 to purchase equipment per the 5-year Equipment Replacement Plan.

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

Leg. Beardsley offered Resolution No. 70, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #184-PAVING AREA 1-2010. This provides an additional \$1.5 million for paving projects.

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

Leg. Beardsley offered Resolution No. 71, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT NO. 24 - COLD STORAGE BUILDING. This resolution transfers \$1421 to complete construction of a cold storage building at the Oswego County airport.

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

Leg. Beardsley offered Resolution No. 72, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #42 - PSC CARPETING. This resolution establishes CP #42 in the amount of \$35,000 to replace worn-out carpeting in the District Attorney's office and Sheriff's Department. Leg. Malone questioned if it would go out to bid, and County Administrator Phil Church said "Yes". Leg. Brown noted that the existing carpet is worn-out to the point of becoming dangerous and needs to be fixed. After a brief discussion, Leg. Mulcahey moved to amend the resolution by reducing the funds for carpeting to \$17,500 and setting aside \$17,500 to combat teen pregnancy; seconded by Leg. Malone. Legs. Brown and Doyle stated that the funds could not be split into two different departments.

Amendment failed with a voice vote
YES: 3 NO: 21 ABSENT: 1

Discussion returned to the original resolution. Leg. LeClair asked how the estimate for the carpet was reached. Chairman Leemann said it was offered by the Buildings and Grounds Department.

Resolution passed, with a voice vote
Legs. Malone, Mulcahey, and Tresidder in opposition
YES: 21 NO: 3 ABSENT: 1

Leg. Beardsley offered Resolution No. 73, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #44 - SALLY PORT REPAIR. This commits \$75,000 to the repair of sally port entrances to the Sheriff's Department.

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

Leg. Hayes offered Resolution No. 74, entitled, RESOLUTION AUTHORIZING CANCELLATION OF DELINQUENT TAX LIENS PURSUANT TO REAL PROPERTY TAX LAW §1128(6). This resolution merges a land-locked, unmarketable, tax delinquent parcel into the Bristol Hill property.

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

Leg. Hayes offered Resolution No. 75, 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 2003 AND 2008. Leg. Hayes moved to amend the resolution to correct the purchase figure for County Property #2010-54-01 to \$41,219.94, seconded by Leg. Ospelt, all in favor.

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

Leg. Hayes offered Resolution No. 76, entitled, RESOLUTION ADOPTING TAX DELINQUENT PROPERTY AUCTION POLICY FOR 2010. The 2010 tax delinquent property auction was set for Saturday, October 2, 2010, at the Oswego County BOCES Campus, 179 County Route 64, Mexico, NY.

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

Leg. Proud offered Resolution No. 77, entitled, RESOLUTION ACCEPTING TRADE ACT FUNDING FOR DISLOCATED WORKERS - DEPARTMENT OF SOCIAL SERVICES. This accepts \$208,316 in Trade Act Funding to provide employment and training services to Workers dislocated by the United States Free Trade Agreements. These are 100% federal funds.

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

Leg. Proud, offered Resolution No. 78, entitled, RESOLUTION ACCEPTING 13-N GRANT FOR ECONOMIC DEVELOPMENT - DEPARTMENT OF SOCIAL SERVICES. This accepts \$23,000 in federal funding from CNY Works to train people in "green" jobs.

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

Leg. Proud offered Resolution No. 79, entitled, RESOLUTION CREATING MENTAL HYGIENE BANK ACCOUNT - DEPARTMENT OF SOCIAL SERVICES. This creates a checking account, not to exceed \$5,000, for the Mental Health Supportive Case Management Program to access and track emergency payments to vendors who will not accept vouchers.

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

Leg. Proud offered Resolution No. 80, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT - TRANSFER VEHICLE INSURANCE PAYMENT. This transfers \$8,543 from the insurance recovery account to make repairs to a health department vehicle.

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

Leg. Proud offered Resolution No. 81, entitled, RESOLUTION AUTHORIZING A HEALTH DEPARTMENT BUDGETARY MODIFICATION TO RECOGNIZE AND TRANSFER FUNDING FOR THE AMERICA RECOVERY AND INVESTMENT (ARRA) GRANT FOR IMMUNIZATION. This accepts ARRA funding in the amount of \$20,000 to enhance immunization capabilities.

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

Leg. Proud offered Resolution No. 82, entitled, RESOLUTION AUTHORIZING A HEALTH DEPARTMENT BUDGETARY MODIFICATION, DELETION OF ONE POSITION AND CREATION OF ONE POSITION. This is to upgrade one part time clerk position to a full time account clerk position. Leg. Mulcahey expressed concern regarding how this position would be filled. Chairman Leemann assured Leg. Mulcahey that the position would be filled from a civil service list of qualified applicants. Leg. Malone asked if the position is mandated and Administrator Church replied "No", but it is important to the county's receiving the best reimbursement. Leg. Malone moved to amend the resolution to two (2) part time positions; seconded by Leg. Mulcahey.

Motion to amend the resolution failed by voice vote with Fruce, Malone, Flett, Tresidder, Doyle in favor
YES: 5 NO: 19 ABSENT: 1

Resolution passed, with a voice vote
Legs. Doyle, Malone, Fruce and Flett in opposition.
YES: 20 NO: 4 ABSENT: 1

Leg. Lockwood offered Resolution No. 83, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT "SEQR DEVELOPMENT" DEPARTMENT OF EMERGENCY COMMUNICATIONS, E-911. This resolution authorizes the Chairman of the Legislature to execute a Professional Services Agreement with SPECTRA Environmental Group, Inc. for the completion of all necessary SEQRA documents and analysis in support of the communication project.

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

Leg. Lockwood offered Resolution No. 84, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT "COMMUNICATION TOWER INSPECTION SERVICES" DEPARTMENT OF EMERGENCY COMMUNICATIONS, E-911. This authorizes the Legislature Chairman to execute a Professional Services Agreement with North East Tower and Site for the completion of all necessary Communications Tower Inspection Services in support of the communications project.

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

Leg. Lockwood offered Resolution No. 85, entitled, RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT 'COMMUNICATIONS TOWER ENGINEERING CONSULTING SERVICES' DEPARTMENT OF EMERGENCY COMMUNICATIONS, E-911. This authorizes the Legislature Chairman to execute a Professional Services Agreement with Tower-Kraft Inc. for the completion of all necessary Communications Tower Engineering Consulting Services in support of the communications project.

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

Leg. Lockwood offered Resolution No. 86, entitled, RESOLUTION AWARDING A CONTRACT FOR COMMUNICATIN TOWER SITE SURVEYING. This authorizes the Legislature Chairman to execute an agreement with THEW Associates of Canton, NY for communication tower site surveys.

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

Leg. Sorbello offered Resolution No. 87, entitled, RESOLUTION WAIVING OSWEGO COUNTY'S ALLOCATION OF QUALIFIED ENERGY CONSERVATION BONDS. This resolution officially acknowledged to the New York State Energy Research and Development Authority (NYSERDA) that the County does not intend to use the bonding authority allocated to the County under this program.

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

Leg. Beardsley offered Resolution No. 88, entitled, RESOLUTION AUTHORIZING AN APPLICATION FOR FUNDS THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. Phase I of the Oswego County/Town of Volney/City of Fulton sewer project.

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

Leg. Sorbello offered Resolution No. 89, entitled, RESOLUTION ADOPTING AMENDMENTS TO THE OSWEGO COUNTY COORDINATED PUBLIC TRANSPORTATION PLAN.

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

Leg. Sorbello offered Resolution No. 90, entitled, A RESOLUTION AMENDING THE MEMBERSHIP AND COMPOSITION OF THE OSWEGO COUNTY PLANNING BOARD. This amends the Planning Board from 14 (fourteen) regular members and 5 (five) *ex-officio* members to 11 (eleven) regular members and 3 (three) *ex-officio* members. Leg. Malone moved to amend the resolution from 11 (eleven) members to zero; seconded by Leg. Mulcahey.

Motion to amend the resolution failed with a voice vote and Leg. Malone the only "Yes".

YES: 1 NO: 23 ABSENT: 1

The original resolution passed upon a voice vote with Leg. Malone in opposition.

YES: 23 NO: 1 ABSENT: 1

Leg. Sorbello offered Resolution No. 91, entitled A RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY PLANNING BOARD.

Resolution passed upon a voice vote with Leg. Malone and Karasek in opposition.

YES: 22 NO: 2 ABSENT: 1

Leg. Sorbello offered Resolution No. 92, entitled, RESOLUTION SUPPORTING THE REPEAL OF THE IDA TAX IMPOSED ON ALL LOCAL INDUSTRIAL DEVELOPMENT AGENCIES BY NEW YORK STATE AS A MEANS TO HELP REDUCE THE STATE'S BUDGET DEFICIT. This strongly opposes the imposition of a new tax on the gross revenues of local Industrial Development Agencies.

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

Leg. Potter offered Resolution No. 93, entitled, RESOLUTION AMENDING RESOLUTION NUMBER 204 OF 2009 TO CONFORM THE WIDTH OF LAND GRANTED UNDER THE PRIOR RESOLUTION TO A MEASURED SURVEY DESCRIPTION.

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

Leg. Ospelt offered Resolution No. 94, entitled, RESOLUTION AUTHORIZING CAPITAL PROJECT CLOSURES AND TRANSFER OF PROJECT BALANCES.

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

Leg. Ospelt offered Resolution No. 95, entitled, RESOLUTION TO INCREASE CAPITAL RESERVES 146-HIGHWAY AND AUTOMOTIVE EQUIPMENT; CAPITAL RESERVE 16-BRIDGES; CAPITAL RESERVE 18-ROAD CONSTRUCTION; AND CAPITAL RESERVE 104-RETIREMENT.

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

Leg. Beardsley offered Resolution 96 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A PERMANENT EASEMENT AND RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT ON COUNTY TAX PROPERTY FOR TOWN OF RICHLAND WATER DISTRICT # 2.

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

Leg. Proud moved to waive the rules for an additional resolution; Leg. Malone seconded, all in favor.

Leg. Proud offered Resolution No. 97, entitled, RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY TRAFFIC SAFETY BOARD. Leg. Oldenburg noted that his wife is a volunteer member of the Traffic Safety Board and served for many years preceding his election to the legislature.

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

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:

Leg. Malone asked about the rabies clinic. Chairman Leemann stated that he had spoken with Dr. Norfleet and stated that the rabies clinics were scheduled to begin, soon.

Leg. LeClair reminded everyone of the upcoming Employees Appreciation Picnic scheduled for June 8th from noon to three p.m.

Leg. Beardsley and Leg. Malone announced that their respective caucuses would be meeting immediately after the meeting.

Leg. Beardsley moved to adjourn the meeting, seconded by Leg. Wilbur, all in favor. The meeting was adjourned at 8:52 p.m.

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

There were none wishing to speak.