

**MINUTES OF THE MEETING OF THE OSWEGO COUNTY  
LEGISLATURE HELD MAY 13, 2010.**

Chairman Leemann called the meeting to order at 2:00 p.m. Roll call was taken with all legislators present, with the exception of Legislator LeClair, who was excused to attend to a personal emergency. The legislators introduced the students that were in attendance for the Oswego County Government Day as the roll was called. A moment of silence was observed for Keith Adam Coe, a former resident of Fulton, who was killed in the line of duty in Iraq. The invocation was given by Clerk of the Legislature, Ted Jerrett, followed by the salute to the flag.

**INTRODUCTION OF VISITORS:**

Listed are the Legislators present and the students they introduced.

Kastler: Sarah McDougal, Lacona; Samantha Pandolfi, Redfield.  
Potter: Josh Middleton, Pulaski; Collin Reff, Richland.  
Doyle: Caleb Sedore, Pulaski; Paul Forestiere III, Guest.  
Leemann: Leah Ruggaber, Williamstown; Isabella Gutkin, Williamstown.  
Sakonyi: Madison Morely, Constantia.  
Martino: Kaitlyn Winks, West Monroe.  
Proud: Alyssa Ross, Mexico; Tyler Bliss, Fulton (for Leg. LeClair).  
Brown: Brooke Petreszyn, Central Square.  
Beardsley: Sara Firnstein, Hastings; Hannah Croteau, Central Square.  
Hayes: Andrew Smith, Phoenix.  
Lockwood: MaKenna Cealie, Fulton.  
Ospelt: Wyatt Parker, Pennellville.  
Gardner: Nick Carson, Oswego.  
Oldenburg: Allison Smith, Oswego.  
Mulcahey: Mayraliz Lopez, Oswego; Peter Ravesi, Fulton (for Leg. LeClair).  
Tresidder: Tyree Varner, Oswego.  
Flett: Shantal Harrington, Oswego.  
Kunzwiler: Brad Clark, Sandy Creek.  
Chalifoux: Brianah Lane, Oswego; Christopher Chalifoux, Oswego.  
Malone: Makayla Carson, Oswego.  
Wilbur: Derek Hilton, Hannibal.  
Karasek: Lauren Gaido, Fulton.  
Sorbello: Brian Hudson, Fulton.  
Fruce: Geoffry Michaels, Fulton; William Fruce, Guest.  
LeClair: Excused from meeting as noted above.

Leah Ruggaber of Legislative District #4 read the Government Day Proclamation.

**MINUTES:**

The minutes of the April 15, 2010 meeting were approved with no objections and/or corrections.

**PUBLIC SPEAKERS ON RESOLUTIONS OF THE DAY:** None

**REPORTS OF COUNTY OFFICIALS:**

Leg. Brown reported that the New York State Department of Agriculture approved Oswego County's 2010 application to add four parcels to its Agricultural District.

**REPORTS OF STANDING COMMITTEES:**

Leg. Brown reported that the Blue Ribbon Agricultural Task Force has had two meetings and has another scheduled for Monday, May 17<sup>th</sup> in Granby at the Community Hall. Everyone was invited to attend. Chairman Leemann commended the committee on their work.

**REPORTS OF SPECIAL COMMITTEES:** None

**REPORT ON MOCK RESOLUTION FOR GOVERNMENT DAY:**

Leg. Proud reported on the preparation and debate of the mock resolution that the students participated in. The mock resolution dealt with the development of wind turbine power facilities within the boundaries of Oswego County; the end result being 10 in favor of wind power as proposed and 23 against. Leg. Proud thanked Legislators Lockwood, Tresidder and Wilbur for their assistance with the debate.

**RESOLUTIONS AND MOTIONS:**

Leg. Lockwood offered Resolution No. 98, entitled, RESOLUTION MODIFYING CAPITAL PROJECT #37 – 911 COMMUNICATIONS SYSTEM.

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

Leg. Lockwood offered Resolution No. 99, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION EMERGENCY MANAGEMENT/EMERGENCY MEDICAL DEPARTMENT.

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

Leg. Lockwood offered Resolution No. 100, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT #56 – EMO RADIOLOGICAL PORTALS. Leg. Brown asked how many miles from the plant the portals are located. Emergency Management Director Pat Egan responded that there were four (4) radiological portals in Syracuse, one (1) in Parish and one (1) at the EMO Office.

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

Leg. Lockwood offered Resolution No. 101, entitled, RESOLUTION TO RECOMMEND AND REQUEST THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA’S LAW. Leg. Kunzwiler made a motion to table the resolution in order to obtain further information, seconded by Leg. Malone. A roll call vote was taken on the motion to table the resolution.

Motion to table the resolution, failed with a roll call vote.  
YES: 4 NO: 20 ABSENT: 1

YES: MULCAHEY, TRESIDDER, KUNZWILER, MALONE

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

ABSENT: LECLAIR

Resolution passed, with a roll call vote  
YES: 21 NO: 3 ABSENT: 1

YES: KASTLER, POTTER, DOYLE, LEEMANN, SAKONYI, MARTINO, PROUD,  
BROWN, BEARDSLEY, HAYES, LOCKWOOD, OSPELT, GARDNER,  
OLDENBURG, TRESIDDER, FLETT, CHALIFOUX, WILBUR, KARASEK,  
SORBELLO, FRUCE

NO: MALONE, KUNZWILER, MULCAHEY

ABSENT: LECLAIR

Leg. Lockwood offered Resolution No. 102, entitled RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S OFFICE TO INCREASE BUDGET LINES FOR CRIMINAL HISTORY RECORDS.

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

Leg. Beardsley offered Resolution No. 103, entitled RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 21 – BUILDINGS RENOVATIONS.

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

Leg. Beardsley offered Resolution No. 104, entitled RESOLUTION AUTHORIZING OSWEGO COUNTY TO FILE APPLICATION AND TO ENTER INTO A STATE CONTRACT FOR A STATE GRANT-IN-AID FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAMS.

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

Leg. Beardsley offered Resolution No. 105, entitled RESOLUTION ESTABLISHING ENERGY CONSERVATION CAPITAL PROJECTS – COUNTY FACILITIES.

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

Leg. Beardsley offered Resolution No. 106, entitled RESOLUTION ESTABLISHING CAPITAL PROJECT #57 – ASBESTOS ABATEMENT. Leg. Brown recommended investigating the company thoroughly who does the asbestos abatement because some of the companies are not reputable.

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

Leg. Beardsley offered Resolution No. 107, entitled RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAMS-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT.

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

Leg. Beardsley offered Resolution No. 108, entitled RESOLUTION APPROVING TEMPORARY RECLASSIFICATION OF POSITION – HIGHWAY DEPARTMENT.

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

Leg. Sorbello offered Resolution No. 109, entitled RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF COMMUNITY DEVELOPMENT, TOURISM AND PLANNING – NYSERDA GRANT.

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

Leg. Hayes offered Resolution No. 110, entitled RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES II FOR THE COUNTY OF OSWEGO. County Administrator Phil Church mentioned that confirmation had been received from the State of New York stating that applicant Debbie Mullenax meets the qualification for the position.

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

Leg. Hayes offered Resolution No. 111, entitled RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DEEDS FOR PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE, TITLED TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURES OF 2006 AND 2008.

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

Leg. Hayes offered Resolution No. 112, entitled RESOLUTION AUTHORIZING 2010 TAX PROPERTY AUCTION. Leg. Malone inquired as to why there were properties on the list that were 8 years old. Real Property Director David Hastings responded that there was probably a foreclosure issue at the time that has now been resolved. County Attorney Richard Mitchell remarked that there are various reasons to have older properties; the owners may have filed bankruptcy protection, when notice is sent the owner can't be tracked down, or the owner has entered into a payment contract and then defaulted on that contract years later.

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

Leg. Ospelt offered Resolution No. 113, entitled A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE SETTLEMENT DOCUMENTS WITH MEDIMMUNE, GLAXO SMITHKLINE AND ENDO PHARMACEUTICALS ON CERTAIN TERMS RELATIVE TO THE MATTER OF *COUNTY OF OSWEGO v. ABBOTT LABS, et al.* Leg. Mulcahy inquired about the background on the lawsuit. County Attorney Richard Mitchell explained the reason for the lawsuit and noted that the county's legal counsel recommended that the county take the settlement.

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

Leg. Lockwood offered Resolution No. 114, entitled A RESOLUTION ACCEPTING A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT AS ADEQUATE WITH RESPECT TO ITS SCOPE AND CONTENT FOR THE PURPOSE OF COMMENCING PUBLIC REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PROPOSED EMERGENCY RADIO COMMUNICATIONS SYSTEM UPGRADE PROJECT.

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

Leg. Proud offered Resolution No. 115, entitled RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 3 OF THE YEAR 2010, ENTITLED, "A LOCAL LAW GRANTING AN EXEMPTION FROM TAXATION SPECIAL AD VALOREM LEVIES AND SPECIAL ASSESSMENTS AS PROVIDED FOR UNDER REAL PROPERTY TAX LAW §485 AND §490 REGARDING NINE MILE POINT, UNIT 1, A NUCLEAR POWERED ELECTRIC GENERATING FACILITY". Leg. Kunzwiler asked if he and Leg. Oldenburg should abstain from the vote on this resolution due to their employment at the nuclear plant. County Attorney Mitchell responded that this vote is an administration function and should not reflect on their job. County Attorney Mitchell also mentioned that the Local Law had been amended; a tax ID number was removed because it was not included in the original PILOT agreement.

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

#### **UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS:**

Leg. Malone mentioned that the Veterans Office was moving and suggested the county send something out to veterans letting them know of this change and post of the website.

Chairman Leemann invited Executive Director Paul A. Forestiere II of Oswego County Cornell Cooperative Extension to give a brief overview of Oswego County Student Government Day. Mr. Forestiere thanked the legislators for their continuing support and acknowledged Rene Horning for her pivotal role in the Government Day Program for over 30 years.

Leg. Doyle expressed thanks to everyone at Cooperative Extension.

At 3:07, Leg. Wilbur moved to adjourn the meeting, seconded by Leg. Kunzwiler, all in favor. The meeting was adjourned at 3:07 p.m.

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

There were no speakers.