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MINUTES OF THE MEETING OF THE OSWEGO COUNTY LEGISLATURE HELD DECEMBER 9, 2010.

Chairman Leemann called the meeting to order at 2:05 p.m. Roll call was taken with all legislators present. The invocation was given by the Clerk of the Legislature, Ted Jerrett, followed by the salute to the flag. Chairman Leemann announced that this legislature meeting will be recessed after dealing with a number of resolutions and then reconvening after the 7:00 PM Public Hearing on the Budget to address the remaining resolutions dealing with the 2011 Budget.;

PRESENTATIONS OF PETITIONS, COMMUNICATION AND NOTICES: None.

RECOGNITIONS AND PROCLAMATIONS:

Chairman Leemann called the Community and Consumer Affairs Committee forward and invited County Clerk George Williams and Motor Vehicle Bureau Supervisor Cathy Sharkey to join them up front. Committee Chairman Leg. Hayes presented a certificate to Ms. Sharkey for her long and dedicated service to Oswego County. County Clerk George Williams stated that Cathy has advanced from DMV clerk, to Sr. DMV clerk to the present as Motor Vehicle Bureau Supervisor. Clerk Williams commended Ms. Sharkey for her hard work and growing successes.

MINUTES: Hearing no objections and/or corrections to the minutes of the November 10, 2010 meeting, the minutes were approved as drafted.

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. Lockwood offered Resolution No. 233, entitled, RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING. To receive funds up to a maximum yearly amount of Twenty-six Thousand Dollars (\$26,000).

Resolution passed, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

Leg. Lockwood offered Resolution No. 234, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION PROBATION DEPARTMENT – VACATION BUY-BACK. This resolution approves the transfer of funds to cover the shortage in vacation buy-back funds.

Resolution passed, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

Leg. Lockwood offered a proposed resolution, entitled, RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 146 – HIGHWAY & AUTOMOTIVE EQUIPMENT. Leg. Lockwood moved to table this resolution and refer back to Committee, seconded by Leg. Flett.

Motion to table resolution and refer back to Committee passed, with a voice vote.

(Malone in opposition)

YES: 24 NO: 1 ABSENT: 0

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Leg. Lockwood offered Resolution No. 235, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION FIRE COORDINATOR – TRAINING EQUIPMENT. Authorize the transfer of funds to cover the purchase of fire training equipment.

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

Leg. Beardsley offered Resolution No. 236, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SHERIFF'S OFFICE STEP (SELECTIVE TRAFFIC ENFORCEMENT PROGRAM). To accept \$16,500 from NYSSA and to transfer funds to expenditure line for personal services.

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

Leg. Beardsley offered Resolution No. 237, entitled, RESOLUTION AMENDING CAPITAL PROJECT NO. 32 ENERGY CONSERVATION. To include Scriba Highway Facility and other eligible County facilities for energy conservation measures as identified and proposed by National Grid.

Resolution passed, with a voice vote.
(Chalifoux abstained)
YES: 24 NO: 0 ABSENT: 0 ABSTAIN: 1

Leg. Beardsley offered Resolution No. 238, entitled, RESOLUTION AWARDED CAPITAL PROJECT #25 – LIGHTING CONTROLS COUNTY FACILITIES. To award this project to Patricia Electric for an initial amount of \$222,900.

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

Leg. Beardsley offered Resolution No. 239, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 72 – LEACHATE TREATMENT SYSTEM. To transfer \$100,000 from Solid Waste Unappropriated Fund Balance to Capital Project No. 72.

Resolution passed, with a voice vote.
(Legs. Brown and Lockwood in opposition)
YES: 23 NO: 2 ABSENT: 0

Leg. Beardsley offered Resolution No. 240, entitled, RESOLUTION AUTHORIZING EXTENSION OF SNOW AND ICE CONTRACT HIGHWAY DEPARTMENT

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

Leg. Beardsley offered Resolution No. 241, entitled, RESOLUTION INCREASING AUTHORIZATION OF CAPITAL PROJECT #24 – COLD STORAGE BUILDING. To transfer \$3,850 to cover installation of electrics in the Cold Storage Building at the County Airport. Leg. Mulcahey expressed concern that the amount of money requested is a large percentage of the total project.

Resolution passed, with a voice vote.
(Leg. Mulcahey in opposition)
YES: 24 NO: 1 ABSENT: 0

Leg. Sorbello offered Resolution No. 242, entitled, RESOLUTION ESTABLISHING CAPITAL PROJECT NO. 73 – FLEET FUELING SYSTEM DESIGN. To transfer \$50,000 to replace the aging fueling system at the Highway Department's Parish facility.

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

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Leg. Sorbello offered Resolution No. 243, entitled, RESOLUTION PURSUANT TO SECTION 122 OF THE AGRICULTURE AND MARKETS LAW AUTHORIZING THE CHAIRMAN TO IMPOSE A DOG QUARANTINE IN THE COUNTY OF OSWEGO

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

Leg. Sorbello offered Resolution No. 244, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT – SHORELINE ACCESS STUDY

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

Leg. Proud offered Resolution No. 245, entitled, RESOLUTION ALLOCATING HOTEL OR MOTEL OCCUPANCY TAX REVENUES AND PROVIDING DISTRIBUTION OF OCCUPANCY TAX REVENUES FOR 2011. Leg Ospelt opined that not raising the Occupancy Tax at Motels/Hotels to a level on par with our neighboring counties causes our property owners to pay about \$200,000 more each year when it could easily be collected from non-county residents.

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

Leg. Proud offered Resolution No. 246, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT FOR THE DEPARTMENT OF SOCIAL SERVICES COST ALLOCATION SERVICES. The award is to Technical Analysts for Government of Rutherford NJ for \$7,000/yr. Leg. Malone asked if the winner was the lowest bid. Purchasing Director Maxon noted that it was awarded based on an RFP rather than a bid and that the winner was deemed the “best value”.

Resolution passed, with a voice vote.
(Leg. Malone in opposition)
YES: 24 NO: 1 ABSENT: 0

Leg. Proud offered Resolution No. 247, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT FOR THE HEALTH DEPARTMENT COST REPORTING SERVICES. The Award is to Jack Venesky and Company of Cicero, NY for \$27,000/yr.

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

Leg. Proud offered Resolution No. 248, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES DEPARTMENT NUTRITION EDUCATION PROGRAM ADDITIONAL FUNDING. This accepts \$22,085 in additional State funding and will be used to contract with Cooperative Extension to provide education and training on healthy eating and meal preparation.

Resolution passed, with a voice vote.
(Legs. Beardsley and Ospelt in opposition)
YES: 23 NO: 2 ABSENT: 0

Leg. Proud offered Resolution No. 249, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES DEPARTMENT INCREASE APPROPRIATION TO EMERGENCY AID TO ADULTS

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

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Leg. Proud offered Resolution No. 250, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES DEPARTMENT TRANSITIONAL JOBS PROGRAM. To accept \$28,128 in 100% Federal Funds.

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

Leg. Proud offered Resolution No. 251, entitled, RESOLUTION AUTHORIZING BUDGETARY MODIFICATION SOCIAL SERVICES DEPARTMENT GREEN JOB CORPS PROGRAM GRANT. To accept a grant award of \$85,200 to operate a Green Job Corps Program.

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

Leg. Proud offered Resolution No. 252, entitled, RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT DEPARTMENT OF SOCIAL SERVICES. To award the professional service contract for Mental Health Services to ARISE Child and Family Services, Inc.

Resolution passed, with a voice vote.
(Leg. Karasek Abstained)
YES: 24 NO: 0 ABSENT: 0 ABSTAIN: 1

Leg. Hayes offered Resolution No. 253, entitled, RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 556 OF THE REAL PROPERTY TAX LAW, SUBDIVISIONS 8 & 9 RELATIVE TO THE REFUNDS OF FUNDS DUE TO TAX CORRECTIONS.

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

Leg. Potter offered Resolution No. 254, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN OF THE OSWEGO COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE FOR THE 2011 STOP-DWI PROGRAM

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

Leg. Potter offered Resolution No. 255, entitled, RESOLUTION FIXING THE TIME AND PLACE FOR THE 2011 ORGANIZATION MEETING AND ALL OTHER REGULAR MEETINGS OF THE OSWEGO COUNTY LEGISLATURE FOR THE YEAR 2011. Meeting is scheduled for Thursday, January 6, 2010 at 2 p.m.

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

Leg. Ospelt offered Resolution No. 256, entitled, RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE SETTLEMENT DOCUMENTS WITH DEY, INC., PURDUE PHARMA, L.P. AND EISAI, INC. ON CERTAIN TERMS RELATIVE TO THE MATTER OF *COUNTY OF OSWEGO v. ABBOTT LABS, et al.*

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

Leg. Ospelt offered Resolution No. 257, entitled, RESOLUTION INCREASING EXISTING APPROPRIATIONS FOR VARIOUS FUNDS IN SEVERAL OFFICES AND DEPARTMENTS

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

Leg. Ospelt offered Resolution No. 258, entitled, RESOLUTION APPROPRIATING FUNDS IN THE 2011 BUDGET IN REGARD TO FULL FUNDED GRANT PROJECTS

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Resolution passed, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

Leg. Hayes offered Resolution No. 259, entitled, RESOLUTION AUTHORIZING THE PUBLIC SALE OF CERTAIN TAX DELINQUENT PROPERTY SITUATE IN THE TOWN OF CONSTANTIA

Resolution passed, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

Leg. Ospelt moved to waive the rules to consider one additional resolution, seconded by Leg. Karasek.

Motion to waive the rules passes, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

Leg. Hayes offered Resolution No. 260, entitled, RESOLUTION THE EXECUTION AND DELIVERY OF DEEDS FOR PROPERTY SOLD BY THE OSWEGO COUNTY LEGISLATURE, TITLES TO WHICH WERE ACQUIRED BY THE TAX FORECLOSURE OF 2008. CP#2010-12-03 and CP#2010-56-05

Resolution passed, with a voice vote.

YES: 25 NO: 0 ABSENT: 0

At 3:08 p.m. Leg. Ospelt moved to recess the meeting until 7:00 p.m. It was seconded by Leg. Brown. All were in favor. Meeting was recessed.

MINUTES OF THE PUBLIC HEARING HELD ON DECEMBER 9, 2010 RELATIVE TO THE PROPOSED 2011 COUNTY BUDGET

Chairman Leemann opened the public hearing at 7:02 p.m. County Attorney Richard C. Mitchell read the Public Hearing Notice on the proposed county budget for 2011. Chairman Leemann offered the floor to anyone wishing to speak on the proposed county budget.

Myron Pringle, Town of Volney, he would like to see the Sheriff receive a 10% raise to bring his salary up to where it should be. Solid Waste is a "money pit". Tipping fee is not dropping. Airport is well run, one of the best Departments in the County. Airport is not a money pit.

Cheryl Holmes, Town of Granby, urged the legislature to remember that they are elected to serve the taxpayers. County employees do nothing and receive huge salaries.

Penny Kerfien, Fulton, NY, spoke on behalf of libraries in the County and thanked the legislature for their continued support.

Donald Dodd, Oswego, NY, requested that the budget be amended to fund two positions; coroner and deputy coroner. He noted the increased number of death cases and the associated costs.

There being no others wishing to speak, Chairman Leemann closed the public hearing at 7:16 p.m.

MINUTES OF THE MEETING OF THE OSWEGO COUNTY LEGISLATURE HELD DECEMBER 9, 2010. (RECESSED FROM 2:00 p.m.)

The December meeting of the Legislature was reconvened at 7:17 p.m. All legislators were present, with the exception of Legs. Oldenberg and Chalifoux.

RESOLUTIONS AND MOTIONS:

Leg. Ospelt offered Resolution No. 261, entitled, RESOLUTION ADOPTING COUNTY BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2011.

Leg. Ospelt moved to amend the budget to correct the budget of the Department of Solid Waste, seconded

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by Leg. Karasek. Increasing expense line 8162.5438 by \$200,000 to cover Fulton's charge for leachate disposal (page 148); decreasing expense line 8162.5454 by \$20,000 which was an increase for trucking to Oswego (page 148); increasing revenue line 8162.4213.3 by \$40,000, sale of recyclables (page 149); increasing revenue line 8162.4265.1 by \$40,000, sale of scrap metal (page 149); increasing revenue line 8162.4213.4 by \$100,000, weighed tipping fees (page 149).

Motion passed, with a voice vote.
(Leg. Kunzwiler in opposition)
YES: 22 NO: 1 ABSENT: 2

Leg. Beardsley moved to amend the budget lines, seconded by Leg. Ospelt. Updating the full valuation on the cover page to \$5,285,801,646; increasing Department 1920, Line 5427, memberships and dues (page 3) by \$2,649 to include membership in the National Association of Counties; deleting part-time typist, position number 65100901 in the Veterans Department, and creating a full-time typist position, number 65110005, funded at \$23,096, and to increase line 6510.5830, Social Security by \$800 (page 107); increasing projected sales tax revenues in Treasurer's Department, line 1325.4111.1 by \$130,000 (page 18); and decrease Snow Removal line 5142.5461 by \$91,000 (page 139).

Leg. Kunzwiler moved to amend the motion to vote on the amendment of the budget lines separately, seconded by Leg. Malone.

Motion to amend to vote on budget lines separately failed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler and Mulcahey in favor)
YES: 4 NO: 19 ABSENT: 2

Original motion to amend the budget lines passed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler, Mulcahey and in opposition)
YES: 19 NO: 4 ABSENT: 2

Leg. Kunzwiler moved to remove the \$1,000 health and welfare benefit for legislators from the budget, seconded by Leg. Malone.

Motion failed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler, Wilbur, Doyle, Flett and Mulcahey in favor)
YES: 7 NO: 16 ABSENT: 2

Leg. Kunzwiler moved to take away all remaining health insurance benefits for all legislators as of January 1, 2011, seconded by Leg. Malone.

Motion failed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler, Wilbur, Karasek and Mulcahey in favor)
YES: 6 NO: 17 ABSENT: 2

Leg. Tresidder moved to reduce Legislature travel reimbursement from \$14,000 to \$7,000, seconded by Leg. Malone.

Motion failed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler, Flett, and Mulcahey in favor)
YES: 5 NO: 18 ABSENT: 2

Leg. Mulcahey moved to reduce 50% out of furniture lines in all departments and \$10,000 from 1010.5444, mileage for legislators, seconded by Leg. Malone.

Motion failed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler and Mulcahey in favor)
YES: 4 NO: 19 ABSENT: 2

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Resolution supporting the county budget for 2011 as amended.

Resolution passed, with a voice vote.
(Leg. Tresidder, Malone, Kunzwiler, and Mulcahey in opposition)
YES: 19 NO: 4 ABSENT: 2

Leg. Ospelt offered Resolution No. 262, entitled RESOLUTION MAKING APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2011

Resolution passed, with a voice vote.
(Leg. Tresidder, Malone and Mulcahey in opposition)
YES: 20 NO: 3 ABSENT: 2

Leg. Potter offered Resolution No. 263, entitled RESOLUTION AUTHORIZING CHAIRMAN AND CLERK TO HANDLE ALL UNFINISHED BUSINESS THROUGH DECEMBER 31, 2010

Resolution passed, with a voice vote.
(Leg. Malone in opposition)
YES: 22 NO: 1 ABSENT: 2

At 7:50 p.m. the meeting adjourned upon motion by Leg. Kunzwiler, seconded by Leg. Potter, all in favor.

UNFINISHED BUSINESS/NEW BUSINESS/MISCELLANEOUS BUSINESS: Leg. Flett stated she wanted to clarify information on legislators' insurance. Not every legislator has health insurance, legislators starting before 2007 may have insurance, but the number is very low.

Leg. Mulcahey stated that all legislators are offered the \$1,000 health and welfare reimbursement.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE LEGISLATURE REGARDING COUNTY ISSUES: There were none wishing to speak.