

**RESOLUTIONS OF THE OSWEGO COUNTY LEGISLATURE FOR
OCTOBER 12, 2023, SPECIAL MEETING**

OSWEGO COUNTY LEGISLATURE

- 315 A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 4 OF
THE YEAR 2023 ENTITLED A LOCAL LAW AMENDING LOCAL LAW
NUMBER 1 OF 2022 REGARDING INCOME QUALIFICATIONS FOR
PARTIAL TAX EXEMPTIONS ON CERTAIN REAL PROPERTY OWNED BY
ELIGIBLE PERSONS 65 YEARS OF AGE OR OVER
- 316 RESOLUTION AUTHORIZING TRANSFER TO ADDITIONAL FUNDS OF
\$412,277 FROM THE FUND BALANCE A15900 TO THE ASSIGNED
COUNSEL OFFICE LEGAL FEES A1170 OBJECT 543300
- 317 RESOLUTION AUTHORIZING THE RECLASSIFICATION OF ONE POSITION
IN THE PUBLIC DEFENDER'S OFFICE
- 318 RESOLUTION ACCEPTING GRANT AWARD FROM THE NYS DIVISION OF
CRIMINAL JUSTICE SERVICES AID TO PROSECUTION GRANT
- 319 RESOLUTION AUTHORIZING THE OSWEGO COUNTY EMERGENCY
MANAGEMENT OFFICE TO ACCEPT A DONATION FROM BROOKFIELD
RENEWABLE
- 320 RESOLUTION AUTHORIZING BUDGET MODIFICATION FOR THE
EMERGENCY MANAGEMENT OFFICE TO ACCEPT FUNDING FROM THE
DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES
(DHSES) FOR FY2023 STATE HOMELAND SECURITY PROGRAM (SHSP)
- 321 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION FOR
SHERIFF'S OFFICE OVERTIME
- 322 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION FOR
SHERIFF'S OFFICE OVERTIME IN THE JAIL
- 323 RESOLUTION AUTHORIZING RECLASSIFICATION OF ONE (1)
EMPLOYMENT ADVISOR TO ONE (1) EMPLOYMENT SPECIALIST
ASSISTANT IN THE DEPARTMENT OF SOCIAL SERVICES
- 324 RESOLUTION AUTHORIZING RECLASSIFICATION OF TWO POSITIONS IN
THE DEPARTMENT OF SOCIAL SERVICES
- 325 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES 2023-2024 RENTAL SUPPLEMENT
PROGRAM ALLOCATION ACCEPTANCE

- 326 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
AMENDMENT TO RESOLUTION NUMBER 173 DEPARTMENT OF SOCIAL
SERVICES 2022-2023 RENTAL SUPPLEMENT PROGRAM ALLOCATION
- 327 RESOLUTION AUTHORIZING RECLASSIFICATION OF TWO POSITIONS IN
THE DEPARTMENT OF SOCIAL SERVICES ADMINISTRATIVE UNIT
- 328 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES-FURNITURE AND FURNISHINGS
FOR REMAINDER OF 2023 CALENDAR YEAR
- 329 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES REPRODUCTION EXPENSES FOR
REMAINDER OF 2023 CALENDAR YEAR
- 330 RESOLUTION AUTHORIZING AMENDED FEE SCHEDULE FOR INDIGENT
BURIALS
- 331 RESOLUTION TRANSFERRING FUNDS FROM CAPITAL PROJECT #B0621
SANDY ISLAND BEACH AND INCREASING AUTHORIZATION OF
CAPITAL PROJECT 0121 CO.25 CAMP HOLLIS SHORELINE
STABILIZATION
- 332 RESOLUTION OPPOSING NEW YORK CITY'S UPDATED CITY "FIGHTING
HOMELESSNESS AND EVICTION PREVENTION SUPPLEMENT" (FHEPS)
PROGRAM TO SEND HOMELESS FAMILIES AND INDIVIDUALS TO
UPSTATE NEW YORK
- 333 RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 5 OF
THE YEAR 2023, ENTITLED A LOCAL LAW ESTABLISHING THE COUNTY
PLANNING DEPARTMENT AS THE SOLE COUNTY PLANNING AGENCY
FOR THE PURPOSES OF REFERRALS UNDER NEW YORK STATE
GENERAL MUNICIPAL LAW §§239-L, 239-M AND 239-N
- 334 RESOLUTION DETERMINING THAT THE INSTALLATION OF ARTIFICIAL
TURF FOR SOME INFIELDS AT THE LEGENDS FIELDS COMPLEX
CONSTITUTES A TYPE II ACTION UNDER SEQRA
- 335 RESOLUTION DECLARING THE COUNTY OF OSWEGO AS LEAD AGENCY
AND APPROVING A NEGATIVE DECLARATION LEGENDS FIELDS-
PARKING LOT PAVING PROJECT
- 336 RESOLUTION APPOINTING MEMBER TO THE OSWEGO COUNTY BOARD
OF HEALTH

- 337 RESOLUTION AUTHORIZING THE INCREASE OF BUDGET IN THE HEALTH DEPARTMENT TO PURCHASE COVID VACCINE
- 338 RESOLUTION AUTHORIZING THE CREATION OF TWO POSITIONS IN THE HEALTH DEPARTMENT (1) SPEECH LANGUAGE PATHOLOGIST AND (1) CERTIFIED SPECIAL EDUCATION TEACHER
- 339 RESOLUTION AUTHORIZING HEALTH DEPARTMENT VEHICLE LEASES (4 VEHICLES)
- 340 RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY TRAFFIC SAFETY BOARD
- 341 RESOLUTION AUTHORIZING BUDGET MODIFICATION CENTRAL SERVICES SUPPLEMENT EXISTING CAPITAL PROJECT TO FUND COMPUTER UPGRADES
- 342 RESOLUTION ESTABLISHING CAPITAL PROJECT NO. E0323 OSWEGO COUNTY AIRPORT - ELECTRIC VEHICLE AND CHARGING STATION ACQUISITION AND INSTALLATION
- 343 RESOLUTION TO AMEND TO ADD ADDITIONAL EQUIPMENT TO CAPITAL PROJECT NO. 0423 HIGHWAY EQUIPMENT CAPITAL PROJECT
- 344 RESOLUTION AUTHORIZING BUDGET MODIFICATION BUILDINGS AND GROUNDS – GAS & HEATING FUEL
- 345 RESOLUTION AUTHORIZING BUDGET MODIFICATION BUILDINGS AND GROUNDS – OVERTIME
- 346 RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT ENGINEERING SERVICES PROPOSAL BRISTOL HILL CELL 5 ENGINEERING SERVICES FOR DESIGN AND BIDDING
- 347 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT OF SOLID WASTE- INSURANCE RECOVERY FUND TO DEPARTMENT OF SOLID WASTE FUND BALANCE
- 348 RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT – RFP 23-PURC-001 – ON-LINE AUCTIONS OF SURPLUS COUNTY GOODS
- 349 RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO PROVIDE THIRD-PARTY ADMINISTRATION SERVICES FOR OSWEGO COUNTY SELF INSURED HEALTH AND PHARMACY BENEFIT PROGRAM- HUMAN RESOURCES DEPARTMENT

- 350 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT ACCOUNTING SERVICES FOR COUNTY TREASURER'S OFFICE
- 351 A RESOLUTION AUTHORIZING THE COUNTY OF OSWEGO COMMENCE OR JOIN LITIGATION CONCERNING RECENT AMENDMENTS TO THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW AS PERTAINS TO THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION AND TO RETAIN LIPPE MATHIAS, LLP IN CONNECTION WITH ITS REPRESENTATION OF OSWEGO COUNTY AND OTHER COUNTY PLAINTIFFS
- 352 RESOLUTION AUTHORIZING BUDGET MODIFICATION TO INCREASE CAPITAL PROJECT NO. C0122 BUNNER STREET COMPLEX RENOVATION
- 353 RESOLUTION AWARDING CONTRACTORS FOR THE BUNNER STREET COMPLEX RENOVATION – BID 23-BG-003
- 354 RESOLUTION AMENDING RESOLUTION NUMBER 311 OF 2023 AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ENTER INTO SNOW AND ICE AGREEMENTS ON CERTAIN TERMS
- 355 COUNTY OF OSWEGO, NEW YORK RESOLUTION OF THE COUNTY LEGISLATURE OF THE COUNTY OF OSWEGO, NEW YORK AUTHORIZING A DECLARATION OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENT FROM BOND PROCEEDS OF TEMPORARY ADVANCES MADE BY THE COUNTY FROM FOR PAYMENT OF PROJECT COSTS PRIOR TO ISSUANCE OF BONDS AND RELATED MATTERS.
- 356 RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE OPTION AGREEMENT WITH MARK D. KNOPP AND JOY KNOPP CONCERNING THE PURCHASE OF PROPERTY COMMONLY KNOWN AS 35 HEALTH CAMP ROAD IN THE TOWN OF OSWEGO

RESOLUTION NO. 315

**A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 4 OF THE
YEAR 2023 ENTITLED A LOCAL LAW AMENDING LOCAL LAW NUMBER 1
OF 2022 REGARDING INCOME QUALIFICATIONS FOR PARTIAL TAX
EXEMPTIONS ON CERTAIN REAL PROPERTY OWNED BY ELIGIBLE
PERSONS 65 YEARS OF AGE OR OVER**

By Legislator David Holst:

UPON the recommendation of the Government, Courts & Consumer Affairs
Committee of this body; be it

RESOLVED, that the Oswego County Legislature shall hold a Public Hearing on the
proposed County of Oswego Local Law Number 4 of 2023, entitled "A LOCAL LAW
AMENDING LOCAL LAW NUMBER 1 OF 2022 REGARDING INCOME
QUALIFICATIONS FOR PARTIAL TAX EXEMPTIONS ON CERTAIN REAL
PROPERTY OWNED BY ELIGIBLE PERSONS 65 YEARS OF AGE OR OVER" on the
9th day of November, 2023, at 2:00 o'clock, in the afternoon of said day at the Oswego
County Legislative Chambers, County Office Building, 46 E. Bridge Street, Oswego, New
York 13126; and be it further

RESOLVED, that the Clerk of the Oswego County Legislature cause notice of such
Public Hearing to be published in the Official Newspapers of the County and post the same
as required by law.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES

Corey Metz
Director

September 19, 2023

Informational Memorandum

Subject: Amending Local Law 1 of 2022 Regarding Income Calculations for the Senior Exemption

Background: Oswego County currently offers through Local Law 1 of 2022 a 50% exemption from real property taxes for primary residences owned by persons 65 and older who have a gross household income below an income scale that ranges from \$29,000 - \$37,400. The 2023-24 NYS Executive Budget changed the definition of "income" for this exemption to no longer use total gross income, but instead use FAGI (Federal Adjusted Gross Income) as the base income subject to other modifications.

Oswego County's existing Local Law 1 of 2022 uses the old definition of "income" and should be amended to remain consistent with Real Property Tax Law and avoid confusion for seniors applying for this exemption next year.

At the August meeting of the Oswego County Assessor's Association this change was discussed and the consensus on how to calculate the income is what is contained in the amended Section 3 paragraph (b).

Proposal: Pass a local law to update Local Law 1 of 2022 Section 3 entitled "Income Qualifications" to match the new State language for income calculations.

This local law amendment requires a public hearing, which should be set for the November Legislative Meeting.

Fiscal Impact: None.

Recommendation: Approve.

COUNTY OF OSWEGO
LOCAL LAW No.: 4 OF 2023
ENTITLED A LOCAL LAW
AMENDING LOCAL LAW NUMBER 1 OF 2022 REGARDING
INCOME QUALIFICATIONS FOR PARTIAL TAX EXEMPTIONS
ON CERTAIN REAL PROPERTY OWNED BY ELIGIBLE
PERSONS 65 YEARS OF AGE OR OVER

BE IT ENACTED by the County Legislature of the County of Oswego as follows:

Section 1. Title and Legislative Findings.

(a) The Oswego County Legislature has, heretofore, passed County of Oswego Local Law Number 1 of 2022 concerning granting a partial real property tax exemption for eligible persons sixty-five (65) years of age or older, based upon certain income qualifications, pursuant to Real Property Tax Law §467, as amended. This Local Law shall be titled as follows: “A Local Law Amending Local Law Number 1 of 2022 Regarding Income Qualifications for Partial Tax Exemptions on Certain Real Property Owned By Eligible Persons 65 Years of Age or Over.”

(b) This body finds it both necessary and convenient to amend section 3 of Local Law Number 1 of 2022, as concerns income qualifications only, in light of changes to Real Property Tax Law §467 while continuing the rest and remainder of Local Law Number 1 of 2022 in full force and effect.

Section 2. Amendment to Section 3 of Local Law Number 1 of 2022.

Section 3 of Local Law Number 1 of 2022 be, and is hereby, **AMENDED** in its entirety to read as follows:

Section 3. Income Qualifications.

(a) The “applicable income tax year” as used herein shall mean the second most recent calendar year.

(b) The term “income” as defined herein shall mean “adjusted gross income” for federal income tax purposes as reported on an applicant’s federal or state income tax return for the applicable income tax year, as defined in and as is subject to any subsequent amendments to Real Property Tax Law § 467(3)(iv), *et seq.*; provided, however, if no such tax return was filed for the applicable income tax year, the applicant’s income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

(1) any Social Security benefits not included in such federal adjusted gross income shall be considered income;

(2) distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income shall be considered income and shall not be excluded;

(3) any tax-exempt interest or dividends that were excluded from the applicant's federal adjusted gross income shall be considered income;

(4) any losses that were applied to reduce the applicant's federal adjusted gross income (AGI) shall be subject to the following limitations:

(A) the net amount of loss reported on federal schedules C, D, E, or F shall not exceed three thousand dollars (\$3,000) per any given schedule,

(B) the net amount of any other separate category of loss shall not exceed three thousand dollars (\$3,000), and

(C) the aggregate amount of all losses shall not exceed fifteen thousand dollars (\$15,000).

(c) Where title is vested in a married person, the combined income of such person and such person's spouse may not exceed such sum, except where one spouse or ex-spouse is absent from the property as provided in subparagraph (c)(2) of Section 4 of this local law, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

(d) No exemption shall be granted hereunder if the income of the owner or the combined income of the owners of the property for the applicable income tax year exceeds the sum provided in Section 2 of this local law.

Section 3. Severability.

If the provisions of any section, subsection, paragraph, sentence, subdivision, clause, phrase or provision of this local law shall be, for any reason, held or adjudged invalid or unconstitutional by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the validity and enforceability of the remainder of any section, subsection, paragraph, sentence, subdivision, clause, phrase or provision of this local law.

Section 4. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this local law constitutes a Type II action pursuant to Section 617.5(c) (26), and (33) of Title 6 of the New York Code of Rules and Regulation (6 NYCRR) and within the meaning of Section 8-0109(2) of the New York State Environmental Conservation Law as a promulgation of regulations, rules, policies,

procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Clerk of the County Legislature be, and is hereby, directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 5. Effective Date.

This local law shall take effect immediately upon its adoption.

RESOLUTION NO. 316

RESOLUTION AUTHORIZING TRANSFER OF ADDITIONAL FUNDS OF \$412,277 FROM THE FUND BALANCE A159900 TO THE ASSIGNED COUNSEL OFFICE LEGAL FEES A1170 OBJECT 543300

By Legislator David Holst:

WHEREAS, the Assigned Counsel budget has \$398,376 left in the 2023 budget for legal fees (A1170 Object 543300) as of September 19, 2023. There are ten (10) pay periods left until the 2024 funds get released the first week of February. The average cost for each pay period to date is \$81,065, which would require \$810,653 for the balance of the fiscal year. This leaves the ACP with an anticipated \$412,277 shortfall. As projected, there are only funds available for five (5) pay periods (until November 16, 2023) when additional funds will be required. The Assigned Counsel Office budget does not have other funds available to move to the 543300 line, so the additional funds are being requested from the fund balance a159900; and

WHEREAS, this shortfall is due in part to New York State having passed legislation increasing the legal fee for attorneys effective April 1, 2023, and in part to the budget having been created anticipating a decrease in legal fees for the Assigned Counsel plan when the Public Defender office opened. The Public Defender is beginning to take cases in the courts but there has not yet been an effect on the Assigned Counsel Plan budget; and

WHEREAS, The State is responsible for \$41.50 per hour for the increased rate after April 1, 2023. The estimated amount the State will reimburse the County from the requested additional funds is \$50,000. Many of the vouchers expected to be paid through the end of the year have service hours that pre-date the increased rate so the State would not be reimbursing any portion of those vouchers; and

NOW, upon recommendation of the Government, Courts & Consumer Affairs Committee and the Finance & Personnel Committee of this body; be it

RESOLVED, that \$412,277 be transferred from the Fund Balance a159900 to the Assigned Counsel Office Legal Fees line (A1170 Object 543300); and be it further

RESOLVED, that certified copies of this resolution delivered to the County Treasurer, and Budget Officer shall be their authority to make such changes.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 316 of 2023

A 159900
A1170 543300

(\$412,277)
\$412,277

TO: David M. Holst, Chair, Government, Courts and Consumer Affairs

FROM: Sara E. Davis, Esq., Administrator, Assigned Counsel Plan

DATE: September 19, 2023

RE: Transfer additional funds

INFORMATIONAL MEMORANDUM

SUBJECT: Transfer Additional Funds of \$412,277 from the fund balance A159900 to the Assigned Counsel Office Legal Fees A1170 Object 543300.

BACKGROUND: The Assigned Counsel budget has \$398,376 left in the 2023 budget for legal fees (A1170 Object 543300) as of September 19, 2023. There are ten (10) pay periods left until the 2024 funds get released the first week of February. The average cost for each pay period to date is \$81,065, which would require \$810,653 for the balance of the fiscal year. This leaves the ACP with an anticipated \$412,277 shortfall. As projected, there are only funds available for five (5) pay periods (until November 16, 2023) when additional funds will be required. The Assigned Counsel Office budget does not have other funds available to move to the 543300 line so the additional funds are being requested from the fund balance A159900.

FISCAL IMPACT: This is an additional \$412,277 expense to the Assigned Counsel Plan with an anticipated offset of \$50,000 from the State, leaving a projected net fiscal impact of \$362,277. This is for 2023 only and it is anticipated that the Public Defender Office will be covering the majority of the criminal cases in 2024 so there is no expected fiscal impact in 2024.

RECOMMENDATION: Transfer \$412,277 from the Fund Balance A159900 to the Assigned Counsel Office Legal Fees line (A1170 Object 543300).

COUNTY OF OSWEGO

BUDGET MODIFICATION REQUEST

[illegible]

Sara E. Davis 10-3-23

10.3.3


COUNTY ADMINISTRATOR

10723

DATE _____

COUNTY ADMINISTRATOR

DATE _____

Wane / k

10-2-25

* DIRECTOR OF HUMAN RESOURCES	DATE
-------------------------------	------

CHAIRPERSON

DATE _____

COUNTY TREASURER

DATE _____

RESOLUTION NO. 317

**RESOLUTION AUTHORIZING THE RECLASSIFICATION OF ONE POSITION
IN PUBLIC DEFENDER'S OFFICE**

By Legislator David Holst:

WHEREAS, in order to better reflect the duties and responsibilities required of the personnel who assist the Public Defender in leading staff and operations within the Public Defender's Office; and

WHEREAS, Position # A117111307 is currently classified as an Assistant Public Defender to defend clients accused of crimes in court; and

WHEREAS, the proposed restructuring within the office to provide for another Senior Assistant Public Defender to aid in the mission of representing clients in court has been reviewed by the Director of Human Resources with a recommendation to reclassify the position to the title of Senior Assistant Public Defender; and

NOW, upon recommendation of the Government and Courts Committee with approval of the Finance and Personnel Committee of this body; be it

RESOLVED, that position # A117111307, Assistant Public Defender, Grade 70, in the Management Personnel Compensation Plan be reclassified to Senior Assistant Public Defender, Grade 80, in the Management Personnel Compensation Plan; and be it further

RESOLVED, that certified copies of this resolution delivered to the County Treasurer, Budget Officer, and Director of Human Resources shall be their authority to make such changes.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 23 NO: 1 ABSENT: 1 ABSTAIN: 0

INFORMATIONAL MEMORANDUM

Subject: Request for authorization to modify the Public Defender's Department budget to include reclassification of one Assistant Public Defender position (Grade 70), Management Personnel Compensation Plan, to one Senior Assistant Public Defender position (Salary Grade 80), Management Compensation Plan.

Purpose: Public Defender's Office is a newly established office. In order for it to fulfill its mission, it is critical that an extra attorney with supervisory capability and experience to match be hired to assist this department in its goal of providing adequate representation before the courts.

Summary: The opportunity exists to better serve clients that are represented by the Public Defender's office in that additional supervision of already hired staff will increase this office's ability to serve those arrested in this county who are unable to afford their own legal representation.

Recommendation: To authorize the proposed modification of the Public Defender's budget to include the reclassification of one Assistant Public Defender to that of one Senior Assistant Public Defender.

Fiscal Impact: There will be no fiscal impact as the proposed pay for the Senior Assistant Public Defender position will be absorbed by this office's current budget.

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT:

DIVISION/UNIT (NUMBER):

A. NEW POSITION REQUEST

1. Position Title Requested:

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☐ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

5. Justification of Need (Use additional sheets as necessary):

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: Assistant Public Defender 2. Position #: 5

3. Present Salary/Hourly Rate: 72,969 Grade: 70

4. Requested Title: Senior Assistant Public Defender

5. Requested Salary: 126358

a. Bargaining Unit: _____ Hourly Rate: _____ Grade: _____

b. Management or OCPA – Salary Requested: 126358 Grade: 80

6. Percent of Federal and/or State Reimbursement: 100 Fringe Reimbursed: ☒ Yes ☐ No

7. Justification of Need (use additional sheets as necessary): Public Defenders Office is in need of additional attorneys with supervisory capabilities to help guide other personnel in this office in their mission of providing legal representation to the indigent persons arrested within this county. As this office grows, it needs the flexibility of having experienced attorneys to assist with supervision of cases and handling of cases to the highest standard of care.

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION

1. Title to be Deleted: Assistant PD

2. Position # 5

3. Salary Savings: 0

4. Reason for Deletion:

Office requires additionally attorney with capability to provide supervisory guidance to hired attorneys working within this office

7/23/19

-OVER-

(page 1 of 4)

Civil Service Law: Section 22. Certification for positions.
 Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such position reclassified only with the title approved and certified by the commission.

OSWEGO COUNTY HUMAN RESOURCES DEPARTMENT

NEW POSITION DUTIES STATEMENT

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.

**1. DEPARTMENTS/SCHOOL
DISTRICT/TOWN OR VILLAGE**
S

DIVISION, UNIT, OR WORK SECTION

LOCATION OF POSITION

2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided.

Title requested:

**PERCENT OF
WORK TIME**

(Attach additional sheets if more space is needed)

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION

6. What minimum qualifications do you think should be required for this position?

Education: ☐ High School _____ years
☐ College _____ years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type):

Essential knowledge, skills and abilities:

Type of license or certificate required:

7. The above statements are accurate and complete.

Date:

Title:

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

RESOLUTION NO. 318

**RESOLUTION ACCEPTING GRANT AWARD FROM THE NYS DIVISION OF
CRIMINAL JUSTICE SERVICES AID TO PROSECUTION GRANT**

By Legislator Marc Greco:

WHEREAS, the State of New York implemented bail and discovery reforms in criminal proceedings as of January 1, 2020, which has resulted in the District Attorney's Office incurring additional expenses related to the implementation of these reforms; and

WHEREAS, the attorneys who work in the District Attorney's Office must now perform significantly more work to comply with the additional requirements imposed by discovery reforms; and

WHEREAS, prosecutors have been leaving District Attorney's Offices across the state in record numbers due to the increased job demands, creating an extremely competitive market for experienced attorneys; and

WHEREAS, the County recognizes that prosecutors must be fairly and meaningfully compensated so that the District Attorney's Office can recruit and retain experienced and highly qualified attorneys to serve as prosecutors; and

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has notified Oswego County that it has been awarded an Aid to Prosecution Grant in the amount of \$422,800 for the state fiscal year 2023-24 (4/1/23 to 3/31/24), which must be made available to the District Attorney's Office to help offset the cost of prosecutorial services; and

WHEREAS, a resolution is both necessary and desirable; and

NOW, THEREFORE, upon recommendation of the Public Safety Committee of this body; be it

RESOLVED, that the Oswego County Treasurer be and hereby is authorized to accept and receive \$422,800 from the NYS Division of Criminal Justice Services under the Aid to Prosecution grant program on behalf of the County of Oswego; and be it further

RESOLVED, that the Oswego County Treasurer is hereby directed to designate and allocate the \$422,800 in grant money as revenue in the District Attorney's Office budget, apportioned across the 2023 and 2024 budgets in conformity with the grant period, to be used by the District Attorney's Office for prosecutorial services, including Salary and Wages for prosecutors.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



Public Safety Center
39 Churchill Road
Oswego, New York 13126

TELEPHONE: (315) 349-3200

FAX: (315) 349-3212

Office of the District Attorney

Matthew J. Bell
Courtney M. Venditte
Senior Assistant
District Attorneys

MARK MOODY
ACTING DISTRICT ATTORNEY/CORONER

Jason R. Delano
Investigator

DATE: September 18, 2023
TO: Public Safety Committee
FROM: Mark Moody, Acting District Attorney

INFORMATIONAL MEMO

SUBJECT: DCJS Aid to Prosecution Grant

PURPOSE: To Accept a Grant from DCJS

SUMMARY: The NYS Division of Criminal Justice Services (DCJS) recently notified Oswego County that we have been awarded \$422,800 under the state's aid to prosecution program for SFY 2023-24.

The grant covers the period between April 1, 2023 and March 31, 2024.

Per the Grant Award Notice, copy attached, Oswego County will not receive a grant contract for this funding. Instead, money will be automatically disbursed to the county in one payment.




Per the Grant Award Notice, the funding assistance is being provided to help offset the cost of prosecutorial services and is being disbursed for use by the District Attorney's Office.

RECOMMENDED

ACTION: It is respectfully recommended that the Public Safety Committee accept the grant and authorize the County Treasurer to receive the grant funds and disburse the same for use by the District Attorney's Office.

COUNTY OF OSWEGO BUDGET MODIFICATION REQUEST

[illegible]

	DEPARTMENT HEAD	DATE	10/5/23
*DIRECTOR OF HUMAN RESOURCES			
	COUNTY ADMINISTRATOR	DATE	10/2/23
	CHAIRPERSON	DATE	

***If Personnel Services are impacted**

RESOLUTION NO. 319

**RESOLUTION AUTHORIZING THE OSWEGO COUNTY EMERGENCY
MANAGEMENT OFFICE TO ACCEPT A DONATION FROM BROOKFIELD
RENEWABLE**

By Legislator Marc Greco,

WHEREAS, Brookfield Renewable has a commitment to support public safety initiatives; and

WHEREAS, the Oswego County Emergency Management Office has been awarded a donation of support of \$5,000.00 for the county drone program to support community public safety initiatives; and

NOW, upon recommendation of the Public Safety Committee, of this body; be it

RESOLVED, that the County accepts the donation in support of the drone program; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer and Budget Officer shall be their authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO
COUNTY
LEGISLATURE

Authorized Budget Modification

Res. 319 of 2023

A3641 526000

\$5,000.00

A3640 427050

(\$5,000.00)



OSWEGO COUNTY
EMERGENCY MANAGEMENT OFFICE

Phone (315) 591-9150
Fax: (315) 591-9176

COUNTY OFFICE BUILDING – 200 NORTH 2ND STREET, FULTON, NY 13069

Cathee Palmitesso, Director
Email: Cathleen.Palmitesso@OswegoCounty.com

Informational Memorandum

Date: October 2, 2023

To: Members of the Public Safety Committee, Oswego County Legislature

From: Cathee Palmitesso, Director

Subject: Request for approval to accept \$5,000 from Brookfield Renewable to support the county drone program.

Purpose: Request to accept funding and place in the drone other equipment budget line. Please refer to attached budget modification for the specific details.

Summary: The Oswego County EMO has received notification that Brookfield Renewable is providing \$5,000.00 to support the county drone program. This funding will be used to acquire additional equipment and supplies to support the county drone public safety initiatives.

Recommended

Action: The Emergency Management Office would respectfully request the members of the Public Safety Committee and Oswego County Legislature to accept this funding from Brookfield Renewable.

COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST

[illegible]

DEPARTMENT HEAD 10/5/23 DATE

DEPARTMENT HEAD	DATE
*DIRECTOR OF HUMAN RESOURCES	DATE

***If Personnel Services are impacted**

RESOLUTION NO. 320

**RESOLUTION AUTHORIZING BUDGET MODIFICATION FOR THE EMERGENCY
MANAGEMENT OFFICE TO ACCEPT FUNDING FROM THE DEPARTMENT OF
HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES) FOR FY2023
STATE HOMELAND SECURITY PROGRAM (SHSP)**

By Legislator Marc Greco,

WHEREAS, Oswego County has been awarded \$166,445.00 in grant funding from New York State Division of Homeland Security and Emergency Services (DHSES) under the FY2023 State Homeland Security Grant Program; and

WHEREAS, the Oswego County Emergency Management Office (EMO) has been authorized to administer this grant to stakeholders based on projects that were submitted and approved through the grant application; and

NOW, upon recommendation of the Public Safety Committee, of this body; be it

RESOLVED, that the County accept this funding and EMO be given the permission to begin the administration of the grant; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer and Budget Officer shall be their authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 320 of 2023

A3640 443050 HSG23	(\$166,445.00)
A3640 543700 HSG23	\$18,700.00
A3640 526000 HSG23	\$70,000.00
A3640 543800 HSG23	\$77,745.00



OSWEGO COUNTY
EMERGENCY MANAGEMENT OFFICE

Phone (315) 591-9150

Fax: (315) 591-9176

COUNTY OFFICE BUILDING – 200 NORTH 2ND STREET, FULTON, NY 13069

Cathee Palmitesso, Director

Email: Cathleen.Palmitesso@OswegoCounty.com

Informational Memorandum

Date: October 12, 2023

To: Members of the Public Safety and Finance and Personnel Committees

From: Cathee Palmitesso, Director

Subject: Request for approval to accept \$166,445 in State Homeland Security Program (SHSP) FY2023 Grant Funding

Summary: Oswego County has received notification from New York State Division of Homeland Security and Emergency Services (NYSDHSES) that the grant application submitted for the State Homeland Security Program (SHSP) FY2023 grant funding was successfully awarded to Oswego County in the amount of \$166,445.00. Funding for this initiative will cover the period of September 1, 2023, through August 31, 2026.

Purpose: The purpose of the grant is to support the implementation of New York State Homeland Security strategies that address the identified planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

As per Federal guidelines, at least 35 percent (\$58,256) of the award must be directed towards law enforcement terrorism prevention activities and 30 percent of the projects must be spent in support of the six (6) National Priority areas. These include Enhancing Information & Intelligence Sharing & Analysis, Enhancing the Protection of Soft Targets/Crowded Places, Combating Domestic Violent Extremism, Enhancing Community Preparedness & Resilience, Enhancing Cyber Security and Enhancing Election Security.

The work plan for this program was developed from projects that were submitted by stakeholders representing law-enforcement, fire/hazard, emergency medical services and others. Agencies requesting funding were given information regarding the grant requirements and constraints prior to submitting their requests. Specific projects were developed based on the requests and the application was submitted by the Oswego County EMO to NYSDHSES, NYS submitted the county's application to FEMA. A list of projects approved by the NYSDHSES is attached.

EMO respectfully requests acceptance of this funding and be given the permission to begin the administration of the grant. The attached budget modification reflects this request.

There is no local share attached to acceptance of these funds.

Recommended
Action:

The Emergency Management Office recommends that the Public Safety and Finance and Personnel Committees and the legislature accept this SHSP Grant funding.

State Homeland Security Grant Program (SHSP) FY 2022

Projects List

Law enforcement projects

Sheriff's Department:	Training Munitions	\$19,500
	Mobile Computing	
	Forensic Investigations	

Oswego Police Dept./ Oswego Fire Dept.	Modular Vehicle Barrier (portion of cost)	\$21,000
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Fulton Police Dept.	Mobile Computing	\$13,000
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SUNY Oswego University Police	Mobile Computing	\$5,200
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Other agencies

Fire Coordinator	I Am Responding service contract	\$24,376
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County IT	Backup and Recovery toolset	\$22,000
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Fulton Fire Dept.	Unmanned Aircraft System	\$1,300
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Search and Rescue	Portable radios	\$13,500
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Emergency Management	Plans update and maintenance WebEOC Phone system maintenance	\$46,569
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**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

[illegible]

	10/5/23
DEPARTMENT HEAD	DATE
<hr/>	
*DIRECTOR OF HUMAN RESOURCES	DATE

	10 2 23
COUNTY ADMINISTRATOR	DATE
<hr/>	
	10/2/23
CHAIRPERSON	DATE

***If Personnel Services are impacted**

RESOLUTION NO. 321**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION FOR SHERIFF'S
OFFICE OVERTIME**

By Legislator Marc Greco:

WHEREAS, ongoing vacancies, additional requests for jail transports and crime activities have created unanticipated overtime expenses; and

WHEREAS, seven Road Patrol positions have been filled but these positions are currently in the Oswego County Regional Police Academy and unable to fill Road Patrol duties until the completion of the Academy and Field Training; and

WHEREAS, in order to meet the safety needs of our community and protect the residents of the county, including incarcerated individuals, providing additional funds for overtime will allow the Sheriff's Office to meet current staffing requirements; and

NOW, upon recommendation of the Public Safety Committee of this body and with the recommendation of the Oswego County Sheriff; be it

RESOLVED, that the County Treasurer is hereby authorized to transfer funds from Salaries and Wages A3110-511000 and A3110-512000-CAPCT to A3110-512000 as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 20 NO: 0 ABSENT: 5 ABSTAIN: 0

Authorized Budget Modification**Res. 321 of 2023**

A3110 511000	(\$160,000.00)
A3110 512000 CAPCT	(\$40,000.00)
A3110 512000	\$200,000.00



ADMINISTRATION
(315) 349-3307
FAX (315) 349-3483
ROAD PATROL
(315) 349-3411
FAX (315) 349-3303
CRIMINAL INVESTIGATION
(315) 349-3318
FAX (315) 349-3317

OSWEGO COUNTY SHERIFF'S OFFICE

DONALD R. HILTON
SHERIFF



JOHN F. TOOMEY
UNDERSHERIFF



CIVIL DIVISION
(315) 349-3302
FAX (315) 349-3373
1-800-582-7583
JAIL DIVISION
(315) 349-3300
FAX (315) 349-3349

39 Churchill Road, Oswego, New York 13126-6613

INFORMATIONAL MEMORANDUM

DATE: September 19, 2023

SUBJECT: Request to Increase Road Patrol Overtime Budget Modification

PURPOSE: The Oswego County Sheriff's Office request permission to transfer \$160,000 from A3110-511000 Salaries and Wages Reg and \$40,000 from A3110-512000-CAPCT into expenditure A3110-512000 Overtime Payments.

SUMMARY: Review and consideration is requested for the above budget modifications to transfer \$160,000 from A3110-511000 Salaries and Wages Reg along with \$40,000 from A3110-512000 Overtime Payments-CAPCT, into expenditure A3110-512000. This transfer is needed to cover unanticipated overtime expenses due in part to vacancies on Road Patrol. Seven positions have been filled but these positions are currently in the Oswego County Regional Police Academy and unable to fill Road Patrol duties until completion of the Academy and Field Training. There have also been increased overtime needs due to boosted patrols in response to crime activity and assistance to the Corrections Division with transports.

ATTACHMENTS:

1. Budget Modification
2. Resolution authorizing Budgetary Modification: Sheriff's Office Modification To Transfer Funds to Overtime Payments



RECOMMENDED ACTION: The Sheriff's Office recommends the approval of this budget modification to transfer funds to Overtime Payments.

COUNTY OF OSWEGO BUDGET MODIFICATION REQUEST

[illegible]

DEPARTMENT HEAD

DATE 10/5/23.

 COUNTY ADMINISTRATOR	DATE 10/2/23
 CHAIRPERSON	DATE 10/2/23

***DIRECTOR OF HUMAN RESOURCES**

***If Personnel Services are impacted**

COUNTY TREASURER

RESOLUTION NO. 322**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION FOR SHERIFF'S
OFFICE OVERTIME IN THE JAIL**

By Legislator Marc Greco:

WHEREAS, ongoing vacancies, additional needs for jail transports and minimum staffing have created unanticipated overtime expenses; and

WHEREAS, the Jail is currently operating at nearly full capacity but under-staffed with 10 vacant positions; and

WHEREAS, in order to meet the safety needs of our Corrections Staff and protect the residents of the county, including incarcerated individuals, providing additional funds for overtime in the Jail will allow the Sheriff's Office Corrections Division to meet current staffing requirements; and

NOW, upon recommendation of the Public Safety Committee of this body and with the recommendation of the Oswego County Sheriff; be it

RESOLVED, that the County Treasurer is hereby authorized to transfer funds from Temporary & Part-Time A3150-514000 to A3150-512000 Overtime Payments as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 322 of 2023

A3150 514000
A3150 512000

(\$82,628)
\$82,628



ADMINISTRATION
(315) 349-3307
FAX (315) 349-3483
ROAD PATROL
(315) 349-3411
FAX (315) 349-3303
CRIMINAL INVESTIGATION
(315) 349-3318
FAX (315) 349-3317

OSWEGO COUNTY SHERIFF'S OFFICE

DONALD R. HILTON
SHERIFF



JOHN F. TOOMEY
UNDERSHERIFF



CIVIL DIVISION
(315) 349-3302
FAX (315) 349-3373
1-800-582-7583
JAIL DIVISION
(315) 349-3300
FAX (315) 349-3349

39 Churchill Road, Oswego, New York 13126-6613

INFORMATIONAL MEMORANDUM

DATE: September 19, 2023

SUBJECT: Request to Increase Overtime Budget Modification for Jail

PURPOSE: The Oswego County Sheriff's Office request permission to transfer \$82,628 from A3150-514000 Temporary & Part Time (Jail) into expenditure A3150-512000 Overtime Payments.

SUMMARY: Review and consideration is requested for the above budget modifications to transfer \$82,628 from A3150-514000 Temporary & Part Time (Jail) into expenditure A3150-512000 Overtime Payments. This transfer is needed to cover unanticipated overtime expenses due in part to vacancies in the Oswego County Jail and operating at nearly full capacity daily. The Jail is currently operating at minimum staffing and anytime a corrections officer is away for illness or vacation, staffing is impacted and the position must be covered.

ATTACHMENTS:

1. Budget Modification
2. Resolution authorizing Budgetary Modification: Sheriff's Office Modification To Transfer Funds to Overtime Payments in the Jail

RECOMMENDED ACTION: The Sheriff's Office recommends the approval of this budget modification to transfer funds to Overtime Payments.

COUNTY OF OSWEGO



BUDGET MODIFICATION

[illegible]


 10/5/23

 DEPARTMENT HEAD
 DATE

 *DIRECTOR OF HUMAN RESOURCES
 DATE

	
COUNTY ADMINISTRATOR	CHAIRPERSON
DATE	DATE
10/22/23	10/22/23

***If Personnel Services are impacted**

COUNTY TREASURER

DATE _____

RESOLUTION NO. 323

**RESOLUTION AUTHORIZING RECLASSIFICATION OF ONE (1)
EMPLOYMENT ADVISOR TO ONE (1) EMPLOYMENT SPECIALIST
ASSISTANT IN THE DEPARTMENT OF SOCIAL SERVICES**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services is mandated to provide employment related services to Financial Assistance recipients in accordance with 18NYCRR 385.9; and

NOW, upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, the Social Services Commissioner has identified the need to reclassify (1) Employment Advisor position to (1) Employment Specialist Assistant; and be it further

RESOLVED, that a certified copy of this resolution be delivered to the County Treasurer, Budget Office and Human Resources Director shall by their authority to make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5000 • fax 315.963.5477

Informational Memorandum

Date: October 12, 2023

To: James Weatherup, Chairman of the Legislature
Roy Reehil, Chair of Human Services Committee
John Martino, Chair of Finance & Personnel Committee
Phil Church, County Administrator

From: Stacy Alvord, Commissioner
Marti Babcock, Deputy Commissioner

Subject: Reclassification of vacant Employment Advisor (CO-OP Grade 9) to Employment Specialist Assistant (CO-OP Grade 6)

Summary: **Reclassification of Employment Advisor (Co-Op Grade 9) to Employment Specialist Assistant (Co-Op Grade 6).** The recent resignation of an Employment Advisor provided opportunity to assess current job duties and determine ongoing need based on current needs within the team. There is currently 1 Employment Advisor position within Employment Services with no additional position to provide backup or to allow the addition of duties that may otherwise be handled by a higher-level position of Employment Specialist. With the reclassification of this position, the team will have 2 Employment Specialist Assistants and we will be able to move some duties away from Employment Specialist.

Recommended

Action: The Department of Social Services Respectfully recommends the Human Services Committee, the Finance & Personnel Committee and the Legislature approve the staff changes as outlined above.

The following summary provides the financial impact to the budget for the change we are recommending:

Reclass of Employment Advisor to Employment Specialist Assistant	10/16-12/31 Current wages	Proposed 10/16 - 12/31	Difference	State/Fed Reimbursement Diff	10/16 - 12/31/23 Local Share Diff
Remainder of 2023 = 55 workdays/holidays	\$9,394	\$7,046	-\$2,349	-\$1,761	-\$587
Total 2024 budget impact	\$40,825	\$34,571	-\$6,254	-\$4,690	-\$1,563

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT:	DSS	DIVISION/UNIT (NUMBER):	6292
A. NEW POSITION REQUEST			
1. Position Title Requested: _____			
2. Bargaining Unit: <input type="checkbox"/> CO-OP <input type="checkbox"/> Highway <input type="checkbox"/> Silver Star <input type="checkbox"/> Deputies <input type="checkbox"/> OCPA <input type="checkbox"/> Mgmt.			
3. a. Bargaining Unit – Hourly Rate from Grade plan:		_____	Grade: _____
b. Management or OCPA – Salary Requested:		_____	Grade: _____
4. Percent of Federal and or State Reimbursement: _____		Fringe Reimbursed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Justification of Need (Use additional sheets as necessary): 			
6. Complete New Position Duties Statement (p. 3 & 4).			
RECLASSIFICATION REQUEST			
1. Present Title:	Employment Advisor	2. Position #:	629274102
3. Present Salary/Hourly Rate:	\$21.61	Grade:	9
4. Requested Title:	Employment Specialist Assistant		
5. Requested Salary:	_____		
a. Bargaining Unit:	CO-OP	Hourly Rate:	\$18.30
b. Management or OCPA – Salary Requested:	_____	Grade:	6
6. Percent of Federal and/or State Reimbursement:	75%	Fringe Reimbursed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Justification of Need (use additional sheets as necessary): <i>The manager responsible for combining WtW and AP is looking for ways to better support the work of the unit and streamline job titles and processes. The duties that are planned for this position will not require the level of work assigned to an Employment Advisor, so we are seizing the opportunity to downgrade the title as this line was recently vacated. The employee that just resigned the title was the last Employment Advisor in the department.</i>			
8. Complete New Position Duties Statement (p. 3 & 4).			

C. POSITION DELETION

1. Title to be Deleted:

2. Position #

3. Salary Savings:

4. Reason for Deletion:

Civil Service Law: Section 22. Certification for positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such position reclassified only with the title approved and certified by the commission.

**OSWEGO COUNTY HUMAN RESOURCES
DEPARTMENT
NEW POSITION DUTIES STATEMENT**

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.

**1. DEPARTMENTS/SCHOOL
DISTRICT/TOWN OR VILLAGE
DSS**

DIVISION, UNIT, OR WORK SECTION

Employment & Training

LOCATION OF POSITION

Mexico

2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided.

Title requested: *Employment Specialist Assistant*

**PERCENT OF
WORK TIME**

15	<i>Assists clients in completing necessary forms and obtaining eligibility information and proofs, and documents in the case record</i>
10	<i>Assesses information provided by applicants for referral to Employment Specialist</i>
15	<i>Contacts clients to obtain routine information for periodic review, quarterly verification process, follow-ups, and retention studies</i>
15	<i>Identifies target group characteristics and checks Welfare Management System (WMS) for current status of client</i>
10	<i>Administers interest and aptitude exams</i>
10	<i>Assists in orientation and large group sessions</i>
15	<i>Explains programs and services to applicants in person, over the phone, or through letters</i>
10	<i>Reviews applications to determine completeness and accuracy and follows up for missing information</i>

(Attach additional sheets if more space is needed)

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
Karryn Anthony	Sr. Employment Specialist	Direct

Meghan Edwards (9/5)	Sr. Employment Specialist	Direct
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4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION
n/a		

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
Roberta Altimonda	Employment Specialist Assistant	Mexico

6. What minimum qualifications do you think should be required for this position?

Education: ☒ High School _____ years
☐ College _____ years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *Two (2) years of clerical experience supporting social service, employment, healthcare, or other closely related programs*

Essential knowledge, skills and abilities: *Knowledge of rules, regulations, and programs as they affect eligibility for and participation in local employment and training programs; office terminology, practices, and procedures; business arithmetic. Ability to communicate clearly; maintain records and reports; work with people in a supportive, non-threatening manner;. understand and follow oral and written instructions*

Type of license or certificate required:

7. The above statements are accurate and complete.

Date: 10/2/23

Title: Commissioner

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

RESOLUTION NO. 324

**RESOLUTION AUTHORIZING RECLASSIFICATION OF TWO POSITIONS
IN THE DEPARTMENT OF SOCIAL SERVICES**

By Legislator Roy Reehil:

WHEREAS, the Social Services Commissioner has identified the need to reclassify two (2) existing Typist positions to Community Service Workers to allow for streamlining of current job duties and to facilitate work duties in the HEAP Unit of the Assistance Programs Unit; and

NOW, upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that two (2) Typist positions, 601024717 and 601024718, Grade three (3) in the CSEA Oswego County Local 838, be reclassified to Community Service Workers, Grade four (4) in the CSEA Oswego County Local 838; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer, Budget Office and Human Resources Director shall be their authority to make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5435 • fax 315.963.5477

INFORMATIONAL MEMORANDUM

TO: Oswego County Board of Legislators

DATE: October 12, 2023

SUBJECT: Request for Reclassification of Two (2) Typist positions to Community Service Worker (CSW)

SUMMARY: DSS is gearing up for another HEAP season that promises to be extremely busy. We have had extremely limited luck in finding Typist candidates that are willing to work at our office in Mexico, and as a result, we are experiencing large gaps in coverage for processing and customer service. We were unable to hire any HEAP Typists in the 2022-23 HEAP season, and with vacancies in our year-round Typist positions, we will once again be in dire need of support staff to keep the program operating within state mandated timeframes.

We propose reclassifying the two (2) remaining Typist positions within our HEAP team so that we can streamline our work processes and better provide service. With support staff on the team working in the same title, workload can be more equitably distributed, and coverage can be more seamless. As the only Department that uses the title of CSW (school districts don't use it either), we have a much better opportunity to retain these staff and eventually promote them within the Unit into year-round positions.

RECOMMENDED

ACTION: The Department of Social Services recommends the Human Services Committee, Finance & Personnel Committee, and the Legislature approve the reclassification of two Typist positions to Community Services Worker. The increase in cost is outlined below. **These seasonal positions are 100% reimbursed with Federal/State funds.**

	Current Wage	Current Cost	Proposed Wage	Proposed Cost	Increase in Cost	Fed/State Reimburse	Local Share
10/9 - 12/31/23	16.03	\$13,465	16.57	\$13,919	\$454	100%	\$0
2023 Total		\$13,465		\$13,919	\$454	100%	\$0
1/1 - 3/31/24	16.51	\$13,868	17.07	\$14,339	\$471	100%	\$0
10/7 - 12/31/24	16.51	\$14,331	17.07	\$14,817	\$486	100%	\$0
2024 Total		\$28,199		\$29,156	\$957	100%	\$0

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: DSS

DIVISION/UNIT (NUMBER): 6010

A. NEW POSITION REQUEST

1. Position Title Requested:

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☐ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

5. Justification of Need (Use additional sheets as necessary):

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: Typist 2. Position #: 601024717, 601024718

3. Present Salary/Hourly Rate: \$16.03 Grade: 3

4. Requested Title: Community Service Worker

5. Requested Salary: _____

a. Bargaining Unit: CO-OP Hourly Rate: \$16.57 Grade: 4

b. Management or OCPA – Salary Requested: _____ Grade: _____

6. Percent of Federal and/or State Reimbursement: 100% Fringe Reimbursed: ☒ Yes ☐ No

7. Justification of Need (use additional sheets as necessary): *DSS is gearing up for another HEAP season that promises to be extremely busy. We have had extremely limited luck in finding Typist candidates that are willing to work at our office in Mexico, and as a result, we are experiencing large gaps in coverage for processing and customer service. We were unable to hire any HEAP Typists in the 2022-23 HEAP season, and with vacancies in our year-round Typist positions, we will once again be in dire need of support staff to keep the program operating with necessary timeliness.*

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION

1. Title to be Deleted:

2. Position #

3. Salary Savings:

4. Reason for Deletion:

Civil Service Law: Section 22. Certification for positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such position reclassified only with the title approved and certified by the commission.

**OSWEGO COUNTY HUMAN RESOURCES
DEPARTMENT**

NEW POSITION DUTIES STATEMENT

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.

1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE DSS	DIVISION, UNIT, OR WORK SECTION Assistance Programs	LOCATION OF POSITION Mexico
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided. Title requested: <i>Community Service Worker</i>		
PERCENT OF WORK TIME		
20%	<i>Manage the reception of incoming calls for HEAP and other integrated services, screening for emergencies, answering questions, providing information about internal and community services, and distributing the remainder of the calls to appropriate staff</i>	
10%	<i>Clear the team's voicemail and maintain a call log for all calls that need to be returned to callers that were unable to connect with an employee.</i>	
10%	<i>Review call logs, prioritize message based on emergent needs and return phone calls</i>	
10%	<i>Provide applicants with direction on how to apply for HEAP, the assembly of all required document and information</i>	
20%	<i>Gather applications and all required documentation for eligibility documentation and submit to Sr. SWE or SWE for review.</i>	
10%	<i>Collect necessary information from applicants that are calling with emergency shut-offs or no fuel so that their heat can be restored in a timely manner</i>	
10%	<i>Contact fuel vendors and National Grid to facilitate the delivery of fuel and electricity.</i>	
10%	<i>Interview walk-in HEAP applicants, receive all documentation for HEAP eligibility.</i>	
	(Attach additional sheets if more space is needed)	

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
Susan Wallace	Senior Social Welfare Examiner	Direct

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION
NA		

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
Laurette Potter	Community Service Worker	Mexico
Danielle McIntyre	Community Service Worer	Mexico
Raechelle Chrisman	Community Service Worker	Mexico

6. What minimum qualifications do you think should be required for this position?

Education: ☒ High School _____ years
☐ College _____ years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *one (1) year of paid or volunteer experience, in a non-professional position supporting social service, employment, health care, or other community-based programs*

Essential knowledge, skills and abilities: *Knowledge of community resources and programs. Ability to interpret agency programs, goals, and eligibility requirements in language that promotes understanding of the agency; understand and follow oral and written instructions; present information clearly, both orally and in writing; and deal with difficult and/or uncooperative patients/clients.*

Type of license or certificate required:

7. The above statements are accurate and complete.

Date: 10/2/23

Title: Commissioner

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

RESOLUTION NO. 325

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES 2023-2024 RENTAL SUPPLEMENT
PROGRAM ALLOCATION ACCEPTANCE**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services provides vital rental assistance to individuals and families who are experiencing homelessness or facing imminent loss of housing through the Rental Supplement Program (RSP); and

NOW, upon recommendation of the Human Services Committee and Finance & Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he is, authorized to transfer the funds to A6010-436890 RSP Revenue line and A6010.545500 Other Supplies and Expenses RSP budget line as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 325 of 2023

A6010 545500
A6010 436890

\$432,808.00
(\$432,808.00)



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5000 • fax 315.963.5477

TO: Oswego County Legislature

FROM: Stacy Alvord, Department of Social Services Commissioner

DATE: October 12, 2023

RE: Budget Modification – Accept Rental Supplement Program (RSP) allocation for SFY 2023-2024

INFORMATIONAL MEMORANDUM

SUBJECT: Budget Modification accepting Rental Supplement Program (RSP) Allocation for SFY2023-24.

BACKGROUND: The Rental Supplement Program funds allow local districts to provide vital rental assistance to individuals and families who are experiencing homelessness or are facing an imminent loss of housing. Oswego County Department of Social Services has been allocated \$432,808 for the SFY of 2023-24.

FISCAL IMPACT: Increase the A6010.545500 Other Supplies & Expenses RSP budget line \$432,808 and increase the A6010.436890 RSP revenue line \$432,808. There will be no increase or decrease in the local share for 2023 or any future years due to the acceptance of these funds.

RECOMMENDATION: Approve this budget modification to accept the Rental Supplement Program SFY2023-24 allocation of \$432,808.

2023
10/12/2023

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ		
A6010	545500	RSP				SSADMIN - Other Supplies & Expense - RSP	432,808
			A6010	436890	RSP	SSADMIN - State Aid - RSP	(432,808)
						To accept Rental Supplement Program allocation for SFY2023-24	

Stacy Alvord 10/02/2023
DEPARTMENT HEAD DATE

County Administrator *[Signature]* DATE *10/2/23*

Chairperson _____ DATE _____

***DIRECTOR OF HUMAN RESOURCES** **DATE**

CHAIRPERSON

***If Personnel Services are impacted**

COUNTY TREASURER

DATE _____

RESOLUTION NO. 326

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION AMENDMENT
TO RESOLUTION NUMBER 173 DEPARTMENT OF SOCIAL SERVICES 2022-
2023 RENTAL SUPPLEMENT PROGRAM ALLOCATION**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services was granted the Rental Supplement Program allocation to the incorrect revenue account number and has determined an amendment is required; and

NOW, upon recommendation of the Human Services Committee and Finance & Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he is, authorized to transfer the funds from A6010-436890 Revenue line to A6010-436890 RSP line as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 326 of 2023

A6010 436890

\$432,808.00

A6010 436890

(\$432,808.00)



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5000 • fax 315.963.5477

TO: Oswego County Legislature
FROM: Stacy Alvord, Department of Social Services Commissioner
DATE: October 12, 2023
RE: CORRECTION of R#173 6/15/2023

INFORMATIONAL MEMORANDUM

SUBJECT: A request to correct an account number from Resolution #173 from 6/15/2023.

BACKGROUND: A budget modification was granted to accept the Rental Supplement Program allocation for SFY2023-24. The budget modification that was submitted listed the incorrect revenue account number. It listed A6010.436890 and the correct account number is A6010.436890 RSP.

FISCAL IMPACT: Transfer the funds of \$432,808.00 from A6010-436890 Revenue line to A6010-436890 RSP line. There will be no increase or decrease in the local share for 2023 or any future years due to the acceptance of these funds.

RECOMMENDATION: Approve this correction to Resolution #173 by transferring the funds from A6010-436890 Revenue line to A6010-436890 RSP line.

2023
10/12/2023

Stacy Clavord 10/02/2023
 DEPARTMENT HEAD DATE

* DIRECTOR OF HUMAN RESOURCES	DATE
-------------------------------	------

COUNTY TREASURER

DATE

RESOLUTION NO. 327

**RESOLUTION AUTHORIZING RECLASSIFICATION OF TWO POSITIONS
IN THE DEPARTMENT OF SOCIAL SERVICES ADMINISTRATIVE UNIT**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services currently has one sole employee that currently processes all in-house Human Resource inquiries and payroll for all DSS staff; and

NOW, upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, the Social Services Commissioner has identified the need to reclassify one (1) existing Senior Administrative Services Assistant (CO-OP Grade 7, position 601032601) to one (1) Principal Administrative Services Assistant (CO-OP Grade 9) to allow for increased payroll quality assurance and compliance; and be it further

RESOLVED, the Social Services Commissioner has identified the need to reclassify one (1) existing Typist (CO-OP Grade 3, position 601024708) to one (1) Administrative Services Assistant (CO-OP Grade 6) to provide direct support to the department's Principal Administrative Services Assistant; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer, Budget Office and Human Resources Director shall be their authority to make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5435 • fax 315.963.5477

INFORMATIONAL MEMORANDUM

TO: Oswego County Board of Legislators

DATE: October 12, 2023

SUBJECT: Request for Reclassification of One (1) Senior Administrative Services Assistant position (CO-OP Grade 7) to Principal Administrative Services Assistant (CO-OP Grade 9), and One (1) Typist (CO-OP Grade 3) to Administrative Services Assistant (CO-OP Grade 6)

SUMMARY: DSS currently has one sole employee that processes payroll and handles all in-house HR inquiries for 350+ employees. The duties of this position are at a high level of responsibility, as they carry with them the high consequence of error for the Department and its employees. Their duties require that they collaborate with managers and supervisors across the Department as well as with the Department of Human Resources to ensure all civil service rules are followed without error. The changeover to MUNIS ESS has created a lot more questions and errors across the department which require increased vigilance in the payroll process. This position will also be taking on additional personnel data reporting and training the Administrative Services Assistant to take on more of the payroll processing and management of HR paperwork so they can truly be a full back-up to the Principal when the Principal is out of office. This upgrade will also more effectively create a promotional path for the Administrative Services Assistant.

The currently vacant position of Typist within the Admin team has been unable to be filled, as has been seen repeatedly across the Department due to non-competitive wages. We are requesting that this position be upgraded to add depth to our Administrative Team staffing and allow for additional payroll, hiring and internal HR-related duties to be transferred and/or shared between the Principal and the Administrative Services Assistant to create more complete coverage and back-up. This small team of 2 is currently thrown into overwork and confusion when there is a vacancy, which happens frequently in the title of Typist.

RECOMMENDED

ACTION: The Department of Social Services recommends the Human Services Committee, Finance & Personnel Committee, and the Legislature approve the reclassification of one (1) Senior Administrative Services Assistant to

Principal Administrative Services Assistant, and one (1) Typist position to Administrative Services Assistant. The increase in cost, as outlined below, will be covered by unspent 2023 Salaries & Wages. **The costs of these upgrades will be budget neutral in 2023.**

Sr Admin Services Asst to Principal	Current Wage	Current Cost	Proposed Wage	Proposed Cost	Increase in Cost	Fed/State Reimburse	Local Share
10/9 - 12/31/23	\$21.16	\$8,887	\$23.70	\$9,954	\$1,067	75%	\$267
2024	\$21.79	\$39,963	\$24.41	\$44,768	\$4,805	75%	\$1,201

Typist to Admin Services Asst	Current Wage	Current Cost	Proposed Wage	Proposed Cost	Increase in Cost	Fed/State Reimburse	Local Share
10/9 - 12/31/23	16.03	\$6,732	\$18.30	\$7,686	\$954	75%	\$239
2024	16.51	\$30,280	\$18.85	\$34,571	\$4,291	75%	\$1,073

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: DSS

DIVISION/UNIT (NUMBER): 6010

A. NEW POSITION REQUEST

1. Position Title Requested:

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☐ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

5. Justification of Need (Use additional sheets as necessary):

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: Sr Admin Services Assistant 2. Position #: 601032601

3. Present Salary/Hourly Rate: \$21.16 Grade: 7

4. Requested Title: Principal Admin Services Assistant

5. Requested Salary: _____

a. Bargaining Unit: CO-OP Hourly Rate: \$23.70 Grade: 9

b. Management or OCPA – Salary Requested: _____ Grade: _____

6. Percent of Federal and/or State Reimbursement: 75% Fringe Reimbursed: ☒ Yes ☐ No

7. Justification of Need (use additional sheets as necessary): *DSS currently has one sole employee that processes payroll and handles all in-house HR inquiries for 350+ employees. The duties of this position are at a high level of responsibility, as they carry with them high consequence of error for the Department and its employees. Her duties require her to collaborate with managers and supervisors across the Department as well as with the Department of Human Resources to ensure all civil service rules are followed without error. The changeover to MUNIS ESS has created a lot more questions and errors across the department which require increased vigilance in the payroll process.*

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION

1. Title to be Deleted:

2. Position #

3. Salary Savings:

4. Reason for Deletion:

Civil Service Law: Section 22. Certification for positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such position reclassified only with the title approved and certified by the commission.		OSWEGO COUNTY HUMAN RESOURCES DEPARTMENT NEW POSITION DUTIES STATEMENT Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.	
1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE DSS	DIVISION, UNIT, OR WORK SECTION Administration	LOCATION OF POSITION Mexico	
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided. Title requested: <i>Principal Admin Services Assistant</i>			
PERCENT OF WORK TIME			
25	Request civil service lists and applications from HR; schedule employment interviews, advise internal management re: civil service status that may impact hiring, hire new employees; type and send various letters regarding interviews, hiring, terminations, etc.		
20	Process payroll in MUNIS for 350+ employees - involves reviewing, correcting and advising employees across the department to ensure time is entered correctly and approved only one pay period at a time.		
5	Create reports upon request and on scheduled basis regarding staffing to inform management team decisions re: resource allocation – vacancies, turn-over, FML/disability leaves, potential retirements		
5	Provide background check packets to appropriate new candidates, and conduct outreach to Law Enforcement to obtain necessary records re: criminal history		
15	Serve as resource to all employees to answer questions about timesheets, accruals, on-call, contract provisions, documentation required for medical leaves, civil service status, etc.		
10	Serve as primary liaison with Dept of HR regarding hiring, terminations, payroll, leaves of absence, etc.		
10	Track status of all budgeted positions within the agency using Filepro database, MUNIS and employee card system		
5	Maintain internal HR records in accordance with CO2 Records Retention and Disposition Schedule.		
5	Oversee the maintenance of multiple databases of employee information, department evacuation lists, organizational charts, hyper-reach participants and groups		
	(Attach additional sheets if more space is needed)		

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
Marti Babcock	Deputy Commissioner	Direct

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION
TBD	Admin Services Assistant (proposed)	Direct

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
n/a		

6. What minimum qualifications do you think should be required for this position?

Education: ☐ High School _____ years
☒ College 2 years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *three (3) years of clerical or para-professional experience which involved explaining, verifying, and processing payroll and/or employee benefits information*

Essential knowledge, skills and abilities: *Knowledge of personnel and payroll policy/procedure; business math; methods used in maintaining financial records and reports; office terminology, procedures, equipment and business English. Ability to work under time constraints; communicate effectively, both orally and in writing; understand/follow oral and written instructions; prepare and maintain confidential and complex records and reports; develop and maintain effective working relationships; analyze and evaluate information; operate a computer and utilize common office software programs including word processing, spreadsheet and databases*

Type of license or certificate required:

7. The above statements are accurate and complete.

Date: 9/18/23

Title: Commissioner

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: DSS

DIVISION/UNIT (NUMBER): 6010

A. NEW POSITION REQUEST

1. Position Title Requested:

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☐ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

5. Justification of Need (Use additional sheets as necessary):

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: Typist 2. Position #: 601024708

3. Present Salary/Hourly Rate: \$16.03 Grade: 3

4. Requested Title: Admin Services Assistant

5. Requested Salary: _____

a. Bargaining Unit: CO-OP Hourly Rate: \$18.30 Grade: 6

b. Management or OCPA – Salary Requested: _____ Grade: _____

6. Percent of Federal and/or State Reimbursement: 75% Fringe Reimbursed: ☒ Yes ☐ No

7. Justification of Need (use additional sheets as necessary): *This position will report directly to the Principal Admin Services Assistant that is solely responsible for payroll and all in-house HR inquiries and actions for 350+ employees. As a Typist level position, there is no possibility for true cross-training to provide adequate back-up for the Principal. It has also proven impossible to retain an employee in the position long-term. This position upgrade will allow the incumbent to process payroll in the Principal's absence and manage more of the hiring and on-boarding processes for new employees. The high demand for these duties over the past several months have left the Principal struggling to work a normal work schedule and manage all details.*

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION

1. Title to be Deleted:

2. Position #

3. Salary Savings:

4. Reason for Deletion:

Civil Service Law: Section 22. Certification for positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such position reclassified only with the title approved and certified by the commission.		OSWEGO COUNTY HUMAN RESOURCES DEPARTMENT NEW POSITION DUTIES STATEMENT Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.	
1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE DSS	DIVISION, UNIT, OR WORK SECTION Administration	LOCATION OF POSITION Mexico	
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided. Title requested: <i>Admin Services Assistant</i>			
PERCENT OF WORK TIME			
15	<i>Assist with securing and distributing civil service lists and applications from HR;</i>		
20	<i>Assist with all aspects of processing payroll in MUNIS - involves reviewing, correcting and advising employees across the department to ensure time is entered correctly and approved only one pay period at a time.</i>		
10	<i>Send reminders to staff about when time must be entered into MUNIS, especially around holiday schedules.</i>		
15	<i>Maintain multiple databases of employee information, department evacuation lists, organizational charts, hyper-reach participants and groups, update online floor plans and employee photo ID books</i>		
10	<i>Serve as resource to all employees to answer questions about timesheets, accruals, and on-call</i>		
10	<i>Schedule employment interviews and host interviewees;</i>		
10	<i>Type and send various letters regarding interviews, hiring, terminations, etc.</i>		
10	<i>Cross-train to serve as back-up to the Principal Admin Svcs Assistant and perform necessary duties in her absence.</i>		
	(Attach additional sheets if more space is needed)		

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
Elizabeth King	Pr Admin Services Assistant (proposed)	Direct

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION
n/a		

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
n/a		

6. What minimum qualifications do you think should be required for this position?

Education: ☒ High School _____ years
☐ College _____ years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *three (3) years of clerical or para-professional experience which involved explaining, verifying, and processing payroll and/or employee benefits information*

Essential knowledge, skills and abilities: *Knowledge of personnel and payroll policy/procedure; business math; methods used in maintaining financial records and reports; office terminology, procedures, equipment and business English. Ability to work under time constraints; communicate effectively, both orally and in writing; understand/follow oral and written instructions; prepare and maintain confidential and complex records and reports; operate a computer and utilize common office software programs including word processing, spreadsheet and databases*

Type of license or certificate required:

7. The above statements are accurate and complete.

Date: 9/18/23

Title: Commissioner

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER**8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:**

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

RESOLUTION NO. 328

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES-FURNITURE AND FURNISHINGS FOR
REMAINDER OF 2023 CALENDAR YEAR**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services has identified a need to purchase replacement furniture for 18 interview booths and various staff furnishings throughout the Agency; and

NOW, upon recommendation of the Human Services Committee and Finance & Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he is, authorized to transfer the funds from A6010.511000 ADMIN Salaries and Wages to A6010.521000 Furniture and Furnishings as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 328 of 2023

A6010 521000

\$4,690

A6010 511000

(\$4,690)



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5000 • fax 315.963.5477

TO: Oswego County Legislature
FROM: Stacy Alvord, Department of Social Services Commissioner
DATE: October 12, 2023
RE: Budget Modification – SSADMIN – Furniture & Furnishings

INFORMATIONAL MEMORANDUM

SUBJECT: Budget Modification requesting a transfer of funds to cover furniture and furnishing expenses for the remainder of CY2023.

BACKGROUND: Furniture and furnishing orders are completed for any desk, chair, file cabinet, bookcase, coat rack, rug, or other furniture need that employees may have. The current Furniture & Furnishings budget line has been exhausted through the purchase of new cubicle walls, ergonomic desks, replacement chairs, bookcases, and bathroom cabinets. Currently, Assistance Programs require replacement of 18 interview booth chairs that are in disrepair.

Alternatives to the transfer of funds from the SSADMIN Salaries & Wages - Regular budget line would be to transfer funds from another fund line that is projected to have an unused balance at the end of the 2023 Calendar Year.

If additional funds are not transferred to the SSADMIN - A6010.521000 – Furniture & Furnishings account, then we will not have enough funds in our budget line to allow the necessary purchase of furniture items through the 2023 Calendar Year.

FISCAL IMPACT: Increase the SSADMIN A6010.521000 Furniture & Furnishings budget line \$4,690.00 and decrease the SSADMIN - A6010.51100 Salaries & Wages - Regular budget line by \$4,690.00. There will be no increase or decrease in the local share for 2023 or any future years due to the transfer of these funds. Reimbursement is as follows: 75% state (\$3518.00) 25% local (\$1,172.00)

Previous budget modification requests have been approved for: R#099 4/09/23 for \$16,500.00 and R#129 5/11/23 for \$3,736.53.

RECOMMENDATION: Approve this budget modification to transfer \$4,690.00 to SSADMIN – A6010 521000 Furniture & Furnishings from SSADMIN – A6010 511000 Salaries & Wages - Regular.



1-888-952-6937
uline.com
quotes@uline.com

QUOTATION

TO:

OSWEGO COUNTY SOCIAL SERVICES
PO BOX 1320
MEXICO NY 13114-1320

ATTN: JESSICA PRIME

CUST# 11297090

QUOTE #: 3-175306

DATE: 09/18/23

SALES REP: CAROLYNN
MARUSZAK

TERMS: NET 30

FOB POINT: ORIGIN

DELIVERY: BEST WAY


QUANTITY	U/M	ITEM NUMBER / DESCRIPTION	UNIT PRICE	EXT. PRICE
18	EACH	H-9726 VINYL TASK CHAIR SELECT COLOR WHEN ORDERING Lead Time: in stock black -Freight Estimate to Zip Code 13114 via Pitt Ohio \$360 -*Lead Time Subject to Change Upon Receipt of Order	185.00	3,330.00

Any comments on Uline and/or our pricing are greatly appreciated.
Kindly contact customer service at 1-800-295-5510.

2023
10/12/2023

ACCOUNT NUMBER			ACCOUNT NUMBER			
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ	
A6010	521000					DOLLAR AMOUNT
						\$ 4,690
			A6010	511000		\$ (4,690)
Provide funding to allow the continued purchase of furniture items for CY2023						
as well as purchase of 18 replacement interview booth chairs for Assistance Programs						

Tracy Alvord DEPARTMENT HEAD	10/02/2023 DATE
---------------------------------	--------------------


 COUNTY ADMINISTRATOR
 DATE 10/2/23

CHAIRPERSON
 DATE

*DIRECTOR OF HUMAN RESOURCES	DATE
------------------------------	------

CHAIRPERSON

***If Personnel Services are impacted**

COUNTY TREASURER

DATE _____

RESOLUTION NO. 329

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
DEPARTMENT OF SOCIAL SERVICES REPRODUCTION EXPENSES FOR
REMAINDER OF 2023 CALENDAR YEAR**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services has identified a need to purchase supplies such as envelopes, checks and mandated state forms that require the Oswego County logo to be printed; and

NOW, upon recommendation of the Human Services Committee and Finance & Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he is, authorized to transfer the funds from A6010.511000 Salaries and Wages to A6010.542500 Reproduction Expense as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 329 of 2023

A6010 542500
A6010 511000

\$2,000
(\$2,000)



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5000 • fax 315.963.5477

TO: Oswego County Legislature
FROM: Stacy Alvord, Department of Social Services Commissioner
DATE: October 12, 2023
RE: Budget Modification – SSADMIN – Reproduction Expenses

INFORMATIONAL MEMORANDUM

SUBJECT: Budget Modification requesting a transfer of funds to cover Reproduction Expenses for the remainder of CY2023.

BACKGROUND: Reproductive orders are required for all supplies that need the Oswego County logo printed on them, such as: envelopes, checks, and state mandated Safety Plan forms. The cost for reproductive orders has doubled for envelopes since 2020 and increased by 20% for checks.

If additional funds are not transferred to the SSADMIN - A6010.542500 - Reproduction Expense account, then we will not have enough funds in our budget line to allow the necessary purchase of envelopes through the 2023 Calendar Year.

FISCAL IMPACT: Increase the SSADMIN A6010.542500 Reproduction Expense budget line \$2,000 and decrease the SSADMIN - A6010.511000 Salaries & Wages - Regular budget line by \$2,000. There will be no increase or decrease in the local share for 2023 or any future years due to the transfer of these funds. Reimbursement is as follows: 75% State (\$1,500.00) and 25% Local (\$500.00).

A previous budget modification request was approved on April 9, 2023, to transfer \$4,200 to A6010 542500 from A6010 511000 Salaries & Wages Reg. R#098 4/09/23.

RECOMMENDATION: Approve this budget modification to transfer \$2,000 to SSADMIN – A6010 542500 Reproduction Expense from SSADMIN – A6010 511000 Salaries & Wages Reg.

/lfw

2023
10/12/2023

Stacy Alvord 10/02/2023
DEPARTMENT HEAD DATE

*DIRECTOR OF HUMAN RESOURCES	DATE
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***If Personnel Services are impacted**

DATE _____

RESOLUTION NO. 330

**RESOLUTION AUTHORIZING AMENDED FEE SCHEDULE FOR INDIGENT
BURIALS**

By Legislator Roy Reehil:

WHEREAS, the Department of Social Services amended their indigent burial rates with Legislative approval in September 2022; and

WHEREAS, the Department of Social Services has identified that the September 2022 amendment omitted the Cremation Fee and is requesting that it be added back to the fee schedule; and

NOW, upon recommendation of the Human Services Committee and Finance & Personnel Committee; be it

RESOLVED, that the Commissioner of Social Services be, and she hereby is, authorized to adjust the fee schedule for indigent burials as outlined in the attached Policy and Procedure document and informational memorandum effective October 1, 2022.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

LEGISLATURE

COUNTY

OSWEGO



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5435 • fax 315.963.5477

INFORMATIONAL MEMORANDUM

TO: Oswego County Board of Legislators

DATE: October 12, 2023

SUBJECT: Indigent Burial Reimbursement Rates

SUMMARY: In accordance with New York State Social Services Law Section 141 and the applicable provisions of the New York State Code Rules and Regulations, a local district must provide for a burial when a TA recipient or other indigent person dies leaving no funds or insurance sufficient to pay the cost and there are no relatives, friends, or other persons liable or willing to take responsibility for the burial expense.

Oswego County amended their indigent burial rates with Legislative approval in September 2022. We are now asking to add a rate for a crematory fee that was inadvertently omitted from the rate schedule as was previously approved.

The chart below shows a description of the rates as approved in 2022, including the cremation fee.

Service	2022 Rate Eff. 10/1/2022	Change %
Direct Burial No Services	\$1900.00	0%
Cremation Fee	\$350.00	
Direct Cremation No Services	\$1650.00	29%
Burial/Cremation With Services	\$2400.00	26%
Stillborn	\$550.00	29%
Transportation Fee	\$2.50/mi	42%
Concrete Rough Box	Actual Cost	

**RECOMMENDED
ACTION:**

The Department of Social Services recommends the Human Services Committee; the Finance & Personnel Committee and the Oswego County Legislature approve the presented rate for a cremation fee.

RESOLUTION NO. 331

**RESOLUTION TRANSFERRING FUNDS FROM CAPITAL PROJECT #B0621
SANDY ISLAND BRIDGE AND INCREASING AUTHORIZATION OF CAPITAL
PROJECT #0121 CO.25 CAMP HOLLIS SHORELINE STABILIZATION**

By Legislator Roy Reehil:

WHEREAS, The County was awarded a New York State Resiliency and Economic Development Initiative REDI Grant of \$500,000.00 to prevent further erosion of the camp Hollis shoreline; and

WHEREAS, COVID-19 delayed the start of the project, Capitol Project No. 0121-CO.25 was established on April 15, 2021. In March 2023 NOIA report issued by the DEC required changes to the original proposal including additional costs; and

NOW, upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the County Treasurer be, and hereby is, authorized to transfer the funds from a previous established Capital Project #B0621 Sandy Island Bridge to the accounts shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer, shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 331 of 2023

H 529000 B0621	(\$500,000.00)
H 439890 B0621	\$475,000.00
H 450310 B0621	\$25,000.00
H 529000 0121	\$500,000.00
H 438970 0121	(\$475,000.00)
H 450310 0121	(\$25,000.00)



Oswego City-County Youth Bureau

OSWEGO COUNTY COMPLEX
70 BUNNER STREET
OSWEGO, NEW YORK 13126
(315) 349-3451 Fax (315) 349-3231

Brian Chetney, Executive Director






Informational Memorandum

- Purpose:** To transfer funds from Capital Project #B0621 Sandy Island Beach and increase funding for Capital Project # 0121-CO.25 Camp Hollis Shoreline Stabilization Project REDI
- Summary:** In 2019 The County of Oswego was awarded a New York State Resiliency and Economic Development Initiative REDI grant of \$500,000.00 to prevent further erosion of the Camp Hollis shoreline. COVID 19 created delays in starting the project. Capital Project 0121-CO.25 Camp Hollis Shoreline Stabilization was established on April 15, 2021. In March 2023 the NOIA report issued by the DEC required changes to the original proposal including additional costs. Unused Resiliency and Economic Development Initiative REDI funds are available.
- Recommended Action:** The department recommends the Human Services Committee; the Finance & Personnel Committee and the Oswego County Legislature authorize the transfer of \$500,000.00 from H529000 B0621 Sandy Island Bridge to H592000 CP121 Camp Hollis REDI Project be approved.

COUNTY OF OSWEGO BUDGET MODIFICATION REQUEST

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ		
H	529000	B0621				Decrease CP#B0621 - Sandy Island Bridge	(500,000.00)
H	439890	B0621				State Aid Other - CP#B0621 Sandy Island Bridge	475,000.00
H	450310	B0621				Interfund Transfer - CP#B0621 - Sandy Island Bridge	25,000.00
			H	529000	0121	Increase - CP#0121 - Camp Hollis Shoreline	500,000.00
			H	438970	0121	State Aid Other - CP#0121 Camp Hollis Shoreline	(475,000.00)
			H	450310	0121	Interfund Transfer - CP#0121 Camp Hollis Shoreline	(25,000.00)
						This project to be increase through a transfer of funds	
						decreasing the Sandy Island Bridge REDI Project - CP#B0621	

	10/2/23
DEPARTMENT HEAD	DATE
	10223
COUNTY ADMINISTRATOR	DATE
	10/2/23
CHAIRPERSON	DATE
*DIRECTOR OF HUMAN RESOURCES	DATE

***If Personnel Services are impacted**

RESOLUTION NO. 332**RESOLUTION OPPOSING NEW YORK CITY'S UPDATED CITY "FIGHTING HOMELESSNESS AND EVICTION PREVENTION SUPPLEMENT" (FHEPS) PROGRAM TO SEND HOMELESS FAMILIES AND INDIVIDUALS TO UPSTATE NEW YORK**

By Legislator Roy Reehil:

WHEREAS, on Tuesday, September 26th, New York City Mayor Eric Adams announced an expansion to the City Fighting Homelessness and Eviction Prevention Supplement (FHEPS) rental assistance program; and

WHEREAS, in the announcement, Mayor Adams immediately expanded access to housing for homeless individuals currently residing in New York City by allowing these individuals to move across the state while still receiving housing voucher rental assistance; and

WHEREAS, during a call with county leaders across the state, the Adams administration declared that there are approximately 10,000 individuals and families currently residing in NYC and taking advantage of the City's FHEPS program; and

WHEREAS, it is estimated that approximately 20% (2,000) of these FHEPS-eligible households may look to relocate outside of NYC; and

WHEREAS, the FHEPS program is a five-year program where NYC would reimburse landlords for 70% of the rent of an apartment, where the remaining 30% is the responsibility of the homeless household; and

WHEREAS, while CityFHEPS will reimburse landlords directly for housing costs, the FHEPS program does not provide other social service assistance programs that are required by this population; and

WHEREAS, the counties that receive CityFHEPS households will be responsible for cash assistance, aging services, mental health and substance abuse programming, and daycare; and

WHEREAS, even though NYC's actions will place unaffordable financial burdens on upstate counties and add pressures on their already overstressed human service agencies, NYC and the State Office of Temporary & Disability Assistance (OTDA) did not consult with upstate counties prior to taking this action; and

WHEREAS, Oswego County has no available capacity to house additional homeless populations and is already housing its own homeless residents in other counties; and

WHEREAS, the CityFHEPS program will further exacerbate an already over-

stressed housing market across the State; and

WHEREAS, because the CityFHEPS program provides households with HUD-approved maximum rental assistance, homeless households leaving NYC will be able to secure market-rate housing across Upstate New York; and

WHEREAS, the relocation of these families and individuals will thus push our local indigent households into homelessness as the CityFHEPS program will likely supplant local resident populations from securing market rate housing; and

WHEREAS, it is the belief of the Oswego County Legislature that NYC is taking this action solely for the purpose of moving homeless populations out of the City to make room for immigrants it invited by declaring itself a “sanctuary city;” and

WHEREAS, NYC’s action may violate New York State Social Services Law § 148, which makes it a crime to “send or bring, or cause to be sent or brought, any needy person into a public welfare district with the purpose of making him a charge on such public welfare district, or for the purpose of avoiding the responsibility of assistance or care in the public welfare district from which he is brought or sent;” and

WHEREAS, the federal government has failed to adopt effective immigration policies and regulations that would have prevented the current crisis.

NOW, THEREFORE BE IT RESOLVED, the Oswego County Legislature hereby calls on Mayor Eric Adams and the City of New York to immediately halt the implementation of the updated CityFHEPS program; and

BE IT FURTHER RESOLVED, the Oswego County Legislature hereby calls on the State of New York to intervene and provide 100% reimbursement to the counties of New York for any costs incurred for providing services to homeless and migrant populations within our State; and

BE IT FURTHER RESOLVED, the Oswego County Legislature calls upon the President and Congress to immediately fulfill their federal responsibilities to address the issues of orderly immigration and asylum status and reasonable border control; and

BE IT FURTHER RESOLVED, that the Oswego County Legislature opposes the changes to the CityFHEPS program and will continue to declare a housing state of emergency; and

BE IT FURTHER RESOLVED, that this Resolution shall be transmitted to the Governor of the State of New York, the New York State Legislature, the City of New York, Mayor Eric Adams, and all others deemed necessary and proper.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

RESOLUTION NO. 333

**A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 5 OF THE
YEAR 2023, ENTITLED A LOCAL LAW ESTABLISHING THE COUNTY
PLANNING DEPARTMENT AS THE SOLE COUNTY PLANNING AGENCY FOR
THE PURPOSES OF REFERRALS UNDER NEW YORK STATE GENERAL
MUNICIPAL LAW §§239-l, 239-m and 239-n**

By Legislator Chesbro:

UPON the recommendation of the Economic Development & Planning Committee
of this body; be it

RESOLVED, that the Oswego County Legislature shall hold a Public Hearing on the
proposed County of Oswego Local Law Number 5 of 2023, entitled "A LOCAL LAW
ESTABLISHING THE COUNTY PLANNING DEPARTMENT AS THE SOLE COUNTY
PLANNING AGENCY FOR THE PURPOSES OF REFERRALS UNDER NEW YORK
STATE GENERAL MUNICIPAL LAW §239-l, 239-m and 239-n" on the 9th day of
November, 2023, at 2:00 o'clock, in the afternoon of said day at the Oswego County
Legislative Chambers, County Office Building, 46 E. Bridge Street, Oswego, New York
13126; and be it further

RESOLVED, that the Clerk of the Oswego County Legislature cause notice of such
Public Hearing to be published in the Official Newspapers of the County and post the same
as required by law.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

COUNTY OF OSWEGO
LOCAL LAW NUMBER 5 OF 2023
A LOCAL LAW ESTABLISHING THE COUNTY PLANNING DEPARTMENT
AS THE SOLE COUNTY PLANNING AGENCY
FOR THE PURPOSES OF REFERRALS
UNDER NEW YORK STATE GENERAL MUNICIPAL LAW §§239-l, 239-m and 239-n

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF OSWEGO AS FOLLOWS:

1. Title.

This local law shall be known as “A Local Law Establishing the County Planning Department as the Sole County Planning Agency for the Purposes of Referrals under New York State General Municipal Law §§239-l, 239-m, and 239-n.”

2. Purpose and Intent.

The purpose and intent of this local law is to designate and empower the Oswego County Department Community Development, Tourism and Planning (hereinafter “County Planning Department”), and any successor county planning department as the case may be, as the sole planning agency for purposes of referrals under New York State General Municipal Law §§239-l, 239-m and 239-n. This body finds and determines that coordinated handling and review by the County Planning Department of referrals results in greater consistency across jurisdictions as well as a more expedient turn around for projects and activities requiring same.

3. General Provisions.

- (a) The County Planning Department of the County of Oswego shall, for the purposes of referrals under New York State General Municipal Law §§239-l, 239-m and 239-n, be the sole county planning agency.
- (b) The County Planning Department shall enjoy, exercise and have all the powers and duties of a county planning agency under New York State General Municipal Law §§239-l, 239-m and 239-n.

4. Severability.

If the provisions of any section, subsection, paragraph, sentence, subdivision, clause, phrase or provision of this local law shall be, for any reason, held or adjudged invalid or unconstitutional by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the validity and enforceability of the remainder of any section, subsection, paragraph, sentence, subdivision, clause, phrase or provision of this local law.

5. **County Planning Board.**

Notwithstanding the adoption of this local law, the Oswego County Planning Board shall continue to exist and to handle such other business as may be directed or referred by the Oswego County Legislature, and as otherwise required to come before the board, except for those matters under General Municipal Law §§239-l, 239-m and 239-n delegated to the County Planning Agency by this enactment.

6. **Repealer.**

Local Law Number 6 of 2003 entitled “A Local Law Establishing the Planning Director as the Sole Planning Agency for the Purposes of Referrals under New York State General Municipal Law §239-m” be and is hereby **REPEALED** upon the adoption of this local law.

7. **SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this local law constitutes a Type II action pursuant to Section 617.5(c)(24), (26), and (33) of Title 6 of the New York Code of Rules and Regulation (6 NYCRR) and within the meaning of Section 8-0109(2) of the New York State Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Clerk of the County Legislature be, and is hereby, directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

6. **Effective Date.**

This local law shall take effect immediately upon its adoption.

RESOLUTION NO. 334

**RESOLUTION DETERMINING THAT THE INSTALLATION OF ARTIFICIAL
TURF FOR SOME INFIELDS AT THE LEGENDS FIELDS COMPLEX
CONSTITUTES A TYPE II ACTION UNDER SEQRA**

By Legislator Mary Ellen Chesbro:

WHEREAS, the County of Oswego is the owner of the Legends Fields complex located on Churchill Road in the City of Oswego and is appropriate to act as lead agency under SEQRA; and

WHEREAS, the county proposes to replace the grass infield on some fields with artificial turf (the project) which will allow baseball and softball games to resume more quickly after rain; and

WHEREAS, the proposed project does not change the present use of the complex as a location for baseball and softball games; and

WHEREAS, the Supreme Court, Appellate Division holding in *Groarke et al. vs. Board of Education of Rockville Centre Union Free School District* found the installation of artificial turf, lighting, and bleachers, generally, qualified as a Type II action under the State Environmental Quality Review Act and where a proposal was clearly for a “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site” (6 NYCRR 617.5[c][2]), it is a Type II action, which does not require environmental review under SEQRA; and

WHEREAS, the county in consultation with its planning agency has determined this project does not exceed any of the thresholds under 6 NYCRR 617.4 and constitutes the replacement, rehabilitation or reconstruction of a structure or facility in kind at the same site and will not have a significant impact on the environment,

NOW, THEREFORE, upon recommendation of the Economic Development and Planning Committee of this body, it is hereby

RESOLVED, based upon the foregoing, the County of Oswego as lead agency makes the following findings and determinations with respect to the Project to install artificial turf on some infields at the Legends Complex: (a) Pursuant to Section 6 NYCRR 617.5(c)(2) the aforementioned project constitutes a Type II action as defined in the regulations The Project as it consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and, (b) the agency hereby determines that no environmental impact statement or any other determination or procedure is required under SEQRA.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



COUNTY OF OSWEGO COMMUNITY DEVELOPMENT, TOURISM & PLANNING

County Office Building • 46 East Bridge Street • Oswego, NY 13126
Phone 315-349-8235 Fax 315-349-8237

TO: Oswego County Legislators
FROM: Tim Stahl, Director Community Development, Tourism & Planning
DATE: October 12, 2023
RE: SEQR Resolutions for Legends Fields Project

SUBJECT: Declare Oswego County lead agency and negative declaration for environmental impact

BACKGROUND:

Oswego County owns Legends Field, a softball complex located on Churchill Road in Oswego. In recent years, the complex has been successfully managed by a tournament promoter, increasing the property's usage and economic impact to the county and local businesses. The facility's parking lot is in need of resurfacing due to pavement failure and safety issues. The installation of turf infields on some fields will help ensure the success of the facility and will allow for tournaments to resume more quickly after it rains. As the county owns the facility and is exempt from local land use and zoning regulations in a governmental capacity, it is appropriate for the county to act as lead agency.

Upon review of the project, the installation of turf fields qualifies as a Type II action under the State Environmental Quality Review Act and we will simply need to declare ourselves lead agency and the project has no environmental impact.

The county owns the parking lot and, upon review of the project, the repaving of the lot is to be deemed an Unlisted action in accordance with the SEQRA regulations having no significant adverse impact on the environment.

FISCAL IMPACT: Simple resolution with no financial impact

RECOMMENDATION:

Approval of both resolutions related to environmental review required for both the parking lot repaving project as well as the infield turf project at the county owned Legends Fields complex.

RESOLUTION NO. 335

**RESOLUTION DECLARING THE COUNTY OF OSWEGO AS LEAD AGENCY
AND APPROVING A NEGATIVE DECLARATION LEGENDS FIELDS -
PARKING LOT PAVING PROJECT**

By Legislator Mary Ellen Chesbro:

WHEREAS, the County of Oswego is the owner of the Legends Fields complex in the City of Oswego on Churchill Road and is appropriate to act as lead agency for the purposes of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the 2.44 acre +/- paved parking lot at the complex is in need of re-paving due to many years of deferred maintenance, potholes and pavement failure; and

WHEREAS, while re-paving of the parking lot (hereinafter "the project") improves safety it does not represent a significant change in the use of facility and/or the number of cars utilizing the parking lot; and

WHEREAS, upon careful analysis of this project the lead agency has considered and found that: the project is otherwise permitted the City of Oswego's zoning regulations even though the county acting in a governmental capacity is otherwise exempt from zoning and land use regulations; the project is consistent with the existing character of the area; the project will not result in a substantial increase in traffic; the project site has both public wastewater and water supplies; the project is not in proximity to any historical sites or solid waste or hazardous waste facilities; the project will not result in the impoundment of water or other liquids and will not physically alter or encroach on existing wetlands or water bodies or adjacent properties; and the project is not located in flood hazard area; and

WHEREAS, Parts 1 and 2 of a Short Environmental Assessment Form were completed by the county to determine possible environmental impacts, in addition to other research and inquiries, and it has been determined that there will be no significant adverse impact on the environment resulting from the proposed project; and

NOW, THEREFORE, upon recommendation of the Economic Development and Planning Committee of this body; it is hereby,

RESOLVED the County Legislature of the County of Oswego hereby declares itself as the lead agency for purposes of SEQRA as concerns the re-paving of the parking lot at Legends Fields (the project); and be it further

RESOLVED, that, upon consultation with the county's planning agency, this project has been determined to be an Unlisted Action in accordance with the regulations promulgated pursuant to SEQRA; and be it further

RESOLVED, that this body does hereby accept and adopt the annexed Short Environmental Assessment Form and the findings contained therein, as prepared by the county's planning agency, finds that the project will not result in any significant environmental impacts and hereby approves a Negative Declaration of Environmental Significance as concerns the project; and be it further

RESOLVED, that the county's planning agency be and is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance as may be necessary in accordance with this resolution.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

RESOLUTION NO. 336

**RESOLUTION APPOINTING MEMBER TO THE OSWEGO COUNTY BOARD OF
HEALTH**

By Legislator James Karasek:

WHEREAS, a vacancy has occurred as a result of the resignation of a certain member of the Oswego County Board of Health; and

NOW, on recommendation of the Health Committee of this body; be it

RESOLVED, that the following individual be, and hereby is, appointed to the Oswego County Board of Health for a six-year term to expire as follows:

Dr. Arianne Hamblin-Smith

November 1, 2023 - October 31, 2029

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY

VERA DUNSMOOR, DIRECTOR OF PUBLIC HEALTH
PHONE 315.349.3545



HEALTH DEPARTMENT

70 BUNNER STREET, OSWEGO, NEW YORK 13126-3357
FAX 315.349.3435

INFORMATIONAL MEMORANDUM

SUBJECT: Appointment to the Oswego County Board of Health

PURPOSE: To recommend the appointment of an individual to serve as a member of the Oswego County Board of Health.

SUMMARY: The Oswego County Board of Health is a statutory body of seven members, created in accordance with provisions of the New York State Public Health Law. Appointments are by the County Legislature for a term of six years. The following individual is recommended for appointment.

Dr. Arianne Hamblin-Smith **November 1, 2023 – October 31, 2029**

RECOMMENDED ACTION: The Health Committee recommends approval by the full Legislature of the requested appointment to the Board of Health.

Ariane Hamblin-Smith DVM
2903 County Route 57
Fulton NY 13069
315-592-4400
bcacllc2899@yahoo.com

Objective

I am interested in lending my unique medical knowledge and experience in the veterinary field to help maintain the public health of our county.

Education

- 2007 Doctorate of Veterinary Medicine, Kansas State University
- 2002 Bachelors of Science, Cornell University
- 2000 Associate of Applied Science, SUNY Cobleskill

Experience

- 2013-Present Owner and veterinarian at Black Creek Veterinary Clinic LLC in Fulton
- 2009-2013 Associate veterinarian at Highland Animal Hospital in Central Square
- 2007-2009 Associate veterinarian at North Country Veterinary Services in Pulaski

Organizations

- 2020-Present Member of Board of Directors for Oswego Industries
- 2020-Present Member of Volney Town Board

Honors and Awards

- June 2013 Oswego Business 40 Under 40 Award

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE INCREASE OF BUDGET IN THE
HEALTH DEPARTMENT TO PURCHASE COVID VACCINE**

By Legislator James Karasek:

WHEREAS, since its introduction in 2021, the COVID vaccine was provided at no cost to providers. Beginning September 11, 2023, it was transitioned to a commercial program. Providers will now need to purchase their own supply of vaccine for patients who have commercial insurance; and

WHEREAS, although this change was expected and extra funds were added to the 2023 budget, the cost is significantly higher than anticipated; and

WHEREAS, as this is a mandated service, we are requesting funding to purchase 400 doses of adult vaccine, 100 doses of pediatric vaccine and 90 doses of infant vaccine; and

WHEREAS, increase Biologicals, Medicare and Private Insurance. No increase to local share; and

NOW, upon recommendation of the Health Committee and with approval of the Finance and Personnel Committee of this body; be it

RESOLVED, that certified copies of this resolution delivered to the County Treasurer, Budget Officer, and Director of Human Resources shall be their authority to make such changes.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 21 NO: 3 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 337 of 2023

A4035 416014

(\$36,119.00)

A4035 416012

(\$23,100.00)

A4035 543800

\$59,219.00

OSWEGO COUNTY

VERA DUNSMOOR, DIRECTOR OF PUBLIC HEALTH
PHONE 315.349.3545



HEALTH DEPARTMENT

70 BUNNER STREET, OSWEGO, NEW YORK 13126-3357
FAX 315.349.3435

INFORMATIONAL MEMORANDUM

Subject: Commercialization of COVID Vaccine

Purpose: Increase budget to purchase COVID vaccine.

Summary: Since it's introduction in 2021, the COVID vaccine was provided at no cost to providers. Beginning September 11, 2023, it was transitioned to a commercial program. Providers will now need to purchase their own supply of vaccine for patients who have commercial insurance.

Although this change was expected and extra funds were added to the 2023 budget, the cost is significantly higher than anticipated. As this is a mandated service, we are requesting funding to purchase 400 doses of adult vaccine, 100 doses of pediatric vaccine and 90 doses of infant vaccine. While the demand is unknown at this point, we believe this will be an adequate amount to serve the public as well as hold clinics for county personnel who would like to be vaccinated. Vaccine will be purchased as needed, following minimum order requirements. The cost is expected to be reimbursed through private insurance.


Fiscal Impact 2023: Increase Biologicals, Medicare and Private Insurance. No increase to local share.


Fiscal Impact 2024: Increase Biologicals, Medicare and Private Insurance. No increase to local share.

Recommended

Action: The Health Committee approves adding funds to the Biologicals and Private Insurance lines with the corresponding budget modification.

10.12.2023


County Administrator


Chairperson

10-3-23

DATE _____

DATE _____

RESOLUTION NO. 338

**RESOLUTION AUTHORIZING THE CREATION OF TWO POSITIONS IN THE
HEALTH DEPARTMENT (1) SPEECH LANGUAGE PATHOLOGIST AND (1)
CERTIFIED SPECIAL EDUCATION TEACHER**

By Legislator James Karasek:

WHEREAS, The Early Intervention Program is a New York State Mandated program pursuant to the Federal Individual's with Disabilities Education Act reauthorized in 2004. The Early Intervention Program is for children from birth through 2 years of age who have a developmental delay or disability as defined by New York State; and

WHEREAS, by adding a full time Speech Language Pathologist and a Certified Special Education Teacher, would bring our waitlist down to more manageable numbers; and

WHEREAS, utilizing funds from a vacancy in A2980, expenses in A4059 will be increased \$15,452. Revenues will increase \$38,273 resulting in savings of \$22,821; and

WHEREAS, including contractual pay increases, the anticipated savings in local share to expand the Early Intervention program is \$29,426; and

NOW, upon recommendation of the Health Committee and with approval of the Finance and Personnel Committee of this body; be it

RESOLVED, that one Certified Special Education Teacher, SG40, salary of \$58,000, and one Speech Language Pathologist, SG40, salary of \$65,000, positions in the Oswego County Professional Association Bargaining Unit be created; and be it further

RESOLVED, that certified copies of this resolution delivered to the County Treasurer, Budget Officer, and Director of Human Resources shall be their authority to make such changes.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 338 of 2023

A4059 427700 ESCR	(\$38,273.00)
A2980 511000	(\$10,000.00)
A2980 590308	(\$765.00)
A4059 511000	\$21,288.00
A4059 544200	\$1,500.00
A4059 544400	\$800.00
A4059 545500	\$1,000.00
A4059 590308	\$1,628.53



INFORMATIONAL MEMORANDUM

Subject: Early Intervention Expansion

Purpose: Expand program to offer more services by the creation of 2 new positions.

Summary: The Early Intervention Program is a New York State Mandated program pursuant to the Federal Individual's with Disabilities Education Act reauthorized in 2004. The Early Intervention Program is for children from birth through 2 years of age who have a developmental delay or disability as defined by New York State.

Oswego County has had capacity issues that started in 2019 and through the last several years, we have seen a bigger capacity issue as contract agencies are losing providers to school districts or moving out of the area. Some counties have moved to hiring their own employees to help fill gaps in services. We have had upwards of 175 children on a waiting list for services which leaves out of compliance with both State and Federal Mandates.

By adding a full time Speech Language Pathologist and a Certified Special Education Teacher, we would be able to bring our waitlist down to more manageable numbers. While any waitlist is a problem, we do need to start thinking proactively on how we can provide services to our most needy children.

Fiscal Impact 2023: Utilizing funds from a vacancy in A2980, expenses in A4059 will be increased \$15,452. Revenues will increase \$38,273 resulting in savings of \$22,821.

Fiscal Impact 2024: Including contractual pay increases, the anticipated savings in local share to expand the Early Intervention program is \$29,426.

Recommended

Action: The Health Committee to approve the expansion of the Early Intervention program, creation of 2 new positions and the corresponding budget modification.

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: Health

DIVISION/UNIT (NUMBER): A4059

A. NEW POSITION REQUEST

1. Position Title Requested: Speech Language Pathologist

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☒ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: 65,000 Grade: SG40

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☒ No

5. Justification of Need (Use additional sheets as necessary):

Oswego County has had capacity issues that started in 2019 and through the last several years, we have seen a bigger capacity issue as contract agencies are losing providers to school districts or moving out of the area. Some counties have moved to hiring their own employees to help fill gaps in services. We have had upwards of 175 children on a waiting list for services which leaves out of compliance with both State and Federal Mandates. By adding a full time Speech Language Pathologist, we would be able to bring our waitlist down to more manageable numbers.

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: _____ 2. Position #: _____

3. Present Salary/Hourly Rate: _____ Grade: _____

4. Requested Title: _____

5. Requested Salary: _____

a. Bargaining Unit: _____ Hourly Rate: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

6. Percent of Federal and/or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

7. Justification of Need (use additional sheets as necessary):

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION

1. Title to be Deleted:

2. Position #

3. Salary Savings:

4. Reason for Deletion:

7/23/19

-OVER-

(page 1 of 4)

7/23/19

(page 2 of 4)

NEW POSITION DUTIES STATEMENT

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.

1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE Health	DIVISION, UNIT, OR WORK SECTION A4059	LOCATION OF POSITION Bunner St Complex
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided.		
Title requested: Speech Language Pathologist		
PERCENT OF WORK TIME		
70	Provide Direct Services and periodic review and assessment to children to improve their Speech, Language, Communication and Articulation skills for children from Birth to five.	
10	Participate in the development of individualized family services plans/individualized education programs.	
5	Design learning environments and activities that promote the child's acquisition of skills in the area of Speech, Language, Communication and Articulation.	
10	Assess children's current level of functioning in the areas of Speech, Language, Communication, Articiulation and Phonological processes.	
5	Prepares and maintains a variety of written records and reports such as session notes, discharge summaries and developmental progress reports.	
	(Attach additional sheets if more space is needed)	

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
------	-------	---------------------

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION
------	-------	---------------------

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
------	-------	----------------------

6. What minimum qualifications do you think should be required for this position?

Education: ☐ High School _____ years
☒ College 6 years, with specialization in Speech Language Pathology
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *A minimum of two years working in the home or community setting with children with speech needs from birth through 5.*

Essential knowledge, skills and abilities: *Thorough knowledge of the principles and practices of special education; thorough knowledge of children with special needs and socio-economic factors affecting children with special needs; good knowledge of community resources available to support or supplement the child's plan; ability to organize and analyze data and prepare records and reports.*

Type of license or certificate required: SLP, CCC

7. The above statements are accurate and complete.

Date: 9/18/2023

Title: Director of Programs for CSN

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: Health

DIVISION/UNIT (NUMBER): A4059

A. NEW POSITION REQUEST

1. Position Title Requested: Special Education Teacher

2. Bargaining Unit: ☐ CO-OP ☐ Highway ☐ Silver Star ☐ Deputies ☒ OCPA ☐ Mgmt.

3. a. Bargaining Unit – Hourly Rate from Grade plan: _____ Grade: _____

b. Management or OCPA – Salary Requested: 58,000 Grade: SG40

4. Percent of Federal and or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☒ No

5. Justification of Need (Use additional sheets as necessary):

Oswego County has had capacity issues that started in 2019 and through the last several years, we have seen a bigger capacity issue as contract agencies are losing providers to school districts or moving out of the area. Some counties have moved to hiring their own employees to help fill gaps in services. We have had upwards of 175 children on a waiting list for services which leaves out of compliance with both State and Federal Mandates. By adding a full time Certified Special Education Teacher, we would be able to bring our waitlist down to more manageable numbers.

6. Complete New Position Duties Statement (p. 3 & 4).

B. RECLASSIFICATION REQUEST

1. Present Title: _____ 2. Position #: _____

3. Present Salary/Hourly Rate: _____ Grade: _____

4. Requested Title: _____

5. Requested Salary: _____

a. Bargaining Unit: _____ Hourly Rate: _____ Grade: _____

b. Management or OCPA – Salary Requested: _____ Grade: _____

6. Percent of Federal and/or State Reimbursement: _____ Fringe Reimbursed: ☐ Yes ☐ No

7. Justification of Need (use additional sheets as necessary):

8. Complete New Position Duties Statement (p. 3 & 4).

C. POSITION DELETION	
1. Title to be Deleted:	
2. Position #	3. Salary Savings:
4. Reason for Deletion:	

NEW POSITION DUTIES STATEMENT

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit. Forward two typed copies to this office.

1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE Health	DIVISION, UNIT, OR WORK SECTION A4059	LOCATION OF POSITION Bunner St Complex
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided.		
Title requested: Special Education Teacher		
PERCENT OF WORK TIME		
70	Provide direct services and periodic review and assessment to children to improve cognitive, and social emotional functioning in children age birth to five.	
10	Participate in the development of individualized service plans/individualied education programs.	
5	Design learning environments and activies that promote the child's acqision of skills in a variety of developmental areas including cognitivie processes and social/emotional interactions.	
10	Assess children's current level of functioning in the five developmental domains including, Cognitive, Social/Emotional, Communication, Adapative Functioning and Motor functioning.	
5	Prepares and maintains a variety of written records and reports such as session notes, discharge summaries and developmental progress reports.	
	(Attach additional sheets if more space is needed)	

3. Names and titles of person supervising (general, direct, administrative, etc.).

NAME	TITLE	TYPE OF SUPERVISION
Vera Dunsmoor	Director of Public Health	General

4. Names and titles of persons supervised by employee in this position.

NAME	TITLE	TYPE OF SUPERVISION

5. Names and titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION

6. What minimum qualifications do you think should be required for this position?

Education: ☐ High School _____ years
☒ College 6 years, with specialization in Special Education
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *A minimum of two years of working with infants and toddlers in a home or community based setting. .*

Essential knowledge, skills and abilities: *Thorough knowledge of the principles and practices of special education; thorough knowledge of children with special needs and socio-economic factors affecting children with special needs; good knowledge of community resources available to support or supplement the child's plan; ability to organize and analyze data and prepare records and reports.*

Type of license or certificate required: Possession of a current New York State Certification as a Special Education Teacher.

7. The above statements are accurate and complete.

Date: 9/18/2023

Title: Director of Programs for CSN

Signature:

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law (Section 22), the Oswego County Personnel Officer certifies that the appropriate civil service title for the position described is:

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST

10.12.2023

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ		
A4059	427700	ESCR				El: Local	\$ (38,273.00)
A2980	511000					Spec Ed Admin: Salaries	\$ (10,000.00)
A2980	590308					Spec Ed Admin: Fringe	\$ (765.00)
			A4059	511000		El: Salaries	\$ 21,288.00
			A4059	544200		El: Fuel	\$ 1,500.00
			A4059	544400		El: Mileage	\$ 800.00
			A4059	545500		El: Supplies	\$ 1,000.00
			A4059	590308		El: Social Security	\$ 1,628.53
						Expand Early Intervention Program	

April Hunter 10/3/23 *Prach* 10323
 Department Head Date County Administrator DATE
Prach 10-3-23
 Director of Human Resource Date Chairperson DATE

County Treasurer DATE

RESOLUTION NO. 339

**RESOLUTION AUTHORIZING HEALTH DEPARTMENT
VEHICLE LEASES (4 VEHICLES)**

By Legislator James Karasek:

WHEREAS, OCHD currently has a Master Lease Agreement with Enterprise Fleet Management for the leasing of Health Department vehicles; and

WHEREAS, OCHD is requesting approval to trade in 4 county owned vehicles and execute five-year leases for four vehicles; and

WHEREAS, Vehicles are eligible for Article 6 reimbursement. Vehicle Lease increase of \$19,300 and Article 6 increase of \$13,510 resulting in an anticipated Local Share increase of \$5,790; and

NOW, upon recommendation of the Health Committee and with approval of the Finance and Personnel Committee of this body; be it

RESOLVED, that this body authorizes trade-in of four vehicles and leave of four vehicles for the Health Department; and be it further

RESOLVED, that certified copies of this resolution delivered to the County Treasurer, Budget Officer, and Director of Human Resources shall be their authority to make such changes.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY

VERA DUNSMOOR, DIRECTOR OF PUBLIC HEALTH
PHONE 315.349.3545



HEALTH DEPARTMENT

70 BUNNER STREET, OSWEGO, NEW YORK 13126-3357
FAX 315.349.3435

INFORMATIONAL MEMORANDUM

Subject: Vehicle Leases

Purpose: Trade in 4 county owned vehicles for Enterprise leased vehicles.

Summary: OCHD currently has a Master Lease Agreement with Enterprise Fleet Management for the leasing of Health Department vehicles. In 2019, when the agreement with Enterprise was signed, a plan was put into place to transfer county owned vehicles to leases once they reached 5 years of age. This plan was put on hold through COVID as vehicles were not being utilized fully during the emergency. However, OCHD has now identified 4 county owned vehicles in need of replacement due to age and/or mileage. The overall number of vehicles in the fleet will remain unchanged.

Due to high demand, potential increases in lease pricing and longer than usual lead times for ordering vehicles, OCHD is requesting approval to trade in 4 county owned vehicles and execute 5 year leases for 4 vehicles. This will allow the vehicles to be ordered in 2023 and available for use in 2024. Vehicles will have the required equipment and logo installed.

Fiscal Impact 2024: Vehicles are eligible for Article 6 reimbursement. Vehicle Lease increase of \$19,300 and Article 6 increase of \$13,510 resulting in an anticipated Local Share increase of \$5,790. A budget modification is not necessary as funding will be included in the 2024 budget.

Fiscal Impact 2025: No additional impacts from the above.

Recommended

Action: The Health Committee to approve the trade in of 4 county owned vehicles and execution of 5-year lease agreements for 4 vehicles.

RESOLUTION NO. 340

**RESOLUTION APPOINTING MEMBERS TO THE OSWEGO COUNTY TRAFFIC
SAFETY BOARD**

By Legislator Karasek:

WHEREAS, Local Law No. 2 of 1969 established the Oswego County Traffic Safety Board with members serving 3-year, staggered terms; and

WHEREAS, certain members of the Oswego County Traffic Safety Board have retired, and volunteers have come forth to fill those terms; and

NOW, on recommendation of the Health Committee of this body; be it

RESOLVED, that the following individuals be, and they hereby are, re-appointed and/or appointed to the Oswego County Traffic Safety Board for a term to expire as hereinafter set forth:

Jarret Marino

City of Fulton Police Department

9/12/2026

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Oswego County Traffic Safety Board

317 W. 1st Street, Suite 111, Oswego, NY 13126
315-343-2344 ext. 122
www.icpoc.org/traffic



August 30, 2023

Hello,

We would like to nominate Sergeant Jarret Marino of the City of Fulton Police Department to be appointed to the Oswego County Traffic Safety Board. Sgt. Marino is the traffic and training division supervisor, he was preceded by Lt. Charles Burlingham who recently retired and resigned from the OCTSB. Lt. Burlingham nominated Sgt. Marino to take his place as a member of OCTSB. Sgt. Marino has been with the City of Fulton Police since 2009, and received the OCTSB Traffic Safety Champions award in both 2011 and 2014. He also received the officer of the year award in 2013, and many other accolades between 2009 and 2017 relating to traffic enforcement. Sgt. Marino would be a great addition to our board, as shown by his commitment to improving traffic safety.

Sincerely,

Margaret Beers

Margaret Beers, Board Chair

Aine Foley

Aine Foley, Board Coordinator

RESOLUTION NO. 341

**RESOLUTION AUTHORIZING BUDGET MODIFICATION CENTRAL
SERVICES SUPPLEMENT EXISTING CAPITAL PROJECT TO FUND
COMPUTER UPGRADES**

By Legislator Paul House:

WHEREAS, this body has heretofore established Capital Project No. T0123 with a maximum authorization of \$700,000.00; and

WHEREAS, the Central Services Director has identified the need to supplement this capital project for updating end-of-life County computers, with a maximum authorization of \$ 50,000.00; and

NOW, on recommendation of the Infrastructure & Technology Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the Treasurer is hereby authorized to transfer \$ 50,000.00 from the Technology Reserve – CR# 145 to the designated Capital Project T0123 and that the project is hereby authorized for the maximum.

Capital Project

Total Authorization

CP No. T0123

\$750,000

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 341 of 2023

H 529000 T0123

\$50,000.00

H 45030 145

(\$50,000.00)



Greg Powlin
Director

COUNTY OF OSWEGO
CENTRAL SERVICES DEPARTMENT

39 Churchill Road
Oswego, New York 13126

Phone: (315) 349-3526

TO: Phil Church, County Administrator
Leg. Paul House, I&T Committee Chairman
Infrastructure & Technology Committee Members

FROM: Greg Powlin, Director of Central Services

DATE: September 18, 2023

RE: Capital Project # T0123 Supplement

INFORMATIONAL MEMORANDUM

SUBJECT: Request for \$50,000 supplement to existing capital project to fund replacement of end-of-life computers.

BACKGROUND: Desktop and laptop computers typically have a useful life of 5-7 years. The Central Services department replaces end-of-life computers on an ongoing basis, with roughly 20% of the 1100+ device fleet being replaced annually.

Updating end-of-life devices helps to ensure County employees have reliable, well-performing technology resources to perform their respective duties.

Some portion of routine computer replacements are funded from individual department's operational budgets or via grant funds.

Computer and peripheral purchases are also necessary for net-new positions.

FISCAL IMPACT: This request requires a \$50,000 supplement to existing project # T0123. This is a net cost to the County via a transfer from the Technology Reserve fund.

RECOMMENDATION: Transfer \$50,000 from the Technology Reserve to supplement established Capital Project T0123 for the expenditure described above.

COUNTY OF OSWEGO BUDGET MODIFICATION REQUEST


[illegible]

DEPARTMENT HEAD

10-3-23

DEPARTMENT HEAD

DATE _____


COUNTY ADMINISTRATOR

COUNTY ADMINISTRATOR

DATE _____

10-3-23

***DIRECTOR OF HUMAN RESOURCES**

DATE _____

CHAIRPERSON

DATE _____

***If Personnel Services are impacted**

COUNTY TREASURER

DATE _____

RESOLUTION NO. 342

**RESOLUTION ESTABLISHING CAPITAL PROJECT NO.: E0323 OSWEGO
COUNTY AIRPORT - ELECTRIC VEHICLE AND CHARGING STATION
ACQUISITION AND INSTALLATION**

By Legislator Paul House:

WHEREAS, the County of Oswego has accepted a Federal Aviation Administration Grant (AIP PROJECT NUMBER: 3-36-0031-057-2023) in the amount of \$149,685.00 for the acquisition of two (2) zero emission vehicles (ZEV) and two (2) charging stations to be installed at the Oswego County Airport; and

WHEREAS, this AIP grant is ninety (90) percent Federal funds (\$149,685.00), five (5) percent New York State Funds (\$8,316.00) funds and has a local county share of five (5) percent (\$8,316.00) for a total project cost of \$166,317.00; and

NOW, upon the recommendation of the Infrastructure and Facilities Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the Treasurer be, and is hereby, authorized to transfer funds to and from the accounts shown on the attached budget modification request and establish Capital Project Number E0323 Oswego County Airport Electric Vehicle and Charging Station Acquisition and Installation and that the following capital project is hereby authorized for the maximum expenditure as indicated hereinbelow:

Capital Project No.: E0323

Total Authorization

Oswego County Airport
Electric Vehicle & Charging
Station Acquisition and Installation

\$166,317.00

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 23 NO: 1 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 342 of 2023

H 529000 E0323
H 445920 E0323
H 435010 E0323
A 450310 E0323

\$166,317.00
(\$149,685.00)
(\$8,316.00)
(\$8,316.00)



**COUNTY OF OSWEGO
HIGHWAY DEPARTMENT**

31 Schaad Drive
Oswego NY 13126
(315) 349-8331 Fax (315) 349-8256

Shawn Walker, Highway Superintendent

Chris Baldwin, P.E., Highway Engineer

INFORMATIONAL MEMORANDUM

SUBJECT: To establish a Capital Project utilizing funds acquired from the FAA, NYS and a local share through the Zero Emissions Vehicle (ZEV) program.

PURPOSE: To recommend that the Infrastructure, Facilities and Technology Committee, Finance and Personnel Committee, and the Oswego County Legislature approve establishing a Capital Project to purchase two electric pickup trucks and two charging stations including installation.

SUMMARY: The Airport received a grant offer from the FAAs Zero Emissions Vehicle (ZEV) program totaling \$166,317. This grant will be 90% Federal (\$149,685), 5% State (\$8,316) and a Local Share of 5% (\$8,316) and will be used to fund the purchase of two electric pickup trucks along with two charging stations including installation. The local share will be funded from Capital Reserve 146, Highway and Automotive Equipment.



RECOMMENDED ACTION: The Infrastructure, Facilities and Technology Committee, Finance and Personnel Committee, and the Oswego County Legislature to establish CP# E0323 with a total authorization level of \$166,317.00.

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

[illegible]

DATE _____

DEPARTMENT HEAD _____

	DATE	10-3-23
	DATE	10-3-23

***If Personnel Services are impacted**

RESOLUTION NO. 343

**RESOLUTION TO AMEND TO ADD ADDITIONAL EQUIPMENT TO
CAPITAL PROJECT NO. 0423 HIGHWAY EQUIPMENT CAPITAL PROJECT**

By Legislator Paul House:

WHEREAS, this body has established Capital Project No. 0423 to add a Longarm mower; and

WHEREAS, this additional equipment is reimbursed by CHIPS and there is still a balance to be used to get the reimbursement; and

NOW, upon recommendation of the Infrastructure, Facilities and Technology Committee of this Legislature, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the Highway Superintendent can purchase a Longarm mower under Capital Project # 0423

Capital Project No. 0423

Total Authorization

Highway Equipment

\$ 145,820.00

**ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0**



**COUNTY OF OSWEGO
HIGHWAY DEPARTMENT**

31 Schaad Drive
Oswego NY 13126
(315) 349-8712 Fax (315) 349-8256

Shawn Walker, Highway Superintendent

Chris Baldwin, P.E., Highway Engineer

TO: Oswego County Legislators
FROM: Shawn Walker, Highway Superintendent
DATE: October 12, 2023
RE: Adding additional equipment to CP# 0423

SUBJECT: Amend to add a Longarm mower to CP# 0423.

BACKGROUND: CP# 0423 Equipment is reimbursed by CHIPS. There is a current balance of \$223,808.09 and the Longarm mower is \$145,820.00. It would leave a balance of \$77,988 for future equipment that can be purchased for CHIPS.

FISCAL IMPACT: None.

RECOMMENDED ACTION: The Infrastructure, Facilities and Technology Committee, the Finance & Personnel Committee and the Oswego County Legislature authorize the add of a Longarm mower to CP# 0423.

Shawn Walker
Highway Superintendent

Date

RESOLUTION NO. 344

**RESOLUTION AUTHORIZING BUDGET MODIFICATION
BUILDINGS AND GROUNDS – GAS & HEATING FUEL**

By Legislator Paul House:

WHEREAS, The Buildings and Grounds Department requests a Budget Modification to transfer sixty thousand dollars per the attached budget modification. This is to cover a short fall in the Gas & Heating fuel budgetary line of the 2023 Buildings and Grounds budget; and

NOW, upon recommendation of the Infrastructure, Facilities & Technology Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he hereby is, authorized to transfer the funds from and to the accounts as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 344 of 2023

A1620 541800
A 159900

\$60,000.00
(\$60,000.00)



Richard Doten
Superintendent

COUNTY OF OSWEGO
BUILDINGS AND GROUNDS DEPARTMENT

111 East Eleventh Street
Oswego, New York 13126

Phone: (315) 349-8233
Fax: (315) 342-2481

TO: Oswego County Legislature
FROM: Rick Doten, Superintendent
DATE: September 19, 2023
RE: Budget Modification – Gas & Heating fuel

SUBJECT: Budget Modification transferring funds from Unappropriated Fund Balance to Gas & Heating Fuel (A1620 541800).

BACKGROUND:





The Buildings and Grounds department is anticipating a short fall in the budget line A1620 541800– Gas & Heating Fuel due to the increase in gas and heating fuel rates.

FISCAL IMPACT: None

RECOMMENDATION: The Buildings and Grounds recommends that the Infrastructure, Facilities & Technology Committee, Finance and Personnel Committee and the Legislature approve this budget modification to transfer funds from Appropriated Fund Balance to Gas & Heating Fuel.

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ		
A1620	541800					Gas and Heating fuel	60,000.00
			A	159900		Appropriated Fund Balance	(60,000.00)
						To increase Gas & Heating fuel line using	
						Unappropriated Funds	

	10-3-23
DEPARTMENT HEAD	DATE
	
COUNTY ADMINISTRATOR	DATE
	10-3-23
CHAIRPERSON	DATE
	
*DIRECTOR OF HUMAN RESOURCES	DATE

***If Personnel Services are impacted**

RESOLUTION NO. 345

**RESOLUTION AUTHORIZING BUDGET MODIFICATION
BUILDINGS AND GROUNDS - OVERTIME**

By Legislator Paul House:

WHEREAS, The Buildings and Grounds Department requests a Budget Modification to transfer fourteen thousand dollars (\$14,000) per the attached budget modification. This is to cover a short fall in the Overtime budgetary line of the 2023 Buildings and Grounds budget; and

NOW, upon recommendation of the Infrastructure, Facilities & Technology Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the County Treasurer be, and he hereby is, authorized to transfer the funds from and to the accounts as shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 345 of 2023

**A1620 511000
A1620 512000**

**(\$14,000.00)
\$14,000.00**



Richard Doten
Superintendent

COUNTY OF OSWEGO
BUILDINGS AND GROUNDS DEPARTMENT

111 East Eleventh Street
Oswego, New York 13126

Phone: (315) 349-8233
Fax: (315) 342-2481

TO: Oswego County Legislature
FROM: Rick Doten, Superintendent
DATE: September 19, 2023
RE: Budget Modification – Overtime

SUBJECT: Budget Modification transferring funds from Salaries & Wages to Overtime.

BACKGROUND:

The Buildings and Grounds department is anticipating a short fall in the budget line A1620 512000 – Overtime due to the remodeling of the Department of Social Services bathrooms in the first part of 2023. The work needed to be completed after regular business hours and during the weekends in order to limit the inconvenience of the employees and clients that are in the building during regular business hours.

The remaining bathrooms needing remodeling will begin again in late fall or early winter when outside project cannot be completed. Additional overtime will be needed for emergencies and snow removal.

FISCAL IMPACT: None

RECOMMENDATION: The Buildings and Grounds recommends that the Infrastructure, Facilities & Technology Committee, Finance and Personnel Committee and the Legislature approve this budget modification to transfer funds from Salaries & Wages A1620 511000 to Overtime A1620 512000.

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

[illegible]

Run Dot 10-3-23

***If Personnel Services are impacted**

RESOLUTION NO. 346

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT
ENGINEERING SERVICES PROPOSAL BRISTOL HILL CELL 5 ENGINEERING
SERVICES FOR DESIGN AND BIDDING**

By Legislator Paul House:

WHEREAS, Bristol Hill Landfill Cell #4 is filling faster than calculated, it was built in 2015, and started accepting waste in 2019, to continue uninterrupted service to the community, cell #5 needs to be constructed and ready to accept waste by December 2024; and

WHEREAS, The Oswego County Dept of Solid Waste have contracted with, or will contract with, Barton+ Loguidice, D.P.C, which possesses the requisite skills and experience to Engineer, prepare, evaluate and award the contracts for construction of cell #5; and

NOW, upon recommendation of the Infrastructure, Facilities and Technology Committee, of this body; be it

RESOLVED, the County of Oswego hereby awards a professional service contract for preparation and updating of the plans to Barton + Loguidice D.P.C.; and be it further

RESOLVED, that the costs thereof shall be allocated and paid from the Dept of Solid Waste Fees and Services account CL8160 543800.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



Oswego County Department of Solid Waste

Michael Lutestanski II, Director of Solid Waste Programs

TO: Legislator Paul House, Chairman
Infrastructure, Facilities and Technology Committee
Legislator Laurie Mangano-Cornelius, Chair
Finance & Personnel Committee

FROM: Michael J. Lutestanski II, Director of Solid Waste Programs

RE: Barton & LoGiudice Professional Services Proposal Bristol Hill Cell 5 Engineering Services for Design and Bidding

DATE: Sept 19, 2023

Cell #4 at the Bristol Hill Landfill is filling at a faster rate than originally calculated. This is due to multiple factors, increased tonnages, ERF downtime (creating more bypass waste), and operational practices on the landfill. The landfill operational practices are being reviewed and changed, we added a landfill compactor to replace the aging unit and it is being run daily. We may add a slow speed grinder to equipment currently used, which will aid in compaction and more effectively use airspace.

New cell construction is a 12–14-month process from concept to certification and waste placement. Going forward with all that is happening in surrounding counties, and in our own waste handling system, we need to take the next step in landfill expansion.

The cell requirements for this cell are slightly different than cell 4, this proposal addresses those changes. This will allow us to put out RFPs for construction administration, inspection, and the construction/ certification for use, of cell 5.

The attached proposal for \$88,750.00 will be funded from 8160 5438, other fees and services.



September 19, 2023

Michael Lutestanski II
Director of Solid Waste Programs
Oswego County
3125 State Route 3
Fulton, New York 13069

Re: Oswego County Bristol Hill Landfill
Cell No. 5 Engineering Services – Design and Bidding

File: P701.000.000

Dear Mr. Lutestanski:

Barton & Loguidice, D.P.C. (B&L), appreciates the opportunity to provide the following proposal for professional services and have prepared a scope of services and fee estimate for the detailed design for Cell No. 5 at the Bristol Hill Landfill.

Scope of Services

Cell Design

B&L will develop design documents for the approximately 5.41 acre Cell No. 5. The design will include a 6 NYCRR Part 360 series compliant double composite liner system. In addition, design will include development of a perimeter gas header with future connection points to be utilized once gas collection is required upon permit renewal. The header will be designed for full build conditions and have provisions for future extensions as new cells are developed.

As with your existing Cell No. 4, the leachate removal from the cell is anticipated to be by a sideriser pumping system which will tie into existing leachate conveyance infrastructure that ultimately conveys flows to the leachate storage tanks. The sideriser will be designed on a similar engineering basis to the Cell No. 4 sideriser building, where equipment and controls are located outside of classified spaces, where possible. In addition, the plans and specifications will include the design of the necessary electrical service and connections to the sideriser building and equipment. At this time it is anticipated that two prime contracts will be required; one for the general construction and one for the electrical construction.

As noted above, B&L will prepare specifications and contract documents in compliance with 6 NYCRR Part 360 series regulations and the facility's landfill permit. Once the design documents have been reviewed and approved by the County, B&L will submit the plans and specifications to the NYSDEC for review and approval prior to bidding. It is anticipated that the final construction documents will take up to 12 weeks following authorization to proceed. B&L will address and provide response letter to any comments the NYSDEC may have in order to gain Department approval.



This scope does not include an updated site survey of the expansion area. It is assumed that the previously provided survey completed by Costich Engineering on July 12, 2023 will be utilized for use in preparing the grading plan and the landfill design drawings.

Bidding Assistance

As will all projects at the facility, the project will be publically bid. B&L will provide hard copies of the bid documents and assist in the procurement of bids. Bid document and addenda distribution by B&L will also be included under this task. The bidding period is anticipated to last 5 weeks based on the scale of the project. A representative will attend a pre-bid meeting at the landfill site, prepare any addenda that may be necessary to address questions from potential bidders, attend the bid opening at the Oswego County Purchasing Department Office and make a recommendation relative to the award of bids. Upon approval to award the project, B&L will provide the contractors with a Notice of Award and request the selected contractor's bonds/insurances for preliminary review and transmittal to County purchasing/legal for approval. Upon acceptance, B&L will compile conformed copies of the contract documents for execution by all parties. Once fully executed, a Notice to Proceed letter will be provided to the Contractor(s).

Fee Proposal

B&L proposes to the services described within for the following not to exceed fees without prior approval from the County:

<u>Task 1</u>	
Cell Design	\$78,500
Bidding Assistance	<u>\$10,250</u>
Total:	\$88,750

B&L proposes to invoice the County monthly on a time and expense basis based on the Standard Billing Rates in effect at the time the work is performed. If this meets with the County's approval, please have the Chairman of the Board sign the authorization below and return a copy to our office.

We look forward to working with you on this project. Please feel free to contact our office if you have any questions.

Sincerely,

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in blue ink, appearing to read 'Chad W. Hutton', is located below the company name.

Chad W. Hutton, P.E.
Vice President

ZTP/jms

Authorization



Barton & Loguidice, D.P.C., is hereby authorized by Oswego County ("Owner") to proceed with the services described herein in accordance with the Terms and Conditions proposed herein.

Authorized Signature

Date

RESOLUTION NO. 347

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT
OF SOLID WASTE- INSURANCE RECOVERY FUND TO DEPARTMENT OF
SOLID WASTE FUND BALANCE**

By Legislator Paul House:

WHEREAS, the Department of Solid Waste requests a budgetary modification to transfer one-hundred twenty-three thousand and four hundred ninety nine dollars and twenty one cents to cover the boiler damage at the Energy Recovery Facility using insurance payment funds; and

NOW, upon recommendation of the Infrastructure, Facilities and Technology Committee of this body, with the approval of the Finance and Personnel Committee; be it

RESOLVED, that the County Treasurer be, and hereby is, authorized to transfer the funds from and to the accounts shown on the attached budget modification request; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 347 of 2023

A1325 426800
CL 159900

(\$123,499.21)
\$123,499.21



Oswego County Department of Solid Waste

Michael Lutestanski II, Director of Solid Waste Programs

TO: Legislator Paul House, Chairman
Infrastructure, Facilities and Technology Committee
Legislator Laurie Mangano-Cornelius, Chair
Finance & Personnel Committee

FROM: Michael J. Lutestanski II, Director of Solid Waste Programs

RE: Budget Mod for Insurance recovery fund to Solid Waste Fund Balance CL159900

DATE: Sept19, 2023

The Dept of Solid Waste requests a Budget Modification to transfer one hundred twenty three thousand four hundred ninety nine dollars and twenty one cents (\$123,499.21) Dollars per the attached budget mod.

This insurance payment was to cover boiler damage at the Energy Recovery Facility.

RESOLUTION NO. 348

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
RFP 23-PURC-001 – ON-LINE AUCTIONS OF SURPLUS COUNTY GOODS**

By Legislator Laurie Mangano:

WHEREAS, the County issued a request for proposal for a vendor to provide On-line Auctions of Surplus County Goods; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited Requests for Proposals (RFP 23-PURC-001) from multiple qualified firms to provide On-line Auctions of Surplus County Goods; and

WHEREAS, the Oswego County Health Department and Oswego County Purchasing Department have reviewed the proposal received and determined the proposal from Collar City, Inc., Delanson, NY 12053 meets the County's needs; and

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Finance and Personnel Committee that the County of Oswego awards the professional service contract for providing On-line Auctions of Surplus County Goods, to Collar City, Inc., 9423 Western Turnpike, Delanson, NY 12053 at no cost to Oswego County; and be it further

RESOLVED that a certified copy of this resolution delivered to the Treasurer and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY PURCHASING

46 E Bridge Steet, Oswego NY 13126
 Phone (315)326-6050 Fax (315)342-2468
 Email: Purchasing@Oswegocounty.com

RFP 23-PURC-001 – On-line Auctions of Surplus County Goods

Name of Company	Location	Fee Structure	Evaluation Rating	Required Documentation PRCS/PIS/SHC/NCC/RFC
Absolute Auctions & Realty, Inc.	45 So. Ave., PO Box 1739 Pleasant Valley, NY 12569	See attachment	86.5	X X X X X
Auctions International, Inc.	11167 Big Tree Road E. Aurora, NY 14052	See attachment	92.0	X X X X X
Collar City Auctions, Inc.	9423 Western Turnpike Delanson, NY 12053	See attachment	96.8	X X X X X
JJ Kane Auctions	33 Inverness Center Pkwy Birmingham, AL 35242	See attachment	85.3	X X X X X
Liquidity Services Operations LLC dba GovDeals	100 Capital Commerce Blvd, Ste 110 Montgomery, AL 36117	See attachment	90.8	X X X X N/A
Roy Teitsworth, Inc. (RTI Auctions)	6497 Barber Hill Road Geneseo, NY 14454	See attachment	87.5	X X X X X

SHC=Sexual Harassment Certification; PRCS=Proposer Reply Cover Sheet; PIS=Proposer Information Sheet; NCC=Non-Collusion Certification; RFC= Resolution for Corporations

Solicitation Process: RFP 23-PURC-001 was publicly advertised in the official newspaper, on Bidnet, and on the Oswego County website on July 28, 2023. It was also sent directly to the following five (5) vendors:

Absolute Auctions & Realty, Inc.
 Auctions International, Inc.
 Collar City Auctions Realty

Alex Lyon & Son
 Brzostek's Auction Service, Inc.

Number of Responses: six (6)

RFP 23-PURC-001 Evaluation (continued)

<p>Absolute Auctions & Realty, Inc.</p>	<p>Pro</p> <ul style="list-style-type: none"> • NY-based company • In business over 40 years • No cost to Oswego County <p>Con</p> <ul style="list-style-type: none"> • BP fee schedule complicated • Not a lot of experience with counties
<p>Auctions International, Inc.</p>	<p>Pro</p> <ul style="list-style-type: none"> • NY-based company • Very experienced • Easy to work with (work with them now on surplus auctions) • No cost to Oswego County <p>Con</p> <ul style="list-style-type: none"> • BP fee structure complicated • May take up to 20 days to receive payment
<p>Collar City Auctions, Inc.</p>	<p>Pro</p> <ul style="list-style-type: none"> • NY-based company • Straight-forward process • Have worked with them (real estate auctions) • No cost to Oswego County <p>Con</p> <ul style="list-style-type: none"> • Highest BP fee structure
<p>JJ Kane Auctions</p>	<p>Pro</p> <ul style="list-style-type: none"> • Organized process • Strong digital & marketing process <p>Con</p> <ul style="list-style-type: none"> • There is a cost to Oswego County • Not a NY-based company • Can't comply with some of our insurance requirements
<p>Liquidity Services Operations LLC dba GovDeals</p>	<p>Pro</p> <ul style="list-style-type: none"> • NY municipal experience • No cost to Oswego County <p>Con</p> <ul style="list-style-type: none"> • Not a NY-based company • Only 2 representatives to service all of their NY state clients

RTI Auctions	<p>Pro</p> <ul style="list-style-type: none">• Located in Geneva, NY• Have done auctions with municipalities• No cost to Oswego County <p>Con</p> <ul style="list-style-type: none">• BP fee structure complicated• Not sure of their implementation plan
--------------	--

Proposals Reviewed By:

Holly Carpenter, Kevin Gardner, Laurie Mangano, and Tim Stahl

Evaluation Summary: The evaluation committee reviewed and rated the proposal according to the criteria listed on the attached schedule. The Committee recommends awarding the contract to **Collar CityAuctions.**

Recommended Actions: Oswego County Purchasing Department certifies that the solicitation complies with Oswego County Purchasing Policy and New York State General Municipal Law. The Purchasing Department recommends awarding the contract.

Schedule A

Evaluation Comparison
RFP 23-PURC-001 On-line Auctions of Supplus County Goods

Total Poin	Evaluation Criteria	ABSOLUTE AUCTIONS AND REALTY					AUCTIONS INTERNATIONAL				
	Evaluator	HFC	KG	LM	TS		HFC	KG	LM	TS	
35	Experience & Qualifications	30	30	25	33		35	30	32	34	
35	Auction Procedures	35	34	25	31		34	30	29	34	
30	Compensation and/or Buyers Premium Fee Structure	27	25	25	26		28	28	29	25	
100	Total Points	92	89	75	90		97	88	90	93	
Rating per Evaluation		86.5					92.0				

Total Poin	Evaluation Criteria	COLLAR CITY AUCTIONS					JJ KANE				
	Evaluator	HFC	KG	LM	TS		HFC	KG	LM	TS	
35	Experience & Qualifications	35	35	32	34		33	34	27	33	
35	Auction Procedures	34	35	33	34		30	33	33	31	
30	Compensation and/or Buyers Premium Fee Structure	28	30	28	29		15	27	25	20	
100	Total Points	97	100	93	97		78	94	85	84	
Rating per Evaluation		96.8					85.3				

HFC - Holly Carpenter
KG - Kevin Gardner

LM - Laurie Mangano
TS - Tim Stahl

Schedule A

Evaluation Comparison
RFP 23-PURC-001 On-line Auctions of Suplus County Goods

Total Poin	Evaluation Criteria	LSO LLC., GOV DEALS					RTI			
	Evaluator	HFC	KG	LM	TS		HFC	KG	LM	TS
35	Experience & Qualifications	33	30	25	33		33	33	28	34
35	Auction Procedures	32	34	29	30		33	30	29	29
30	Compensation and/or Buyers Premium Fee Structure	28	30	30	29		25	25	25	26
100	Total Points	93	94	84	92		91	88	82	89
Rating per Evaluation		90.8					87.5			

HFC - Holly Carpenter
KG - Kevin Gardner

LM - Laurie Mangano
TS - Tim Stahl

RFP 23-PURC-001 – On-line Auctions for Surplus County Goods

Proposer Reply Cover Sheet

Sealed Proposals are due by **2:30 p.m., Wednesday, August 16, 2023**, at: Oswego County Purchasing, 46 East Bridge Street, Oswego, NY 13126.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS

The undersigned hereby certifies that he/she has examined and fully comprehends the requirements and intent of the Notice, Information, and Specifications for **Request for Proposal #RFP 23-PURC-001 On-line Auctions for Surplus County Goods** and offers to fulfill the activities as shown in the attached proposal at the price(s) listed below.

Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium	10 %	10 %	10 %	10 %	10 %
Vehicles/Equipment sold within three (3) years of manufacture date	4%	4%	4%	4%	4%
Vehicles/Equipment sold within two (2) years of manufacture date	3%	3%	3%	3%	3%
Sliding Scale buyer's premium for Vehicles/Equipment with bids exceeding \$100,000	8.5%	8.5%	8.5%	8.5%	8.5%

Federal ID #: 14-1722898

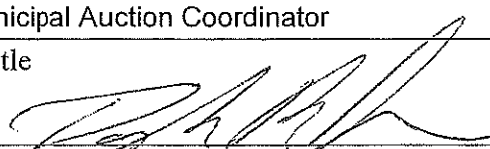
M/WBE Status: N/A

Taylor Robinson
Type or Print Name

Absolute Auctions & Realty, Inc
Firm

Municipal Auction Coordinator
Title

45 South Avenue, P.O. Box 1739
Address


Authorized Signature

Pleasant Valley, NY 12569

8/14/23
Date

(845) 635-3169 / (845) 635-5140
Telephone Number / Fax Number

Please attach any additional information to this sheet.

RFP 23-PURC-001 – On-line Auctions for Surplus County Goods

Proposer Reply Cover Sheet

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Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium (Standard)	10 %	10 %	10 %	10 %	10 %
Buyers Premium - Vehicles/Equip. Within 3 years of Manuf. date	5 %	5 %	5 %	5 %	5 %
Buyers Premium - Vehicles/Equip. Within 2 years of Manuf. date	4 %	4 %	4 %	4 %	4 %
Optional credit card payment method (in addition to BPrate)	4 %	4 %	4 %	4 %	4 %

Federal ID #: 32-0038079

M/WBE Status: N/A

RS Klisiwicz III
Type or Print Name

Operations Manager
Title

[Signature]
Authorized Signature

8/14/2023
Date

Audians International, Inc.
Firm

1167 Big Tree Rd. E. Aurora, NY 14057
Address

(800) 536-1401 1(800) 569-3334
Telephone Number / Fax Number

Please attach any additional information to this sheet.

RFP 23-PURC-001—ON-LINE AUCTIONS FOR SURPLUS COUNTY GOODS

Proposer Reply Cover Sheet

Sealed Proposals are due by **2:30 p.m., Wednesday, August 16, 2023**, at Oswego County Purchasing, 46 East Bridge Street, Oswego, NY 13126

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS

The undersigned hereby certifies that he/she has examined and fully comprehends the requirements and intent of the Notice, Information, and Specifications for **Request for Proposal #RFP 23-PURC-001 On-line Auctions for Surplus County Goods** and offers to fulfill the activities as shown in the attached proposal at the price(s) listed below.

Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium	18%	18%	18%	18%	18%
Note: We Do All The Work For You. We do not charge for taking photographs, lotting and we do not require you to complete lengthy informational data sheets for each lot and then email them to us.					

Federal ID #: 87-4835599

M/WBE Status: N/A

Randy Passonno
Type or Print Name

Collar City Auctions, Inc.
Firm

President
Title

9423 Western Turnpike
Address


Authorized Signature

Delanson, New York 12053

August 1, 2023
Date

(518) 895-8150 / (518) 895-8152
Telephone Number / Fax Number



Section 1 – Proposal Additional Documentation

Proposer Reply Cover Sheet

RFP 23-PURC-001 – On-line Auctions for Surplus County Goods

Proposer Reply Cover Sheet

Sealed Proposals are due by 2:30 p.m., Wednesday, August 16, 2023, at: Oswego County Purchasing, 46 East Bridge Street, Oswego, NY 13126.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS

The undersigned hereby certifies that he/she has examined and fully comprehends the requirements and intent of the Notice, Information, and Specifications for **Request for Proposal #RFP 23-PURC-001 On-line Auctions for Surplus County Goods** and offers to fulfill the activities as shown in the attached proposal at the price(s) listed below.

Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium	12 %	12 %	12 %	12 %	12 %
Auction Commission Fee to Seller: <i>charged to Oswego County</i>	3 %	3 %	3 %	3 %	3 %
*Annual seller commission increases may be imposed; any increase is subject to discussion and will never exceed 0.5%, with a total cap of 5% during the term of the contract.					

Federal ID #: 22-2948211

M/WBE Status: N/A

Breanna Sullivan

JJ Kane Auctions

Type or Print Name

Firm

Technical Sales Representative

33 Inverness Center Parkway

Title

Address

Breanna Sullivan

Birmingham, AL 35242

Authorized Signature

August 11, 2023

~~856~~ 764-7163 / ()

Date

Telephone Number / Fax Number

Please attach any additional information to this sheet.

RFP 23-PURC-001 – On-line Auctions for Surplus County Goods**Proposer Reply Cover Sheet**

Sealed Proposals are due by **2:30 p.m., Wednesday, August 16, 2023**, at: Oswego County Purchasing, 46 East Bridge Street, Oswego, NY 13126.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS

The undersigned hereby certifies that he/she has examined and fully comprehends the requirements and intent of the Notice, Information, and Specifications for **Request for Proposal #RFP 23-PURC-001 On-line Auctions for Surplus County Goods** and offers to fulfill the activities as shown in the attached proposal at the price(s) listed below.

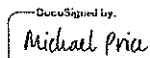
Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium	8 %	8 %	8 %	8 %	8 %

Federal ID #: 52-2293687M/WBE Status: N/AMichael Price

Type or Print Name

Vice President, Revenue

Title



Authorized Signature

8/8/2023

Date

Liquidity Services Operations LLC dba GovDeals
Firm100 Capitol Commerce Blvd., Ste. 110
AddressMontgomery, AL 36117(351) 215-8013 / (334) 387-0519

Telephone Number / Fax Number

Please attach any additional information to this sheet.

RFP 23-PURC-001 – On-line Auctions for Surplus County Goods

Proposer Reply Cover Sheet

Sealed Proposals are due by **2:30 p.m., Wednesday, August 16, 2023**, at: Oswego County Purchasing, 46 East Bridge Street, Oswego, NY 13126.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS

The undersigned hereby certifies that he/she has examined and fully comprehends the requirements and intent of the Notice, Information, and Specifications for **Request for Proposal #RFP 23-PURC-001 On-line Auctions for Surplus County Goods** and offers to fulfill the activities as shown in the attached proposal at the price(s) listed below.

Schedule of Items	Year 1	Year 2	Year 3	Year 4	Year 5
Public Auctions (Vehicles/Equipment/Surplus): Buyer's Premium	%	%	%	%	%
The Buyer's Premium scale will be used for all years.					
Bid Price Buyer's Premium					
\$0 - \$9,999.99 10%					
\$10,000 - \$24,999.99 8%					
\$25,000 - \$49,999.99 7%					
\$50,000 - up 6%					

Federal ID #: 16-1122864

M/WBE Status: NA

Jesse Teitsworth
Type or Print Name

Roy Teitsworth Inc.
Firm

Vice President
Title

6497 Barber Hill Rd, Geneseo, NY 14454
Address


Authorized Signature

August, 11, 2023
Date

(585) 243-1563 / (585) 243-3311
Telephone Number / Fax Number

Please attach any additional information to this sheet.

RESOLUTION NO. 349

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO
PROVIDE THIRD-PARTY ADMINISTRATION SERVICES FOR OSWEGO
COUNTY SELF INSURED HEALTH AND PHARMACY BENEFIT PROGRAM-
HUMAN RESOURCES DEPARTMENT**

By Legislator Laurie Mangano:

WHEREAS, the Human Resources Department entered into an agreement with BPAS Actuarial and Pension Services, LLC, an independent consulting firm, to assist in the solicitation and evaluation of proposals (RFP #23-HR-002) for third-party administration services related to Oswego County's Self-Insured Health and Pharmacy Benefit Program; and

WHEREAS, three (3) proposals were received and evaluated based upon their ability to meet critical areas of concern such as ability to provide basic service requirements, pricing and administrative fees, network adequacy, performance guarantees, rebate arrangements, and contract terms and conditions; and

WHEREAS, BPAS presented their results of their evaluation to an advisory committee of County representatives; and

NOW, upon recommendation of the Finance and Personnel Committee, of this body; be it

RESOLVED, that the Oswego County Legislature award the professional service contract to: Excellus, to include Med+Rx, for professional services to Oswego County, for one (1) year, with the option of four (4) one (1) year renewals, at a cost of \$35.22 per employee per month, with an implementation date of January 1, 2024; and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer, Budget Officer, Human Resources Director, and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



Julie A. Bell
Director of Human Resources

OSWEGO COUNTY HUMAN RESOURCES DEPARTMENT

COUNTY BUILDING
46 EAST BRIDGE STREET
OSWEGO, NEW YORK 13126
(315) 349-8209 • Fax: (315) 349-8254
www.oswegocounty.com

INFORMATIONAL MEMORANDUM

SUBJECT: Awarding of a contract to provide third-party administration services for the Oswego County Self Insured Health and Pharmacy Benefit Program.

SUMMARY: In anticipation of the expiration of the existing contracts with UMR and ProAct, the independent consulting firm of BPAS Actuarial and Pension Services, LLC was selected to solicit proposals from vendors interested in serving as third-party administrator for the Oswego County Self-Insured Health and Pharmacy Benefit Program. Proposals were received from three (3) vendors.

With the assistance of BPAS, an advisory committee consisting of representatives from the County Administrator's Office and Human Resources Department, reviewed results of the evaluation of proposals presented by BPAS.

The Committee weighed each proposal focusing on the following:

1. Network Pricing
2. Provider Network Adequacy
3. Administrative Costs
4. Performance Guarantees
5. Plan Design (Ability to provide equal to or better benefits)
6. Ancillary services
7. Proposer Qualifications and References
8. Client Support Services
9. Member Services
10. Claim Adjudication Services
11. Utilization Management
12. Mandatory Documentation
13. Rebate Arrangements

The recommended vendor will provide services at a cost of \$35.22 per employee per month for health and Rx.

The Advisory Committee unanimously recommended that Oswego County enter into a one (1) year contract, with the option of four (4) one (1) year renewals, with Excellus for professional services to Oswego County for its Self-Insured Health Program, which includes Med+Rx for its Self-Insured Pharmacy Benefit Program.

**RECOMMENDED
ACTION:**

The Advisory Committee recommends that the Finance and Personnel Committee and Oswego County Legislature authorize a one (1) year contract, with the option of four (4) one (1) year renewals, with Excellus, to include Med+Rx, with an implementation date of January 1, 2024.

Oswego County
Comparison of Medical and Prescription Drug Third Party Administrator RFP Alternatives for 2024
Executive Summary ⁽¹⁾

Enrolled Contracts: 993		Incumbent (UMR + ProAct)	UMR & OptumRx	Excellus (Med + Rx)	Excellus & ProAct
Projected Annual Costs/(Savings)					
Estimated Claims Cost ⁽²⁾					
Medical		\$11,781,000	\$11,781,000	\$10,789,000	\$10,789,000
Prescription Drug		\$5,301,000	\$4,241,000	\$4,967,000	\$5,301,000
Estimated Annual Admin Fee over 3 Yr Term ⁽³⁾		\$357,000	\$329,000	\$409,000	\$456,000
Estimated Costs		\$17,439,000	\$16,351,000	\$16,165,000	\$16,546,000
(Claims Cost + Admin Fees)					
Estimated Range of Costs/(Savings)		N/A	(\$1,088,000)	(\$1,274,000)	(\$893,000)
Performance Guarantees					
Overall Competitiveness of Performance Guarantees			Moderately Competitive for 2024 Moderate level of fees at risk, but high trend for full payout eligibility. No guarantee for 2025+	Moderately Competitive for 2024 Moderate amount of fees at risk with dollar for dollar payment of excess claims. Reasonable trend assumed in guarantee No guarantee for 2025+	
Network Information					
2022 Commercial Book of Business Discounts					
All Services			48.53%		49.92%
Access					
3 PCPs in 15 mile radius			99.60%		99.50%
3 Pediatricians in 15 mile radius			92.70%		83.53%
Client Service Team					
Dedicated Customer Service Team		UMR offered no proposed change to current customer service team. Designated Account Executive (Adrienne Esposito), Field Account Manager (Marcy Lease) and Customer Specialist (Kim Leote). This dedicated team has approximately 25 clients with 22,000 members. This team will participate in onsite enrollment meetings with three weeks notice. NOTE: this team has never offered to come on-site.		Designated team located in Syracuse/Rochester with Account Manager (Jeff Andrews) and Account Service Consultant (Brandi Zike). This dedicated team has approximately 4 clients with 30,000 members. This team will participate in onsite enrollment meetings.	
Other Information					
Rx Network Information		No Rx disruption, Can participate in a 2025 Rx RFP with Onondaga County and the City	Rx formulary has 515 excluded drugs, including Firdapse.	Rx formulary has 39 excluded drugs. Firdapse is included on formulary.	No Rx disruption, Can participate in a 2025 Rx RFP with Onondaga County and the City
Fee Credits		Offering a 1 month admin fee holiday totaling approximately \$27,000	Offering a 1 month admin fee holiday totaling approximately \$24,000	Offering a 2 month admin fee holiday, \$50,000 implementation credit, \$15,000 annual wellness fund, \$35,000 pharmacy buy-up fund, \$12 per member pharmacy implementation allowance totaling approximately \$220,000	Offering a 2 month admin fee holiday and \$25,000 implementation credit totaling approximately \$115,000

This exhibit has been prepared solely for the use of Oswego County and contains proprietary and confidential data that cannot be disclosed to outside parties.

⁽¹⁾ Oswego County Purchasing extended this RFP to UMR (the incumbent), Excellus, Aetna, and MVP. MVP declined to produce a bid, and Aetna did not provide a completed proposal for the Pharmacy Benefit Manager portion. Aetna did provide a complete proposal for medical TPA services; those details are available in the full analysis. ProAct (the PBM Incumbent) was also given an opportunity to improve their pricing terms and declined to do so.

⁽²⁾ Above analysis determining estimated cost/(savings) is based on the distribution of Inpatient, Outpatient, and Physician & Other Active and pre-Medicare Claims from the discount analysis. The percentage range estimates are applied to the January 2022 - July 2023 paid medical claims costs on an Allowed Amount basis (\$19M Total). Network adjustments are estimated based on each plan's proposal submission. These data are best understood as comparisons of the relative value of the proposed networks. They are not actuarial projections of 2024 plan costs and have not been audited.

⁽³⁾ Administrative fee is calculated as the average over the initial 3 year contract from 2024-2026 and include current services such as Nurse Line and Telemedicine. Administrative fees include fees for retiree billing, FSA and HRA administration, and disease management.

RESOLUTION NO. 350

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT
ACCOUNTING SERVICES FOR COUNTY TREASURER'S OFFICE**

By Legislator Laurie Mangano:

WHEREAS, Oswego County has been continuing to improve their accounting and auditing services; and

WHEREAS, Oswego County contracted with ProNexus to provide Accounting and Auditing services. This is to maintain an effective overall accounting monitoring process for Oswego County funds; and

WHEREAS, The Treasurer's office will utilize ProNexus as third-party accounting company to do any required accounting functions. As per the agreement, contract can not to exceed \$65,000. Proxenus will be paid on the agreed upon fee schedule; and

NOW, THEREFORE, BE IT RESOLVED, that the Oswego County Treasurer is hereby authorized and directed to execute a contract, on behalf of Oswego County, with Proxenus for the accounting /auditing services effective upon adoption of this resolution.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Oswego County Treasurer's Office



Kevin L. Gardner, *Treasurer*
Brian D. Twiss, *Deputy Treasurer*

County Building
46 East Bridge Street
Oswego, New York 13126
Phone: (315) 349-8393
Fax: (315) 349-8255

10/3/23

INFORMATIONAL MEMORANDUM

Subject: RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT
ACCOUNTING SERVICES FOR COUNTY TREASURER'S OFFICE

Background: The Treasurer's office is down 2 individuals. To perform key departmental accounting responsibilities, the Treasurer's office needs to enter a service contract to do bank entries as well as reconciliation of accounts. ProNexus will be able to do audits when required. The Treasurer's is continuing to look to fill the accountant position.

ProNexus will come in and perform this review in conjunction with the key activities and tasks as required by the project and as directed by your leadership team. While performing the work, we will also identify any recommendations or best practices to optimize your Accounts Payable and Vendor Management process, if any. In addition, ProNexus will come in and maintain productivity for you in conjunction with some of the tasks that your Accountant was performing. Some of the activities may include performing cash receipts, bank reconciliations on two (2) active County accounts which are performed with the Munis system, and any other activities as directed by Robin McMillen, Chief Accountant.

This solution will allow Oswego County the opportunity to 1) address immediate requirements, 2) maintain productivity, 3) maintain work life balance for the remaining staff, and 4) provide you additional time to identify a long-term solution.

Description of Services/Solution: Accounting Support Services

Pricing*: See attached Rate Card. Commensurate with experience, the requirements listed above will fall into one of the following staff levels at ProNexus:

3rd Party Payment Review Project

- Manager: \$120 - \$140/hr
- Sr. Manager: \$140 - \$175/hr

**Based on the requirements above and our discussion, we would assign someone at least at the Manager level or Sr. Manager.*

Interim & Loan Staff - Accountant

- Staff: \$65 - \$85/hr
- Senior: \$85 - \$120/hr

**Based on the requirements above and our discussion, we would assign someone at least at the Staff level or Senior.*

Fee Cap: Although this is a time & materials engagement, we will start with a total fee cap of up to \$65,000.

Est. Start Date: 10/16 – 10/20 or 10/23 – 10/27

Onsite/Offsite: Flexible

Est. Duration: TBD for Project & 4 months for Interim Accountant

Utilization: TBD for Project & 2-3 days for Interim Accountant, however we have some flexibility

Cancellation:

Your approval of the E-Letter of Intent (ELOI) confirms our mutual commitment to work together to provide the service. Before the engagement begins, our team spends time preparing including but not limited to evaluating staff, scheduling, coordination, meetings, and other logistics. In the event the approved ELOI and/or engagement is cancelled by client before we begin the engagement, a cancellation fee of \$1,500 will be owed to ProNexus. The fee will mitigate the costs associated with the time spent by ProNexus personnel, scheduling changes, redeployment of Consultant(s), and the amount of hours dropped or delayed from the schedule.

Recommendation: The Treasurer strongly recommends this request.

RESOLUTION NO. 351

**A RESOLUTION AUTHORIZING THE COUNTY OF OSWEGO COMMENCE OR
JOIN LITIGATION CONCERNING RECENT AMENDMENTS TO THE RACING,
PARI-MUTUEL WAGERING AND BREEDING LAW AS PERTAINS TO THE
WESTERN REGIONAL OFF-TRACK BETTING CORPORATION AND TO
RETAIN LIPPE MATHIAS, LLP IN CONNECTION WITH ITS
REPRESENTATION OF OSWEGO COUNTY AND OTHER COUNTY
PLAINTIFFS**

By Legislator Holst:

WHEREAS, the Western Regional Off-Track Betting Corporation (WROTB) is a body corporate and politic constituting a public benefit corporation which encompasses a region which includes the County of Oswego; and

WHEREAS, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law §502, and according to the last federal census, the County of Oswego may appoint one (1) member to the board of directors of said corporation; and

WHEREAS, in passing Chapter 346 of the Laws of 1973, the New York State legislature recognized the need for local governmental oversight, and explicitly provided for such oversight in Section 172, when it authorized that each participating jurisdiction of a regional off-track betting corporation to appoint one member to the board of directors of the regional off-track betting corporation.

WHEREAS, WROTB is administered by a board of directors consisting of one member appointed by each of the fifteen participating counties as well as directors from the cities of Rochester and Buffalo; and

WHEREAS, the Oswego County Legislature, by Resolution Number 144 of 1978, dated August 10, 1978, authorized the county's participation in the Western Regional Off-Track Betting Corporation, said resolution having been adopted subject to a permissive referendum; and

WHEREAS, the Oswego County Legislature has, heretofore, authorized and empowered Oswego County to participate in the Western Region Off-Track Betting Corporation (WROTB) as allowed by law and has appointed a director to the board of the corporation, as and when necessary; and

WHEREAS, for the past nearly 50 years, all New York State regional off-track betting corporations have operated under local administration and management but also with general state oversight and each participating local jurisdiction of the WROTB corporation elected to join WROTB with the understanding that it would have the ability to participate in the administration and management of the same; and further, each participating jurisdiction

had equal control of the operations of WROTB as each director had one vote; and

WHEREAS, WROTB owns and operates 11 off-track betting branches, 27 E-Z Bet locations and a telephone wagering service in 15 Western New York counties, as well as Batavia Downs Gaming, a racetrack and gaming facility, and

WHEREAS, since its inception, WROTB has generated over \$250 million in operating and surcharge revenues to the taxpayers of those participating municipalities which has, in part, also benefitted the residents of the County of Oswego, and

WHEREAS, on or about May 2, 2023 as a part of the New York State Budget, changes were effected through the 2023 State Budget process and amendments to Racing, Pari-Mutuel Wagering and Breeding Law §502 and control of WROTB was taken from the founding counties and transferred to Erie County, Monroe County and the City of Buffalo through the implementation of weighted voting by all of the WROTB members; and

WHEREAS, the County of Oswego asserts this transfer was done in derogation of the home rule authority enjoyed by the county under, Article IX, Section 2(b)(2) of the State Constitution, entitled "Bill of rights for local governments"; and

WHEREAS, Oswego County has further concerns regarding the Governor's message of necessity pertaining to the amendment Racing, Pari-Mutuel Wagering and Breeding Law §502 as well as the process of adopting the amendment of same at the state level; and

WHEREAS, upon information and belief, none of the founding WROTB counties, including Oswego County, enacted Home Rule Messages requesting that Racing, Pari-Mutuel Wagering and Breeding Law §502, be amended, especially concerning a relinquishment of control of WROTB to Erie County Monroe County and/or the City of Buffalo; and

WHEREAS, there is pending litigation in Supreme Court, Orleans County entitled Genesee County et al. vs. New York State et al. (Index No.: E23-01062) in which Genesee County, Orleans County, Niagara County, Livingston County, Wyoming County and Seneca County are plaintiffs and are challenging the actions of New York State, Governor Kathy Hochul, Attorney General Letitia James, the New York State Senate and the New York State Assembly as defendants concerning the recent amendment of Racing, Pari-Mutuel Wagering and Breeding Law §502 as concerns WROTB; and

WHEREAS, the several county plaintiffs share the same or similar concerns as the County of Oswego regarding recent amendments to Racing, Pari-Mutuel Wagering and Breeding Law §502 and, in the interests of economy, the several counties are being jointly represented by former NYS Attorney General Dennis C. Vacco, Esq. of Lippes Mathias, LLP and other attorneys of that firm; and

WHEREAS, the Genesee County Supreme Court case was filed September 20, 2023; and

WHEREAS, this body believes it is both necessary and proper for the County of Oswego to assert its rights as concerns the recent changes to WROTB board control and join or intervene in the pending Genesee County case concerning the amendments to Racing, Pari-Mutuel Wagering and Breeding Law §502,

NOW, THEREFORE, upon recommendation of the Government Courts and Consumer Affairs Committee of this body, it is hereby

RESOLVED, that this body hereby authorizes and directs the commencement of litigation in the name of the County of Oswego and as against the State of New York, Governor Kathy Hochul, New York Attorney General Letitia James, the New York State Senate and the New York State Assembly and any other necessary party as may be necessary to challenge the recent amendments to section 502 of the New York Racing, Pari-Mutuel Wagering and Breeding Law and to provide full relief to the residents of Oswego County; and, it is further

RESOLVED, that the County Attorney is hereby authorized to execute a letter of engagement with Lippes Mathias, LLP upon the consent of the other county plaintiffs to pay and share in the joint costs of prosecution of this litigation and/or to commence all necessary litigation to enjoin implementation and enforcement of the 2023 modification and or amendment to New York Racing, Pari-Mutuel Wagering and Breeding Law§ 502.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ORLEANS

GENESEE COUNTY,
ORLEANS COUNTY
NIAGARA COUNTY,
LIVINGSTON COUNTY,
WYOMING COUNTY, and
SENECA COUNTY,

Index No.

Plaintiffs,

COMPLAINT

vs.

NEW YORK STATE,
KATHY HOCHUL, in her official capacity
as New York State Governor,
LETITIA JAMES, in her official capacity
as New York State Attorney General,
NEW YORK STATE SENATE, and
NEW YORK STATE ASSEMBLY

Defendants.

Plaintiffs Genesee County, Orleans County, Niagara County, Livingston County, Wyoming County, and Seneca County (hereinafter “Plaintiffs”), by and through their attorneys, Lippes Mathias LLP, as and for their Complaint herein, come forth and allege as follows:

NATURE OF ACTION

1. This action stems from the unconstitutional amendment to Article V of the Racing, Pari-Mutuel Wagering and Breeding Law through the enactment of New York State’s Education, Labor and Family Assistance Bill for 2023-2024 (A3006-C/S4006-C), which the Legislature passed on May 2, 2023, and the Governor signed into law on May 3, 2023 (the “ELFA Bill”). *See* L.2023, c. 56, pt. JJ, § 1, eff. May 3, 2023.

2. Specifically, Part JJ of the ELFA Bill amended Article V of the Racing, Pari-Mutuel Wagering and Breeding Law (the “Racing Law”) through the addition of a new Section 502-a, which is only applicable to the governance, operation, and control of Western Regional Off-Track Betting Corporation (“WROTB”). Notably, the governance, operation, and control of other New York off-track betting corporations remain governed by Section 502 of the Racing Law.

3. Since the creation of WROTB in 1974, Section 502 of the Racing Law provided that each participating county, such as Plaintiffs, through the appointment of a board member received equal voting power in the management and operation of the WROTB. Stated succinctly, the law was: one county, one vote.

4. The newly enacted Section 502-a of the Racing Law, however, has displaced the “one county, one vote” model of the WROTB with a population-based model that weights each participating county’s vote based on its population. As a result, notwithstanding the fact the WROTB concerns the property, affairs, and government of each participating county, the power to manage and operate the WROTB has been - in effect - consolidated into four members: Erie County, Monroe County, the City of Buffalo, and the City of Rochester.

5. Accordingly, as provided in more detail herein, Section 502-a of the Racing Law is unconstitutional because it violates:

- a) Article IX of the New York State Constitution, which requires a Special Law that affects the property, affairs, or government of any local government to be passed (1) on request of two-thirds of the total membership of the local government’s legislative body or on request of local government’s chief executive officer concurred in by a majority of such membership, or (2) by a certificate of necessity from the Governor that recites facts sufficiently demonstrating an emergency

requiring enactment with the concurrence of two-thirds of the members elected to each house of the New York Legislature (N.Y. Const., Art. IX § 2(b)(2));

- b) The Doctrine of Legislative Equivalency, which requires that an enactment cannot be modified or repealed except by the use of procedures equivalent to those used for the original enactment; and
- c) Article IX of the New York State Constitution, which requires that the powers granted to Plaintiffs under the New York Constitution and Statute of Local Governments may only “be repealed, diminished, impaired or suspended [] by enactment of a statute by the legislature with the approval of the governor at its regular session in one calendar year and the re-enactment and approval of such statute in the following calendar year.” N.Y. Const., Art. IX § 2(b)(1).

6. Therefore, Plaintiffs seek a declaratory judgment as to the rights and other legal relations of the parties and the constitutionality and enforceability of Section 502-a of the Racing Law pursuant to, *inter alia*, CPLR § 3001; Municipal Home Rule Law Article 2 § 10, and the Home Rule powers provided by Article IX § 2 of the New York State Constitution, ultimately declaring Section 502-a of the Racing Law unconstitutional, invalid, and unenforceable.

JURISDICTION AND VENUE

7. This is an action in equity and law and Plaintiffs are not required to file a notice of claim or notice of intention to sue.

8. This is a declaratory judgment action pursuant to CPLR § 3001 and the Supreme Court is the appropriate venue for challenging the constitutionality of a statute. Venue is specifically appropriate in Orleans County under CPLR § 503(a) as a substantial part of the events giving rise to the claim occurred in this county and Orleans County is a plaintiff in this action.

9. This action is further authorized insofar as the Section 502-a of the Racing Law adversely affects Plaintiffs' proprietary interest in the specific revenue generated through the operation of the "WROTB", and this action is further authorized as Section 502-a violates Plaintiffs' Home Rule powers provided by Article IX of the New York State Constitution.

PARTIES

10. Plaintiff Genesee County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Genesee County is a founding member of the WROTB.

11. Plaintiff Niagara County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Niagara is a founding member of the WROTB.

12. Plaintiff Orleans County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Orleans is a founding member of the WROTB.

13. Plaintiff Wyoming County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Wyoming is a founding member of the WROTB.

14. Plaintiff Seneca County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Seneca is a founding member of the WROTB.

15. Plaintiff Livingston County is a municipal corporation duly organized under the Constitution and laws of the State of New York. Plaintiff Livingston is a founding member of the WROTB.

16. Defendant New York State is sovereign entity organized under the New York State Constitution. Defendant New York State has an interest and right to be heard on matters concerning the constitutionality of its statutes.

17. Defendant Kathy Hochul is the Governor of the State of New York and is named in her official capacity. Governor Hochul is the State's Chief Executive Officer and is responsible for executing the laws of New York State.

18. Defendant Letitia James is New York State Attorney General and is named in her official capacity. Attorney General James is charged with defending state statutes whenever the constitutionality of a statute is brought into question.

19. Defendant New York State Senate is the upper house of the New York State Legislature that passed the ELFA Bill ultimately leading to the enactment of Section 502-a of the Racing Law.

20. Defendant New York State Assembly is the lower house of the New York State Legislature that passed the ELFA Bill ultimately leading to the enactment of Section 502-a of the Racing Law.

FACTUAL ALLEGATIONS

I. Legislative History Establishing Regional OTBs

21. In 1939, the New York Constitution, Article I, § 9 was amended to provide "no ... gambling, except [state] lotteries ... and ... pari-mutuel betting on horse races as may be prescribed by the legislature and from which the state shall derive a reasonable revenue for the support of government, shall hereafter be authorized or allowed within this state..." N.Y. Const. Art. 1, § 9.

22. Shortly thereafter, in 1940, the New York State Legislature enacted the Racing, Pari-Mutuel Wagering and Breeding Law to establish racing commissions and govern pari-mutuel betting on horse racing. L.1940, ch. 254.

23. Prior to 1970, pari-mutuel betting was restricted to the grounds of harness or thoroughbred racetracks, which left an illegal niche for local bookmakers who took bets from those individuals who gambled on horse racing but were unwilling to travel to the racetrack to place their wagers. *See Matter of Suffolk Regional Off-Track Betting Corp. v. New York State Racing & Wagering Bd.*, 11 N.Y.3d 559 (2008).

24. In 1970, to close this loophole and to enhance the revenues of local governments, the Legislature established off-track pari-mutuel betting, providing for the reimbursement of moneys to the tracks for revenues lost on account of decreases in their “handle” and attendance caused by such betting. *See* L.1970, ch.143.

25. The newly enacted legislation, however, caused more harm than good to racetracks in the State and the local breeding industry. *See Finger Lakes Racing Assn. v. New York State Racing & Wagering Bd.*, 45 N.Y.2d 471 (1978).

26. To redress the situation, the Legislature in 1973 created seven regional off-track betting corporations (hereinafter, “OTBs”) to administer off-track wagering and required them to pay a “state tax,” which provided revenue to the regional harness tracks and nonprofit racing associations. *See* L. 1973, ch. 346, § 4, as amended.

27. Specifically, Section 519 of the Racing Law established the OTB regions as follows:

- a. Suffolk Region – Suffolk County;
- b. Nassau Region – Nassau County;
- c. New York City Region– the five counties comprising the City of New York;
- d. Catskill Region – Broome, Chemung, Chenango, Delaware, Orange, Rockland, Sullivan, Tioga, Dutchess, Tompkins, Westchester, Putnam and Ulster counties;

- e. Capitol District Region— Albany, Clinton, Columbia, Cortland, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Madison, Montgomery, Oneida, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence, Warren and Washington counties;
 - f. Central District Region — Lewis and Onondaga counties; and
 - g. Western Region — Allegany, Cattaraugus, Cayuga, Chautauqua, Erie, Genesee, Jefferson, Livingston, Monroe, Niagara, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates counties.
28. Through the creation of the OTBs, it was the Legislature's intent:

“to derive from such betting ... a reasonable revenue for the support of government, and to prevent and curb unlawful bookmaking and illegal wagering on horse races. It is also the intention of this article to ensure that off-track betting is conducted in a manner compatible with the well-being of the horse racing and breeding industries in this state, which industries are and should continue to be major sources of revenue to state and local government and sources of employment for thousands of state residents.”

Racing Law § 518.

II. The Creation of the WROTB

29. The Legislature created the regional OTBs as public benefit corporations subject to the passage of enabling legislation by participating counties. *See* Racing Law § 502.

30. In September 1973, in accordance with Article V of the Racing Law, the WROTB was formed by eleven Western New York counties, namely, Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Orleans, Seneca, Steuben, and Wayne, and two cities, Buffalo and Rochester.

31. The formation of the WROTB required passage of enabling legislation by at least three counties comprising not less than thirty percent of the population of the Western Region. A city with a population of more than 150,000 — such as Buffalo and Rochester — was also permitted

to become a member of a regional OTB if the county in which such city is located elected to become a participating member. Racing Law § 502(1)-(3).

32. Specifically, participating counties were required to pass a local law, ordinance or resolution subject to a permissive referendum in accordance with the Municipal Home Rule Law to participate in the operation of the WROTB.

33. For example, on August 3, 1973, Plaintiff Genesee County passed a resolution authorizing the county to participate in the administration of WROTB “in order to permit [Genesee County] to derive income from the source of off-track betting, attempt to protect the vital racing industry already established with [Genesee County] and for the purpose of fighting organized crime.”¹

34. Ultimately, through the passage of the enabling legislations and providing initial funding to the corporation, Plaintiffs and the other counties forming the WROTB became stakeholders of the corporation.

35. Indeed, Plaintiffs’ initial investments collectively totaled \$98,844: Niagara County invested \$55,362, Genesee County invested \$13,794, Livingston County invested \$12,690, Orleans County invested \$8,760, and Seneca County invested \$8,238.

36. Four additional counties – Cayuga, Oswego, Schuyler, and Plaintiff Wyoming – joined the WROTB after its original formation in 1973.

37. Since 1979, the WROTB has been comprised of the 15 above-referenced counties and the cities of Buffalo and Rochester.

¹ A copy of the Genesee County Resolution is attached hereto as Exhibit A.

III. Governance, Powers, and Revenues of OTBs

38. With respect to governance, the Racing Law provides that “[e]ach corporation shall be administered by a board of directors consisting of two members from each participating county containing a city of over one hundred fifty thousand in population, according to the last federal census, and one member from each other participating county.” Racing Law § 502(1).

39. The powers of the OTBs are vested in the board of directors of the OTB. An OTB’s board of directors is authorized to exercise the powers of the corporation at a meeting. This requires a quorum to be present at said meeting, which is a majority number of an OTB’s total number of directors. If a quorum is present, the OTB may exercise its powers and transact business upon a majority vote of the directors present at the meeting. *See* Racing Law § 502(8).

40. Notably, pursuant to Section 502 of the Racing Law, the votes of the participating counties comprising an OTB corporation are equally weighted.

41. Upon a majority vote, the board of directors of any OTB has the authority to: (1) sue and be sued; (2) acquire, hold, lease, rent and dispose of personal property for its corporate purposes; (3) acquire, in the name of the corporation, real property that is necessary or convenient for carrying out its corporate purposes; (4) make by-laws for the management and regulation of its affairs; (5) make contracts and leases, and to execute all instruments necessary or convenient to accomplish its corporate purposes; (6) accept grants, loans and contributions and to use the same or expend the proceeds thereof for its corporate purposes; (7) construct such buildings, structures and facilities as may be necessary; and (8) perform such other acts and engage in such other activities as may be necessary and proper for exercising its powers and performing its duties under Article V of the Racing Law. *See* Racing Law § 503.

42. As such, the Racing Law grants regional OTBs wide-ranging powers to operate and run a business, which in return generates revenue for local governments.

43. The distribution of an OTB's revenue is governed by Sections 516 and 532 of the Racing Law.

44. Section 516 of the Racing Law requires net revenues – the amount remaining after payment of all costs of the corporation – to be distributed quarterly among each OTB's participating municipalities. The formula used to calculate each county's share in the net revenue is based on the amount of wagers placed in participating county and the population of said county.

45. Specifically, fifty percent of the net revenue is distributed among the participating counties on "the basis of the proportion of the total off-track pari-mutuel wagering accepted by the corporation during the previous period that originated in the branch offices located in each participating county" and the remaining fifty percent of net revenue is distributed "on the basis of population." Section 516(2) of the Racing Law.

46. Section 532 of the Racing Law requires each regional OTB to impose a five (5) percent surcharge on the portion of pari-mutuel wagering pools distributable to persons and to distribute said surcharge revenues monthly to participating local governments and to local governments where the tracks are located.

47. Taken together, the above-referenced sections of the Racing Law illustrate the importance and purpose of the local control and operation of the OTBs.

48. This local-centric operation of OTBs is also reflected in the stated legislative history of the Racing Law.

49. For example, Section 518 of the Racing Law states, in part, "it being the purpose of this article to derive from such betting, as authorized by this article, a reasonable revenue for the support of government, and to prevent and curb unlawful bookmaking and illegal wagering on horse races. It is also the intention of this article to ensure that off-track betting is conducted in a

manner compatible with the well-being of the horse racing and breeding industries in this state, which industries are and should continue to be major sources of revenue to state and local government and sources of employment for thousands of state residents.” Racing Law § 518.

50. Additionally, Section 1000 of the Racing Law recognizes the importance of local municipality participation in the regional OTBs through requiring “[n]o simulcasts shall be authorized which jeopardize present racing or employment opportunities or which infringe on current operations or markets of the racetracks and the regional off-track betting corporations which generate significant revenues for local governments in the state.” Racing Law § 1000.

51. The Legislature has also found that, “since its inception in 1973, New York’s regional off-track betting system has provided state and local governments with significant revenues to support government operations and to aid in reducing increases in local property taxation. The regional off-track betting system has been integrated into the state’s pari-mutuel racing and breeding industry to provide statewide accessibility and exposure to New York’s quality thoroughbred and harness racing. Such accessibility and exposure has significantly contributed to the economic well-being of New York’s racetracks, their horsemen and employees and the growth of horse breeding in the state. *See* L.2008, c. 115, § 1.

52. Ultimately, with the creation of regional OTBs, local municipalities that elected to participate in the off-track betting regions, such as Plaintiffs, became partners in the business and began to receive net revenues from the OTB operations.

53. Plaintiffs are founding members of the WROTB that, since 1973, have participated in the operation of the WROTB under Section 502 of the Racing Law whereby they received the same weighted vote as the other participating counties.

54. Through their initial investments in WROTB, Plaintiffs' have a vested and proprietary right in their voting interests in the corporation.

55. Furthermore, Plaintiffs have a proprietary right in the revenues they received from the WROTB distributions.

56. Plaintiffs' interests in the WROTB are also protected by Article IX of the New York State Constitution as the WROTB inextricably relates to the property, affairs or government of Niagara, Orleans, Genesee, Livingston, Wyoming, and Seneca Counties.

57. Indeed, the centerpiece of the WROTB is the Batavia Downs Gaming & Hotel ("Batavia Downs"), which provides the substantial majority of the revenue generated by the WROTB, and is located in Genesee County.

58. The control and operation of Batavia Downs directly concerns the property, affairs, or government of Plaintiff Genesee County as it provides substantial employment opportunity for its residents and spurs investments and commerce within its borders.

59. Furthermore, the control and operation of Batavia Downs directly affects Plaintiffs' property, affairs, or government insofar as the revenue generated from Batavia Downs is tantamount to the WROTB's existence.

IV. Section 502-a of the Racing Law

60. Through the passage of the 2023 Executive Budget, the Legislature amended the Racing Law by adding a new provision that specifically targets the WROTB – and *only* the WROTB – and adversely affects Plaintiffs' control over their property, affairs and government.

61. Specifically, On May 3, 2023, as part of an omnibus budget bill, the Racing Law was amended to add a new section numbered 502-a titled "[s]pecial Provisions with regard to the western regional off track betting corporation." L.2023, c. 56, pt. JJ, § 1, eff. May 3, 2023.

62. Through Section 502-a, the Legislature abolished the WROTB's one-county-one-vote system and established a weighted vote regime based on the population of each participating county and city.

63. Section 502-a provides the voting power of the WROTB counties and cities as follows:

- Plaintiff Niagara County shall have **eight votes**,
- Chautauqua County shall have **five votes**,
- Oswego County shall have **four votes**,
- Steuben County shall have **three votes**,
- Wayne County shall have **three votes**,
- Cattaraugus County shall have **three votes**,
- Cayuga County shall have **three votes**,
- Plaintiff Livingston County shall have **two votes**,
- Plaintiff Genesee County shall have **two votes**,
- Plaintiff Wyoming County shall have **one vote**,
- Plaintiff Orleans County shall have **one vote**,
- Plaintiff Seneca County shall have **one vote**,
- Schuyler County shall have **one vote**,
- Erie County shall have **twenty-four votes**,
- Monroe County shall have **twenty votes**,
- City of Buffalo shall have **ten votes**, and
- City of Rochester shall have **eight votes**.

See Section 502-a(4) of the Racing Law.

64. In addition to the votes distributed among the participating counties and cities, Section 502-a provides the chairperson of the WROTB with one additional vote. *See* Section 502-a(7).

65. Concerning procedure, Section 502-a states that “[m]embers representing a majority of the total voting strength of the board of directors then in office shall constitute a quorum for the transaction of any business or the exercise of any power of the corporation” and “the corporation shall have the power to act by a majority vote of the total voting strength present at any meeting at which a quorum is in attendance.” *See* Section 502-a(6).

66. Section 502-a further provides that “[n]o action shall be taken by the corporation except pursuant to the favorable vote of fifty-one percent of the total authorized voting strength of the board of directors.” Section 502-a(3).

67. As a result, Section 502-a has effectively created a regime where any action taken by the WROTB must be approved by the representatives from Erie and Monroe County with the support of either representative from the City of Buffalo or the City of Rochester.

68. Similarly, Section 502-a prevents the WROTB from convening a quorum without the attendance of the representatives of Erie and Monroe counties and at least one representative from Buffalo or Rochester.

69. Plaintiffs’ proprietary voting and property interest in the WROTB have been diminished insofar as Plaintiffs no longer have any meaningful control or input in the operation of the WROTB. Stated differently, Section 502-a has effectively rendered the votes of the remaining member counties worthless.

70. In fact, Section 502-a of the Racing Law concentrates the power of the WROTB almost entirely into Erie and Monroe County, and considering the weighted votes of the cities of Buffalo and Rochester, Section 502-a effectively creates a monopoly for Erie and Monroe Counties over the property, business transactions, and legal affairs of the WROTB.

71. Simply stated, Section 502-a of the Racing Law disinherits Plaintiffs of their proprietary rights in the WROTB and Home Rule powers in connection with the operation and management of same.

V. The Unlawful Amendment of the Racing Law

72. As referenced above, the Legislature enacted Section 502-a through the passage of the Executive Budget – more specifically, ELFA Bill. *See* L.2023, c. 56, pt. JJ, § 1, eff. May 3, 2023.

73. The Legislature produced three amended versions of the ELFA Bill prior to the presentation of the final draft on May 2, 2023: March 6, 2023 (A.B.3006-A/S.B.4006-A), March 14, 2023 (A.B.3006-B/S.B.4006-B), and May 1, 2023 (A.B.3006-C/S.B.4006-C).

74. Notably, Section 502-a of the Racing Law was included in the final amended version of the ELFA Bill, which was presented to the Legislature on May 2, 2023, and prior to the inclusion of Section 502-a in the ELFA Bill, a materially similar amendment was introduced as a non-budgetary bill but was never enacted into law. *See* N.Y. Senate Bill 2021-S7855A.

75. On May 2, 2023, the debate on the ELFA Bill was closed and Governor Hochul delivered a purported “message of necessity” for the ELFA Bill reciting:

The facts necessitating an immediate vote on the bill are as follows:
The bill is necessary to enact the 2023-2024 New York State budget.
Because the bill has not been on your desks in final form for three calendar legislative days, the Leaders of your Honorable bodies have requested this message to permit its immediate consideration.

76. The “message of necessity” clearly applied to the ELFA Bill as a whole, not specifically to Racing Law § 502-a.

77. The ELFA Bill passed both Houses of the Legislature. The New York State Assembly passed the ELFA Bill with 91 votes for and 57 votes against. The New York State Senate passed the ELFA Bill with 39 votes for and 24 votes against.

78. However, neither House passed the ELFA Bill by a two-thirds margin.

79. On May 3, 2023, Governor Hochul signed the ELFA Bill, which included the amendments to the Racing Law set forth in Section 502-a, into law.

FIRST CAUSE OF ACTION
Violation of Article IX of the New York State Constitution

80. Plaintiffs repeat and re-allege the preceding paragraphs.

81. Article IX of the New York Constitution requires that a special law that affects the property, affairs, or government of a local government to be passed on: (1) a “request of two-thirds of the total membership of its legislative body or on request of its chief executive officer concurred in by a majority of such membership” (each method of request hereinafter referred to as a “Home Rule Message”); or (2) “on certificate of necessity from the governor reciting facts which in the judgment of the governor constitute an emergency requiring enactment of such law and [...] with the concurrence of two-thirds of the members elected to each house of the legislature.” N.Y. Const., Art. IX § 2(b)(2).

82. The New York State Constitution defines a special law as, “[a] law which in terms and in effect applies to one or more, but not all, counties, counties other than those wholly included within a city, cities, towns or villages.” N.Y. Const., Art. IX § 3(d)(4).

83. Section 502-a of the Racing Law is a special law because its application is limited to certain counties affiliated with the WROTB, namely, Allegany, Cattaraugus, Cayuga, Chautauqua, Erie, Genesee, Jefferson, Livingston, Monroe, Niagara, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates counties.

84. Therefore, Section 502-a of the Racing Law violates Article IX of the New York State Constitution because it is a Special Law that affects the property, affairs, or government or local government, and: (1) Section 502-a did not receive a Home Rule Message; (2) the Governor’s Message of Necessity for the ELFA Bill, as it specifically relates to the inclusion of the Section 502-a amendment, did not recite facts sufficiently demonstrating an emergency requiring

enactment of Section 502-a; and (3) the ELFA Bill – which included Section 502-a – was not passed by at least two-thirds of each house of the New York Legislature.

85. Based upon the foregoing conduct of the Defendants, the Plaintiffs are and will continue to be damaged by the actions of the Defendants in violation of the New York State Constitution until such time as this Court grants the relief sought herein. Accordingly, Plaintiffs seek a judgment of this Court declaring Section 502-a of the Racing Law unconstitutional, invalid, and unenforceable.

SECOND CAUSE OF ACTION Legislative Equivalency

86. Plaintiffs repeat and re-allege the preceding paragraphs.

87. In 1973, the Legislature passed legislation that provided for the enabling legislation for the creation of regional OTBs. *See* L. 1973, ch. 346.

88. The enabling legislation was passed pursuant to the “power vested in [the Legislature] by subdivision one of section nine of article one of the constitution of this state[.]” *Id.* at 1167.

89. The Legislature stated that it is the “intention of this article to ensure that off-track betting is conducted in a manner compatible with the well being of the horse racing and breeding industries in this state, which industries are and should continue to be major sources of revenue to state and local government and sources of employment for thousands of state residents.” *Id.*

90. The 1973 enabling legislation was passed during the general session of the Legislature as an independent piece of legislation – not through the budget process.

91. It is settled law in New York that an enactment cannot be modified or repealed except by the use of procedures equivalent to those used for the original enactment.

92. On May 3, 2023, the Legislature amended Section 502-a of the Racing Law through a late addition to the ELFA Bill, which is not the same manner or form in which Section 502 of the Racing Law was enacted.

93. Accordingly, Section 502-a of the Racing Law was not modified by the use of procedures equivalent to those used for the original enactment.

94. Therefore, Plaintiffs seek a judgment of this Court declaring that the Constitution and laws of the State do not permit the modification or repeal of Section 502 of the Racing Law except by means equivalent to those used to create such enactment and declaring Section 502-a of the Racing Law unconstitutional, invalid, and unenforceable.

THIRD CAUSE OF ACTION
Violation of the Double Enactment Clause of the New York State Constitution

95. Plaintiffs repeat and re-allege the preceding paragraphs.

96. Article IX the New York Constitution provides that the State Legislature:

[s]hall enact, and may from time to time amend, a statute of local governments granting to local governments powers including but not limited to those of local legislation and administration in addition to the powers vested in them by this article.

N.Y. Const., Art. IX § 2(b)(1).

97. Pursuant thereto, the Legislature passed the Statute of Local Governments that grants local governments, *inter alia*, the: “power to acquire real and personal property or any interest therein for its purposes, and to construct, reconstruct, equip, maintain, repair and operate the same for such purposes” and “power to acquire, establish, construct, reconstruct, equip, maintain, repair and operate recreational facilities on park or other lands, including but not limited to self-supporting, self-sustaining or revenue-producing recreational facilities.” N.Y. STAT LOC GOVTS § 10(2)-(3).

98. The New York Constitution further declares that “[a] power granted in [the Statute of Local Governments] may be repealed, diminished, impaired or suspended only by enactment of a statute by the legislature with the approval of the governor at its regular session in one calendar year and the re-enactment and approval of such statute in the following calendar year.” N.Y. Const., Art. IX § 2(b)(1).

99. The “double enactment” clause is intended to “afford localities protection from hasty and ill-considered legislative judgments.” *See Wambat Realty Corp. v State of New York*, 41 N.Y..2d 490 (1977).

100. Section 502-a of the Racing Law diminishes and impairs Plaintiffs proprietary interests in maintaining and operating the WROTB through divesting them of their equally-weight voting power over the administration and operation of the WROTB.

101. Section 502-a of the Racing Law effectively disenfranchises Plaintiffs from their interest to maintain, equip, repair, operate its interests in the WROTB.

102. Section 502-a of the Racing Law was not enacted in accordance with Article IX, Section 2, paragraph (b) subparagraph (1) of the New York Constitution.

103. As a result, Section 502-a of the Racing Law violates this New York Constitution as it repealed, diminished, impaired or suspended the powers granted to Plaintiff under the New York Constitution and Statute of Local Governments.

104. Based upon the foregoing conduct of the Defendants, the Plaintiffs are and will continue to be damaged by the actions of the Defendants in violation of the New York State Constitution until such time as this Court grants the relief sought herein. Accordingly, Plaintiffs seek a judgment of this Court declaring that the Constitution and laws of the State do not permit

the modification or repeal of Section 502 of the Racing Law and declaring Section 502-a of the Racing Law unconstitutional, invalid, and unenforceable.

WHEREFORE, Plaintiffs respectfully request that the Court issue a Judgement and Order:

- A. declaring Racing Law Section 502-a unconstitutional, invalid, and unenforceable; and
- B. awarding such other and further relief as this Court may deem just and proper.

Dated: Buffalo, New York
September 20, 2023

Lippes Mathias LLP

/s/ Dennis Vacco

Dennis C. Vacco, Esq.

Scott S. Allen, Jr., Esq.

Carmen A. Vacco, Esq.

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RESOLUTION NO. 352

**RESOLUTION AUTHORIZING BUDGET MODIFICATION TO INCREASE
CAPITAL PROJECT NO. C0122 BUNNER STREET COMPLEX RENOVATION**

By Legislator Paul House:

WHEREAS, this body has heretofore established Capital Project No. C0122 –
Bunner Street Complex Renovation with a maximum authorization of \$250,000; and

WHEREAS, the Buildings and Grounds Director has identified the need to increase
the capital project for Bunner Street Complex Renovation, with an additional authorization
of \$8,400,000; and

NOW, upon the recommendation of the Infrastructure and Facilities Committee, with
the approval of the Finance and Personnel Committee; be it

RESOLVED that the Treasurer is hereby authorized to transfer \$8,400,000 from the
Unappropriated Fund Balance to the designated Capital Project C0122 and that the project is
hereby authorized for the maximum expenditure as indicated.

Capital Project

Total Authorization

CP No.C0122

\$8,650,000

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 352 of 2023

H 529000 C0122

\$8,400,000.00

H 450310 C0122

(\$8,400,000.00)

A9901 599014

\$8,400,000.00

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ		
H	529000	C0122				Increase CP#C0822 Bunner St Complex Renovation Project	8,400,000.00
			H	450310	C0122	CP#C0122 Interfund Transfer	(8,400,000.00)
A9901	599014					Interfund Transfer	8,400,000.00
						This project to be increased through Appropriated Fund	
						Balance A159900	

R. J. Jax

Department Head

Date

10-12-23

[Signature]

County Administrator

DATE

10 12 23

Director of Human Resource

Date

Chairperson

DATE

County Treasurer

DATE

RESOLUTION NO. 353

**RESOLUTION AWARDING CONTRACTORS FOR THE BUNNER STREET
COMPLEX RENOVATION – BID 23-BG-003**

By Legislator Paul House,

WHEREAS, the County issued a BID for the renovations to the Bunner Street Complex; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited BIDs (BID 23-BG-003) from multiple qualified companies to provide General Contracting Services, HVAC Services, Electrical Services, and Plumbing Services; and

WHEREAS, the Oswego County Buildings and Grounds Department, the Oswego County Purchasing Department, and LeChase Construction Services have reviewed the bids received and determined the bids from Paul A. Castaldo, Inc. (PAC), Oswego, NY 13126, Airside Technology Corporation, East Syracuse, 13057, Knapp Electric Inc., Auburn, NY 13021, Oswego Mechanical Inc., Oswego, NY 13126, meet the County's needs; and

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Infrastructure and Facilities Committee that the County of Oswego awards the General Contracting contract to Paul A. Castaldo Inc., 11-D Fourth Avenue, Oswego, NY 13126, the HVAC contract to Airside Technology Corporation, 6399 Molloy Road, Suite A, East Syracuse, NY 13057, the Electrical contract to Knapp Electric Inc., 7012 Potter Road, Auburn, NY 13021, and the Plumbing contract to Oswego Mechanical Inc., 45 West 2nd Street, Oswego, NY 13126, the total of all contracts not exceed the cost of \$8,269,814.00; and be it further

RESOLVED that a certified copy of this resolution delivered to the Treasurer and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY PURCHASING DEPARTMENT

BID COMPUTATION SHEET

OPENED: SEPTEMBER 15, 2023 2:00 PM
**BID 23-BG-003 BUNNER STREET COUNTY BUILDING
 RENOVATION PROJECT**

ITEM	Base Bid	Alternate 1	Alternate 2	Alternate 3	Alternate 4	Total Bid
General Contractor Bids						
Bouley Associates	\$ 6,877,000.00	\$ 154,000.00	See Below	See Below	\$ 137,000.00	7,168,000.00
PAC	\$ 3,900,000.00	\$ 80,100.00			\$ 141,000.00	4,121,100.00
HVAC Contractor Bids						
J&A Mechanical	\$ 1,278,000.00				\$ 91,600.00	1,369,600.00
Airside Tech	\$ 1,198,700.00				\$ 81,295.00	1,279,995.00
Electrical Contractor Bids						
Rombough Electric	\$ 1,122,000.00	\$ 47,000.00			\$ 97,000.00	1,266,000.00
Patricia Electric	\$ 1,320,000.00	\$ 12,500.00			\$ 36,000.00	1,368,500.00
S&L Electric	\$ 1,195,000.00	\$ 18,000.00			\$ 69,000.00	1,282,000.00
Knapp Electric	\$ 1,180,000.00	\$ 14,750.00			\$ 67,950.00	1,262,700.00
Diekow Electric	\$ 1,350,000.00	\$ 69,000.00			\$ 45,000.00	1,464,000.00
Plumbing Contractor Bids						
Oswego Mechanical	\$ 174,450.00				\$ 22,500.00	196,950.00
J&A Mechanical	\$ 251,199.00				\$ 9,671.00	260,870.00

Base Bid Total Plus Alternates 1 & 4	6,860,745.00
Alternate 2	\$ 841,508.00
Alternate 3	\$ 119,900.00
Total Cost	\$ 7,822,153.00
Construction Contingency	\$ 447,661.00
	<u>\$ 8,269,814.00</u>



OSWEGO COUNTY PURCHASING DEPARTMENT

BID COMPUTATION SHEET

OPENED: SEPTEMBER 15, 2023 2:00 PM
**BID 23-BG-003 BUNNER STREET COUNTY BUILDING
 RENOVATION PROJECT**

Alternate 2 Pricing	Unit Price for GC Bid (PAC)	Square Footage of Material Indetified	Total Cost	Bouley unit prices for comparison
Remove & replace carpet tile	\$ 8.07	39,000	\$ 314,730.00	\$ 14.00
Remove & install rubber base	\$ 6.16	6,800	\$ 41,888.00	\$ 10.00
Remove & replace ceiling tile	\$ 9.81	39,000	\$ 382,590.00	\$ 8.00
Paint existing walls	\$ 1.65	62,000	\$ 102,300.00	\$ 2.50
Alternate 2 Total			\$ 841,508.00	
Alternate 3 Pricing				
Repair & paint (limewash) existing brick	\$ 4.40	12,000	\$ 52,800.00	\$ 6.00
Prepare & paint existing cement plaster	\$ 6.71	10,000	\$ 67,100.00	\$ 3.75
Alternate 3 Total			\$ 119,900.00	
Total for Alternates 2 & 3 Combined			\$ 961,408.00	

RESOLUTION NO. 354

**RESOLUTION AMENDING RESOLUTION NUMBER 311 OF 2023
AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ENTER
INTO SNOW AND ICE AGREEMENTS ON CERTAIN TERMS**

By Legislator House:

WHEREAS, Section 135-a of the New York State Highway Law authorizes the county to enter into cooperative agreements with a city, town or village for control of snow and ice on county roads; and

WHEREAS, this Legislature has, heretofore, authorized the Oswego County Highway Superintendent to enter into such agreements as may be necessary or convenient under Resolution number 75 of 1987 and subsequent resolutions; and

WHEREAS, this body has determined that an \$8,500 per mile flat rate reimbursement is fair and equitable; and

WHEREAS, the county has become aware that a three-year agreement term is not agreeable to several municipalities due to uncertainties concerning the price of salt and other costs and an amendment to Resolution Number 311 of 2023 be, and is hereby, necessary

NOW, THEREFORE, upon recommendation of the Infrastructure and Facilities Committee of this body, it is hereby

RESOLVED, that the Oswego County Highway Superintendent be and is hereby authorized to enter into agreements substantially in the following form as the annexed agreement with any municipalities within the county under Highway Law §135-a for snow and ice control services for a contract term commencing October 1,st of 2023 and ending April 30th of 2024; and, it is further

RESOLVED, that any three-year agreements signed and returned shall be cancelled and replaced with the annexed one-year agreement.

RESOLVED, that the per mile reimbursement rate to municipalities shall be \$8,500 per mile for all services to be performed hereunder and a fuel price adjustment, if applicable, per the annexed agreement.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

DRAFT (Rev. 10/23)

**COUNTY OF OSWEGO HIGHWAY DEPARTMENT
SNOW REMOVAL AND ICE CONTROL AGREEMENT
(MILEAGE BASED AGREEMENT)**

THIS AGREEMENT, made this 1st day of October, 2023 by and between the **COUNTY OF OSWEGO HIGHWAY DEPARTMENT**, a municipal corporation of the State of New York, with an office for the conduct of business located at 31 Schaad Drive, Oswego, New York 13126-6116 by Shawn P. Walker, its County Highway Superintendent, hereinafter called the "COUNTY", and the **TOWN/VILLAGE OF** _____, a municipal corporation of the State of New York, with an principal office for business located at _____, New York _____ by _____ its Town Supervisor/Mayor and Highway Superintendent, hereinafter called the "MUNICIPALITY".

WITNESSETH:

WHEREAS, New York State Highway Law §135-a authorizes Oswego County to enter into agreements with cities, towns or villages to utilize their own equipment and personnel for the removal of snow from county roads; to sand and otherwise treat county roads for the purpose of removing the danger of ice and snow; and/or for the removal of snow and treatment/sanding and control of ice and snow on county roads; and

WHEREAS, the Oswego County Legislature by Resolution #75 adopted on June 11, 1987, as amended by Resolution #___ of 2023 adopted October 12, 2023 amended the prior authorizing resolution (Resolution Number 311 of 2023) and now authorizes the Oswego County Highway Superintendent to enter into one (1) season snow and ice control cooperation agreements with various towns and villages of Oswego County to assist the County with snow and ice control; and

WHEREAS, by coordinating resources, personnel and equipment, the County and the Municipality realize economies of scale which result in a financial savings to both municipalities and their respective residents; and

WHEREAS, the Municipality has suitable personnel and experience and is willing to undertake said work,

WHEREAS, a written agreement is both necessary and desirable,

NOW, THEREFORE, the parties hereto do mutually agree as follows:

ARTICLE 1. SCOPE OF WORK AND SERVICES

The Municipality shall maintain the County's roads listed herein for snow and ice purposes during the term of this Agreement and shall do so in a prompt, diligent and workmanlike manner. The Municipality shall furnish all the necessary trucks, plows, sanders, tools, equipment and personnel as may be necessary to clear such County roads from snow and ice, as may be necessary, and shall salt, treat and/or sand such County roads to the extent that the County may deem necessary to provide safe and reasonable passage and movement of vehicles over such highways and in accordance with generally accepted highway maintenance practices within the County of Oswego and any of the rules and regulations of the County Superintendent of the Oswego County Highway Department as may apply.

The Municipality agrees to perform snow removal and ice control services upon the following County Roads for the term of this Agreement:

County Route ____ from the intersection of State Route ____ to ____:
Distance: ____ mile(s).

County Route ____ from the intersection of CR ____ to ____ Road:
Distance: ____ mile(s).

County Route ____ from the intersection of ____ Road to ____ Road.
Distance ____ mile(s).

(ADD ADDITIONAL ROAD SEGMENTS AS MAY BE NECESSARY).

TOTAL MILEAGE TO BE MAINTAINED HEREUNDER: ____ MILES OR
\$ ____ DOLLARS PER SEASON HEREUNDER.

The County may, upon written directive, stop the work under any part of this agreement if the methods or conditions are unsatisfactory, unreliable or deemed not to be in the best interests of the public. Nothing herein shall prevent or preclude the County from exercising its rights to enter upon and maintain its own roads should the Municipality be in breach of this Agreement, should a federal, state or local State of Emergency be declared or should the county receive notice that the same is necessary upon the Municipality's failure, neglect or refusal to adequately perform hereunder.

ARTICLE 2. TERM OF AGREEMENT

The term of this agreement shall be for one (1) season only from **OCTOBER 1st, 2023** through **APRIL 30th, 2024**, with the work hereunder commencing November 1st of any given year and ending on April 30th of any given year hereunder (also referred to

hereinafter as "season").

ARTICLE 3. TERMINATION

The County may, by twenty-four (24) hours' written notice to the Municipality at the above-referenced address effective upon mailing, or by personal service effective upon service on a representative of the Municipality, terminate this Agreement in whole or in part at any time (1) for the County's convenience OR (2) upon the failure of the Municipality to comply with any of the terms or conditions of this Agreement. In the event of a suspension of work in Article 1 or termination under this article, payment to the Municipality shall be pro-rated as of the date of termination or suspension and during the period the County is assuming the services hereunder.

ARTICLE 4. COMPENSATION

For all labor, equipment, fuel, fringe, overtime sand, salt and other related costs for the services rendered hereunder, the County hereby agrees to pay the Municipality the sum of **EIGHT THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$8,500.00)** per mile, inclusive, in the performance of this contract. The contract mileage shall be based upon the total mileage listed in Article 1 of this agreement. Payment shall be made in two (2) installments. **The first installment of twenty-five (25) percent of the contract price shall be paid upon execution of this Agreement in October of 2023. The remaining installment of seventy-five (75) percent of the contract price shall be paid in February of 2024.** Payments will be disbursed in a similar fashion for the term of the agreement unless otherwise canceled or amended in writing.

The Municipality understands and agrees that the compensation paid hereunder is for all snow and ice control purposes on County Route(s) only. For the purposes of this Agreement, an intersection where a County Route and a Municipality road intersect shall be deemed to be a County Route. In the event the actual price per gallon of low sulphur diesel fuel exceeds \$4.50 per gallon in any given month during the term of this Agreement, an enhanced payment will be made in accordance with **Attachment A**.

The Municipality hereby agrees to furnish to the Oswego County Highway Superintendent all pertinent and necessary documentation of the Municipality's performance of the services herein enumerated. Said documentation is to be submitted on a Snow and Ice Equipment Operator's Report to be supplied by the Oswego County Highway Department only. The documentation shall include labor, equipment, sander calibrations, routes plowed with dates and times and shall constitute a prerequisite of the County's obligation to continue to pay the consideration stated hereinabove and shall be furnished, bi-weekly, by the Municipality to the County. Failure of the Municipality to submit the required documentation to the County within thirty (30) days' of December 31 of a given season (for work performed in the prior year) and thirty days' of April 30th of a given season (for work performed from January

to April of a given year) of the work and services performed hereunder shall relieve the County of any obligation to pay the Municipality and shall make the Municipality liable for a pro-rata refund of the contract payments hereunder for any periods for which documentation is lacking in addition to their obligation to provide documentation. The Municipality further understands the County may intercept same from sales tax payments or other payments to the Municipality. This term shall survive the expiration or cancellation of this Agreement.

The required forms to substantiate the work performed hereunder can only be obtained from the Oswego County Highway Department which has been designated to act on behalf of the County in directing and reviewing the services required herein.

ARTICLE 5. NOTICES

The Municipality shall report directly to the County Superintendent of the Highway Department or the Deputy Superintendent for all matters hereunder.

Except where otherwise stated herein, notices shall be sufficient if provided in writing by the municipality to the County Highway Superintendent or Deputy Superintendent at the address listed hereinabove.

All notices to the Municipality hereunder shall be provided in writing to the Municipality's Highway Superintendent at the address listed hereinabove.

ARTICLE 6. SAFETY

As a partial inducement to entering into this Agreement with the County, the Municipality commits to making safety for its personnel and the public a priority in conducting the services hereunder. At all times, Municipality agrees that it will use safe and suitable equipment for the work conducted hereunder. The Municipality agrees that its snow removal and ice control equipment shall be equipped as a hazard vehicle in accordance with the NYS Vehicle & Traffic Law with appropriate brake, signal and warning lights and shall also utilize at least one visible operating amber beacon as a warning device while engaged in a hazardous operation such as snow removal and/or ice control. Equipment that requires the use of a slow moving vehicle triangle (e.g. loaders, rotary throwers, etc.) shall also be properly equipped with same. The Municipality shall ensure that any equipment or vehicles operating upon county roadways shall be equipped with flares or other warning devices to be used if said equipment is broken-down or stuck upon the county's roadway during periods of limited visibility or during night time hours.

The Municipality shall conduct a snowplow safety pre-trip inspection at the beginning of each shift or more frequently if required by Municipality's Policies or CDL regulations.

The Municipality shall be responsible for re-setting any and all county-owned Traffic Control Devices, signs, bridge markers, delineators or other roadway markers the same day as they are damaged by the Municipality at the Municipality's sole cost and expense. If the Municipality knocks down or destroys a sign controlling the intersection of a county road with another road which cannot be immediately re-set, the Municipality shall immediately contact Oswego County E-911 and shall also immediately take appropriate steps to ensure that the intersection is controlled and safe for the motoring public (e.g. posting a temporary sign, posting a flagman, and/or calling law enforcement).

ARTICLE 7. ICE CONTROL SAND AND ROAD SALT

Road Salt and Ice Control Sand shall be provided by the Municipality at its own cost for use on the designated county roads covered by this Agreement. The Municipality agrees to purchase Road Salt from the County's bid at the county's cost per ton for the work performed hereunder and for any Municipality owned roads. The sand pit where sand is mined and made available for pick-up by the Municipality shall be determined by the County.

Should a Municipality mine its own sand, and if the County and Municipality agree, the County may permit the use of County equipment to mine sand at the Municipality's expense. Municipality may use other NYSDOT approved ice treatments (e.g. brine) at its own cost and expense in lieu of or in conjunction with salt.

The County shall not reimburse the Municipality for hauling Ice Control Sand or Road Salt. If extensive winter conditions warrant, and additional materials are needed by the Municipality, the terms will be established by the Highway Superintendent subject to availability.

ARTICLE 8. ASSIGNMENT AND SUBCONTRACTING

Pursuant to General Municipal Law §109, the Municipality shall not assign any of its rights, interests or obligations under this Agreement, or subcontract any of the Services to be performed by it under this Agreement, without the prior express written consent of the County. Any such subcontract, assignment, transfer, conveyance or other disposition without such prior consent shall be void and any Services provided thereunder will not be compensated even said assignment or subcontract was to another Municipality. Any subcontract or assignment properly consented to by the County shall be subject to all of the terms and conditions of this Agreement.

ARTICLE 9. STATUTORY COMPLIANCE

In acceptance of this Agreement, the Municipality covenants and certifies that it will comply, in all respects, with all federal, state and county laws which regarding work for municipal corporations including, but not limited to, Workers' Compensation and Employer's Liability Insurance, hours of employment, wages and Human Rights, and the provisions of General Municipal Law §§103(a) and 103(b) and State Finance Law §§139-A and 139-B.

Pursuant to General Municipal Law §108, the parties hereto agree that this Agreement contract **SHALL BE VOID** and of no effect unless the Municipality shall secure Workers' Compensation for the benefit of, and keep insured during the life of the contract, such employees, in compliance and as may be necessary with the provisions of the Workers' Compensation Law.

Pursuant to New York Finance Law § 139-L, the Contractor/Vendor, by signing this Agreement, further certifies under penalty of perjury that it: (i) has implemented a written policy addressing sexual harassment prevention in the workplace, and (ii) provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section 201-g of the Labor Law.

ARTICLE 10. INSURANCE

For all of the Services set forth herein and as hereinafter amended, Municipality shall maintain or cause to be maintained, in full force and effect during the term of this Agreement, at its expense, Workers' Compensation insurance, liability insurance covering personal injury and property damage, and other insurance with stated minimum coverages, all as listed below. Such policies are to be in the broadest form available on usual commercial terms and shall be written by insurers of recognized financial standing satisfactory to the County who has been fully informed as to the nature of the Services to be performed. Except for Workers' Compensation and professional liability, the County shall be an additional insured on all such policies with the understanding that any obligations imposed upon the insured (including, without limitation, the liability to pay premiums) shall be the sole obligation of Municipality and not those of the County. Notwithstanding anything to the contrary in this Agreement, Municipality irrevocably waives all claims against the County for all losses, damages, claims or expenses resulting from risks commercially insurable under this insurance described in this Article. The provisions of insurance by Municipality shall not in any way limit Municipality's liability under this Agreement.

INSURANCE REQUIREMENTS

I. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the Municipality hereby agrees to effectuate the naming of the County of

Oswego as an unrestricted, additional insured on the Municipality's insurance policy(ies), with the exception of workers' compensation. If the Municipality is self-insured, evidence of its status as a self-insured entity shall be provided to the Oswego County Purchasing Department. If requested, the Municipality must describe its financial condition and the self-insured funding mechanism(s).

II. The policy naming the County of Oswego as an additional insured shall, without exception:

- Be an insurance policy from an A.M. Best rated "Secure" or better insurer, authorized to conduct business in New York State. A New York licensed insurer is preferred. The decision to accept specific insurers lies exclusively with the County upon consultation with its carrier(s).
- Municipality's coverage shall be primary and non-contributory coverage for the County, its officers and employees and shall contain a 30-day notice of cancellation.
- Additional insured status shall be provided by standard or other endorsements that extend coverage to the County for both on-going and completed operations. The decision to accept an endorsement rests solely with the County. A completed copy of the endorsements must be attached to the certificate of insurance.
- The certificate of insurance must describe the specific services provided by the Municipality (e.g., snow and ice control, sanding and plowing) that are covered by the liability policies.
- At the County's request, the Municipality shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the Municipality will provide a copy of the policy endorsements and forms.

III. The municipality agrees to indemnify the County of Oswego for any applicable deductibles.

IV. **REQUIRED Insurance MINIMUMS:**

- Commercial General Liability Insurance
\$1,000,000 per occurrence/ \$2,000,000 aggregate (or maximum limits maintained by Municipality itself, if greater). General Aggregate to apply on a per contract basis.
- Automobile Liability/Inland Marine
\$1,000,000 CSL (or maximum limits maintained by Municipality itself, if greater)

for owned, hired and borrowed and non-owned motor vehicles.

- Excess/Umbrella Insurance
\$1,000,000 each Occurrence and Aggregate (or maximum limits maintained by Municipality itself, if greater).
- Workers' Compensation and N.Y.S. Disability
Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits (if disability coverage elected by Municipality) Insurance for all employees.

Municipality acknowledges that failure to obtain such insurance on behalf of the County of Oswego constitutes a material breach of this contract and will result in cancellation. The Municipality is to provide the County of Oswego with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the County of Oswego to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the County of Oswego. Municipality shall attach to this Agreement certificates of insurance evidencing Municipality's compliance with these requirements.

Each policy of insurance shall contain clauses to the effect that (i) such insurance shall be primary without right of contribution of any other insurance carried by or on behalf of the County with respect to its interests, (ii) it shall not be cancelled, including, without limitation, for non-payment of premium, or materially amended, without thirty (30) days' prior written notice to the County, directed to the County Attorney and the Highway Superintendent and the County shall have the option to pay any necessary premiums to keep such insurance in effect and charge the cost back to Municipality.

To the extent it is commercially available, each policy of insurance shall be provided on an "occurrence" basis. If any insurance is not so commercially available on an "occurrence" basis it shall be provided on a "claims made" basis, and all such "claims made" policies shall provide that:

- A. Policy retroactive dates coincide with or precede Municipality's start of the performance of the Services (including subsequent policies purchased as renewals or replacements);
- B. Municipality will maintain similar insurance for at least six (6) years following final acceptance of the Services;
- C. If the insurance is terminated for any reason, Municipality agrees to purchase an unlimited extended reporting provision to report claims arising from the Services performed for the County; and

- D. Immediate notice shall be given to the County through the Highway Superintendent and the County Attorney's Office of circumstances such as motor vehicle accidents, serious personal injuries, disfigurement, dismemberment or death of any person, property damage of third parties or other incidents that might give rise to future claims with respect to the Services performed under this Agreement by Municipality.

ARTICLE 11. INDEMNIFICATION

Municipality agrees to defend, indemnify and hold harmless the County, including its officials, employees and agents, against all claims, losses, damages, liabilities, costs or expenses (including, without limitation, reasonable attorney fees and costs of litigation and/or settlement) whether incurred as a result of a claim by a third party or any other person or entity, arising out of the Services performed pursuant to this Agreement which the County, or its officials, employees or agents, may suffer by reason of any negligence, fault, act or omission of Municipality, its employees, representatives, subcontractors, assignees, or agents.

In the event that any claim is made or any action is brought against the County arising out of the negligence, fault, act or omission of an employee, representative, subcontractor, assignee or agent of the Municipality either within or without the scope of his respective employment, representation, subcontract, assignment or agency, or arising out of Municipality's negligence, fault, act or omission, then the County shall have the right to withhold further payments hereunder for the purpose of set-off in sufficient sums to cover the said claim or action. The rights and remedies of the County provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provide by law or this Agreement. This term shall survive the expiration or cancellation of this Agreement.

ARTICLE 12. HOLD HARMLESS

Regarding its services and responsibilities concerning this Agreement, the Municipality further covenants and agrees to indemnify, defend and hold harmless the County of Oswego, its officers, agents and employees from and against any and all loss or expense that may arise by reason of liability for damage, injury or death, or for invasion of personal or property rights, of every name and nature, and whether casual or continuing trespass or nuisance and any other claim for damages arising at law and equity alleged to have been caused or sustained in whole or part by the Municipality, its employees or agents, or because of any joint omission of duty, negligence or wrongful act on the part of the Municipality and the County, their officers, agents or employees in connection with this agreement. This term shall survive the expiration or cancellation of this Agreement.

ARTICLE 13. GENERAL RELEASE

The acceptance by the Municipality or its assignees of the final payment under this Agreement, whether by county voucher, check, judgment of any court of competent jurisdiction, or administrative means shall constitute and operate as a General Release to the County from any and all claims of Municipality arising out of the performance of this Agreement.

ARTICLE 14. SET-OFF RIGHTS

The County of Oswego shall have all of its common law, equitable and statutory rights of set-off hereunder. These rights shall include, but are not limited to, the County's right to withhold for the purposes of set-off any monies otherwise due to Municipality (i) under this Agreement, (ii) under any other Agreement or contract with the County, including any agreement or contract for a term commencing prior to or after the term of this Agreement, or (iii) from the County by operation of law. The County also has the right to withhold any monies otherwise due under this Agreement for the purposes of set-off as to any amounts due and owing to the County for any reason whatsoever including, without limitation, sale or delivery charges for sand, salt or of asphalt, paving services, equipment rentals, or any other county products or services performed for or at the request of the Municipality and/or solid waste scale or tipping fees.

ARTICLE 15. INDEPENDENT CONTRACTOR

In performing the Services under this agreement the Municipality shall operate as, and have the status of, an independent contractor and shall not act as agent, or be an agent, of the County. As an independent contractor, the Municipality shall be solely responsible for determining the means and methods of performing the Services and shall have complete charge and responsibility for the Municipality's personnel engaged in the performance of the same.

In accordance with such status as independent contractor, Municipality covenants and agrees that neither it nor its employees or agents will hold themselves out as, nor claim to be officers or employees of the County, or of any department, agency or unit thereof by reason hereof, and that they will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the County including, but not limited to, Worker's Compensation coverage health insurance coverage, Unemployment Insurance Benefits, Social Security coverage or employee New York State Retirement System membership or credit as an officer or employee of the County of Oswego.

ARTICLE 16. ENTIRE AGREEMENT

The rights and obligation of the parties and their respective agents, successors and assignees shall be subject to and governed by this Agreement, which supersedes any other understandings or writings between or among the parties.

ARTICLE 17. MODIFICATION

No changes, amendments or modifications of any of the terms and/or conditions of this Agreement shall be valid unless reduced to writing and signed by the party to be bound. Changes in the scope of Services or specifications covered by this Agreement shall not be binding, and no payment shall be due in connection therewith, unless prior to the performance of any such Services, the Highway Superintendent of the County executes a written Addendum or Change Order to this Agreement, which Addendum or Change Order shall specifically set forth the scope of such extra or additional Services, the amount of compensation and the extension of the time for performance, if any, for any such Services. Unless otherwise specifically provided for therein, the provisions of this Agreement shall apply with all force and effect to the terms and conditions contained in any such Addendum or Change Order.

ARTICLE 18. EXECUTORY CLAUSE

The County shall have no liability under this Agreement to Municipality and/or to anyone else beyond funds appropriated and available for this Agreement.

ARTICLE 19. BOOKS AND RECORDS

Municipality agrees to maintain separate and accurate books, records, documents and other evidence and accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement.

ARTICLE 20. RETENTION OF RECORDS

Municipality agrees to retain all books, records and other documents relevant to this Agreement for six (6) years after the final payment or termination of this Agreement, whichever later occurs. County, or any State and/or Federal auditors, and any other persons duly authorized by the County, shall have full access and the right to examine any of said materials during said period upon reasonable notice to the Municipality.

ARTICLE 21. AUDIT BY THE COUNTY AND OTHERS

All claim forms or invoices presented for payment to be made hereunder, and the books, records and accounts upon which said claim forms or invoices are based are subject to audit by the County. Municipality shall submit any and all documentation and justification in support of expenditures or fees under this Agreement as may be required by the County so that it may evaluate the reasonableness of the charges, and Municipality shall make its records available to the County upon request. All books claim forms, records, reports, cancelled checks and any and all similar material may be subject to periodic inspection, review and audit by the County, the State of New York, the federal government, and/or other persons duly authorized by the County. Such audits may include examination and review of the source and application of all funds whether from the County and State, the federal government, private sources or otherwise. Municipality shall not be entitled to any interim or final payment under this Agreement if any audit requirements and/or requests have not been satisfactorily met.

ARTICLE 22. PROTECTION OF COUNTY PROPERTY

While it is expected that the Municipality will use its own equipment for the purposes of this Agreement, the County, from time to time and in the County's sole discretion, during times of snow emergency, a state of emergency or as weather conditions warrant may opt to rent or loan equipment to Municipality, or otherwise allow Municipality to use County equipment or vehicles, either for or without additional compensation, or as a set-off under this Agreement. Nothing contained in this Article shall be construed as creating an obligation of the County to loan or rent equipment to Municipality.

Municipality assumes the risk of and shall be responsible for, any loss or damage to County property, including property and equipment owned or leased by the County, used in the performance of this Agreement and caused, either directly or indirectly by the acts, conduct, omissions or lack of good faith of Municipality, its officers, directors, members, partners, employees, representatives or assignees, or any person, firm, company, agent or others engaged by Municipality as an expert consultant specialist or subcontractor hereunder.

In the event that any such County property is lost or damaged, except for normal wear and tear, then the County shall have the right to withhold further payments hereunder for the purposes of set-off in sufficient sums to cover such loss or damage and to make the County whole. The Municipality understands that County equipment or vehicles provided or loaned hereunder shall only be used for public purposes.

Municipality agrees to defend, indemnify and hold the County harmless from any and all liability or claim for loss, cost, damage or expense (including, without limitation, reasonable attorney fees and costs of litigation and/or settlement) due to any such loss

or damage to any such County property described in this Article.

The rights and remedies of the County provided herein shall not be exclusive and are in addition to any other rights and remedies provided by law or by this Agreement.

ARTICLE 23. ACCEPTANCE OF SUBSTITUTED SERVICE

The Municipality hereby consents and agrees to accept to substituted service of process via first class mail to the above referenced address of any summons, process or pleading pertaining to or arising from litigation concerning this agreement in lieu of any other methods authorized by the New York Civil Practice Law and Rules. Service of process shall be deemed to be complete upon mailing same. This provision shall survive the termination of this agreement and shall not be construed requiring substituted service, should the County elect to commence litigation by other means provided for by law. The County does not waive personal service herein and will require service of process in conformity with CPLR§311(4).

ARTICLE 24. NO WAIVER

The failure of either party to this Agreement to insist upon strict performance of any of the terms, covenants, or conditions hereof shall not be deemed a waiver of any rights or remedies that party or any other such party may have and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants, or conditions.

ARTICLE 25. NOTICES

The Municipality shall report directly to the Superintendent of the County Highway Department or the Deputy County Superintendent as a primary day-to-day contact for all matters hereunder. The County shall contact the Town Highway Superintendent as a primary day-to-day contact for all matters hereunder.

Except where otherwise stated herein, notices shall be sufficient if provided in writing by the Municipality to the County Highway Superintendent or Deputy Superintendent at the address listed hereinabove.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

Except where otherwise stated herein, all notices to the Municipality hereunder shall be provided in writing to the Municipality's Highway Superintendent at the address listed hereinabove.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first set forth hereinabove.

COUNTY OF OSWEGO

By: _____
Shawn P. Walker, Highway Superintendent

MUNICIPALITY - TOWN/VILLAGE OF _____

By: _____, Town Highway Superintendent

By: _____, Town Supervisor/Village Mayor
(Signature)

(Name signed to be printed beneath.)

**ATTACHMENT A
LOW SULPHUR DIESEL
FUEL PRICE ADJUSTMENT PAYMENT**

As a partial inducement to entering into this Agreement, the Municipality, as may be applicable, will be subject to a low sulphur diesel fuel price adjustment to be reimbursed as a separate payment. The price adjustment will be based on actual monthly price(s) paid by the Municipality in its own jurisdiction per gallon of low sulphur diesel (the term "low sulphur diesel" as used herein shall also include ultra low sulphur diesel). This adjustment is to be reviewed by the Municipality and County on a monthly basis and the Municipality will need to provide supporting documentation of same to the County when it is in effect.

Should the actual price(s) of low sulphur diesel fuel, in any given calendar month, during a snow/ice season under contract term exceed \$4.50 per gallon, the Municipality may request additional reimbursement for same from the County in accordance with this attachment.

The reimbursement formula to a municipality for increased average low sulphur diesel prices per gallon is calculated as follows: where the actual calendar month low sulphur diesel price is higher than \$4.50 per gallon to the Municipality: *(Actual price paid per gallon of low sulphur diesel by Municipality in a given month minus \$4.50) multiplied by the total number of diesel gallons purchased = Total Increased Cost*. The Total Increased Cost is then to be multiplied by the percentage of lane miles constituting county roads in proportion to the percentage of lane miles of town roads in that Municipality. (e.g. A town has 50 percent town roads by lane mile and 50 percent county roads by lane mile, the Total Increased Cost would be multiplied by 50 percent). The county would pay this adjustment once at the end of the calendar year and once at the end of the contract season, where applicable, and only upon written request by the Municipality. Documentation and proof of payment of the total number of gallons diesel fuel purchased and rate must be provided within forty-five (45) days of the end of each calendar year and/or within forty-five (45) days of the end of the season should same be applicable.

This reimbursement shall only be paid for months during a snow/ice season where the actual price(s) per gallon of low sulphur diesel fuel exceeds \$4.50 per gallon. Nothing in this Attachment covers heating oil, gasoline, kerosene or other fuels.

The price(s) per gallon is based upon the actual cost paid per gallon for low sulphur diesel by the Municipality in a given month exclusive of NYS sales and compensating use taxes. Failure by the Municipality to request this additional payment, where applicable, in writing within forty-five (45) days of the end of a calendar year for expenses incurred in that portion of the season ending December 31st, and/or within forty-five (45) days of the end of the season, or April 30th, in any given year covered by the Agreement, shall constitute a waiver to any right to payment/credit notwithstanding any other provisions of this Agreement.

RESOLUTION NO. 355

**COUNTY OF OSWEGO, NEW YORK RESOLUTION OF THE COUNTY
LEGISLATURE OF THE COUNTY OF OSWEGO, NEW YORK AUTHORIZING A
DECLARATION OF OFFICIAL INTENT UNDER U.S. TREASURY
REGULATIONS WITH RESPECT TO REIMBURSEMENT FROM BOND
PROCEEDS OF TEMPORARY ADVANCES MADE BY THE COUNTY FROM
FOR PAYMENT OF PROJECT COSTS PRIOR TO ISSUANCE OF BONDS AND
RELATED MATTERS.**

WHEREAS, U.S. Treasury Regulations Sec. 1.150-2 (the "Reimbursement Regulations") prescribe conditions under which proceeds of bonds, notes or other obligations ("Bonds") used to reimburse advances made for capital and related expenditures ("Original Expenditures") paid before the issuance of Bonds will be deemed to be expended (or allocated to expenditures) for purposes of Sections 103 and 141-150, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code") upon such reimbursement so that such proceeds will no longer be subject to requirements or restrictions under such sections of the Code; and

WHEREAS, certain provisions of the Reimbursement Regulations require that there be a Declaration of Official Intent not less than 60 days following payment of the Original Expenditures expected to be reimbursed from the proceeds of Bonds, and that the reimbursement occur within certain prescribed time periods after an Original Expenditure is paid or after the project financed with Original Expenditure is placed in service; and

WHEREAS, the County Legislature of the County of Oswego, New York (the "County") wishes to take steps to comply with the Reimbursement Regulations;

NOW, THEREFORE, be it resolved by the County Legislature of the County (hereinafter, the "Borrower") as follows:

1. Definitions. The following definitions apply to the terms used herein:

"Authorized Officer" means the County Treasurer or any person designated by the County Legislature for the purpose of managing the disbursal and investment of borrowed public funds.

"Declaration of Official Intent" means a declaration of intent in the form, manner and time set forth in the Reimbursement Regulations that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of Bonds issued after such expenditures are made.

"Reimbursement" or "reimburse" means the restoration to the Borrower of money temporarily advanced from its general or capital fund and spent for Original Expenditures before the issuance of Bonds evidenced in writing by an allocation on the books and records of the Borrower that indicates the use of the proceeds of Bonds to restore the money

advanced for Original Expenditures. Such terms does not include the refunding or retiring of Bonds previously issued and sold to, or borrowed from, unrelated entities.

2. Authorization and Requirement of Declaration of Official Intent. Each Authorized Officer is authorized to prepare and sign the Declaration of Official Intent in substantially the form attached with respect to Original Expenditures to which the Reimbursement Regulations apply, to be made from money temporarily advanced and that is reasonably expected to be reimbursed in the regular course from proceeds of Bonds, to make appropriate reimbursement and timely allocations from the proceeds of Bonds to reimburse such Original Expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations in order for the reimbursement to be treated as an expenditure of such proceeds for purposes of Section 150 and 141-150, inclusive, of the Code. No advance from any fund or account or order for payment may be made for Original Expenditures (unless exempt under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Bonds unless a Declaration of Official Intent with respect thereto is made within the time required under the Reimbursement Regulations.

3. Effectiveness. This resolution shall become effective upon its due adoption by the County Legislature.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:
YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

**DECLARATION OF OFFICIAL INTENT
For Reimbursement of Expenditures from Bonds**

This is a Declaration of Official Intent (the "Declaration") under U.S. Treasury Regulations for purposes of Section 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code").

1. The undersigned, on behalf of the County Legislature of the County of Oswego, New York (the "Borrower") declares that the Borrower reasonably expects that the capital expenditures described in paragraph 2 of the resolution to which this Declaration is attached (the "Project") will be reimbursed with the proceeds of "bonds" (as that term is defined in Section 150 of the Code). The maximum principal amount of bonds expected to be issued for the Project is estimated to be not more than \$8,4000,000.
2. Capital expenditure to be reimbursed include expenditures for the acquisition, construction and reconstruction of improvements to the County of Oswego Bunner Street Complex.
3. The effectiveness of this Declaration is conditioned on the bonds, if, as and when issued, providing that proceeds may be used for reimbursement of expenditures and the reimbursement from proceeds of the bonds being made within 18 months after the date of the expenditure to be reimbursed.

The undersigned has been authorized by the County Legislature of the Borrower to make and execute this Declaration on behalf of the Borrower.

Date of Declaration:
October 12, 2023

County of Oswego, New York

By: _____
Title: County Treasurer

RESOLUTION NO. 356

RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE OPTION AGREEMENT WITH MARK D. KNOPP AND JOY KNOPP CONCERNING THE PURCHASE OF PROPERTY COMMONLY KNOWN AS 35 HEALTH CAMP ROAD IN THE TOWN OF OSWEGO

By Legislator Roy Reehil:

WHEREAS, the County of Oswego has owned and operated Camp Hollis in the Town of Oswego since the 1950s; and

WHEREAS, Mark D. Knopp and Joy Knopp are the owners of certain real property adjoining Camp Hollis at 35 Health Camp Road and are interested in selling same to the County of Oswego on certain terms; and

WHEREAS, the County of Oswego is interested in expanding the footprint of Camp Hollis as it can bring new opportunities for recreation for county youth and residents which presently do not exist; and

WHEREAS, authorizing an option to purchase said property allows the county the opportunity to acquire these lands over the next two years; and

WHEREAS, a written resolution is both necessary and desirable; and

NOW, THEREFORE, upon recommendation of the Human Services Committee of this body, it is hereby

RESOLVED, that the Chair of the Legislature be, and is hereby, authorized to execute the annexed Option Agreement with Mark D. Knopp and Joy Knopp regarding the purchase of 35 Health Camp Road in the Town of Oswego for the sum of \$325,000.00; and, it is further

RESOLVED, that the payment of the Option Downpayment as referenced in the Option Agreement be and is hereby authorized.

ADOPTED BY VOICE VOTE ON OCTOBER 12, 2023:

YES: 22 NO: 2 ABSENT: 1 ABSTAIN: 0

DRAFT

**OPTION AGREEMENT TO PURCHASE CERTAIN REAL PROPERTY
LOCATED ADJACENT TO CAMP HOLLIS IN THE TOWN OF OSWEGO
AT 35 HEALTH CAMP ROAD**

THIS AGREEMENT made this ____ day of October, 2023 by and between **MARK D. KNOPP AND JOY KNOPP**, as tenants by the entirety, of 35 Health Camp Road, Oswego, New York 13126 (hereinafter referred to as the "Land Owner") and the **COUNTY OF OSWEGO**, a municipal corporation by and of the State of New York with a principal business office located at 46 East Bridge Street, Oswego, New York 13126 (hereinafter referred to as "County" or "Oswego County"),

WITNESSETH:

1. Grant of Option to Purchase Certain Lands.

A. In consideration of the mutual promises of the parties, the Land Owner does hereby give and grant to Oswego County the exclusive and irrevocable right, privilege and option to purchase, under the conditions hereinafter provided, all of the Land Owner's right title and interest in the real property which is located in the Town of Oswego, County of Oswego, State of New York, and which is more particularly described as follows:

Approximately 14.5 acres of land, more or less, with improvements, (NOTE: Tax Map Acreage believed to be incorrect at 7.66 acres), located in the Town of Oswego, County of Oswego and State of New York adjacent to County lands commonly known as Camp Hollis. See survey map "EXHIBIT A" attached hereto for a more approximate location (hereinafter referred to as the "Property"). TOGETHER WITH an easement and right of way from Health Camp Road and over any other easement course (if not publicly owned) for ingress, egress and utility and phone purposes to the Land Owner's property. It further being understood that a staked survey map of the Property and the bounds any easement and right-of way conveyed will be provided to Land Owner prior to providing written notice of the Date of Commencement hereunder.

RESERVING UNTO THE LAND OWNER A PARCEL OF LAND APPROXIMATELY 4 acres, more or less, (subject to a boundary line mutually agreed by the parties) fronting West Lake Road with a new boundary parallel thereto, which shall be subject to an easement for drainage purposes running southerly along the current watercourse/ditch running to West Lake Road as Land Owner plans to acquire an adjoining property prior to providing written notice of the Date of Commencement hereunder.

B. All deposits and downpayments made by Oswego County to the Land Owner pursuant to this Agreement prior to the Closing shall be applied towards the Purchase Price of the Property. The Land Owner fully agrees and acknowledges that the consideration given by Oswego County constitutes legal, adequate, and valuable consideration for the purposes of this Agreement.

C. The total purchase price for the Property shall be **THREE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 U.S. DOLLARS (\$325,000.00)** (the "Purchase Price"). The Land Owner hereby acknowledges that an Option Deposit of **TWO THOUSAND AND 00/100 U.S. DOLLARS (\$2,000.00)** has been paid by Oswego County upon the execution of this agreement, the receipt of which is hereby acknowledged by the Land Owner. The balance of the Purchase Price, or **THREE HUNDRED TWENTY THREE THOUSAND AND 00/100 (\$323,000.00)**, shall be paid by Oswego County to the Land Owner at closing upon the delivery of a deed.

D. The "Effective Date" shall be the date that the last of the parties to this Agreement signs and executes below.

2. **Option Terms.**

A. The Land Owner, in consideration for the payment of the Option Deposit and other consideration, does hereby give to Oswego County the exclusive right and option to purchase the Property described above (the "Option").

B. The Option Deposit is **NON-REFUNDABLE** except as otherwise provided herein and shall be held by the Land Owner to be applied toward the Purchase Price of the Property. The deposit shall revert to the Land Owner absolutely and forever should Oswego County not exercise its rights under the terms of this Agreement.

C. Oswego County may cancel this Agreement at any time. Oswego County shall have no claim to the return of the Deposit after the execution of this agreement should the county cancel this Agreement out of convenience.

D. If Oswego County exercises this Option, the Option Deposit shall be applied towards the Purchase Price of the Property.

E. Oswego County shall have the right to exercise this Option during a period of time beginning on **OCTOBER 12, 2023**, the Effective Date, and lasting until **OCTOBER 11, 2025**. Oswego County shall exercise this option by giving written notice by registered mail to the Land Owner at the address indicated above (the letter must be delivered to Land Owner by the time and date indicated above) or by hand delivering written notice to the Land Owner (with the Land Owner giving Oswego County a written receipt indicating the time and date of receipt). The date that the Land Owner receives

this notice shall be known as the "Date of Commencement."

F. It is understood and agreed that time is of essence as to the payment of the Purchase Price under this provision. If Oswego County does not exercise the terms of this Option by the ending date as specified above, then the right and option set forth herein shall immediately terminate and all deposits paid shall be kept by the Land Owner.

3. Promises Of Parties Following Exercise Of Option.

Subject to Oswego County exercising this Option, the Land Owner and Oswego County agree that the Land Owner shall sell and Oswego County shall buy the Property upon the following terms and conditions:

A. Representations and Warranties.

To induce Oswego County to enter into this Agreement, the Land Owner makes the following representations, warranties, and covenants:

1. Land Owner has good and marketable fee simple title to the Property, free and clear of all liens, property taxes, encumbrances, and restrictions, except for those restrictions appearing of record, taxes for the year of closing, encumbrances that will be cleared prior to closing, and encumbrances that will be cleared at the closing out of the Land Owner's proceeds from the Purchase Price.
2. There are no foreclosures, bankruptcy proceedings, mechanic's liens, quiet title proceedings, partition proceedings, condemnations, NYSDEC or similar proceedings affecting any part of the Property and no such proceeding shall be pending on the Closing Date. To the best of the Land Owner's knowledge, no condemnations or other proceedings are threatened or planned. Land Owner shall promptly advise the county in writing of any judicial proceeding involving the Property.
3. There are no toxic wastes on, in, or around the Property and the Property has not been used to manufacture, store, or dispose of environmentally hazardous materials.
4. There are no service contracts or agreements relating to the operation, maintenance, or security of the Property under which the Land Owner is bound and which will survive the closing.
5. All encroachments, reservations, limitations, road right of ways, or servitudes affecting the Property are disclosed in the Public Records.

6. The Land Owner is not subject to any commitment, obligation, or agreement, including, but not limited to, mineral or natural gas leases or any right of first refusal or option to purchase, granted to a third party, which would or could prevent the Land Owner from completing the sale of the Property as contemplated by this Agreement.
7. Land Owner shall be in sole and exclusive possession of the Property and will deliver possession of the Property free of all leases on the Closing Date.
8. Land Owner shall keep and maintain the Property in good condition, in full compliance with all state and local codes and laws, reasonable wear and tear excepted, until the Closing Date.
8. The Property to be conveyed herein includes land, a residence together with all installed permanent fixtures serving as the basis of a taxable assessment (e.g. furnace, water heater, HVAC units, etc.) and any outbuildings.

B. Conditions Precedent.

The obligations of Oswego County to close this transaction are subject to Oswego County having given Notice to Purchase and also subject to the following:

1. All representations and warranties of the Land Owner shall be true and correct as of the Closing Date as if such representations and warranties were being made on such date.
2. Land Owner shall have performed all covenants to be performed by the Land Owner as is herein provided.
3. The Property covered by this agreement, at time of closing, shall be vacant and any tenant relocation costs shall be incurred by the Land Owner.
4. If any of such conditions are not fulfilled on or as of the Closing Date, and, notwithstanding anything to the contrary in this Agreement, Oswego County shall have the right to terminate this Agreement and to obtain a full refund of any Option Deposit made to the Land Owner whereupon all parties shall be relieved of any further obligations hereunder. This provision shall survive expiration of this Option Agreement.

C. Clear Title.

1. Within thirty (30) days of the execution of this Agreement by the Land Owner, the Land Owner shall deliver to Oswego County any existing title insurance policies (or abstracts of title) and surveys for the Property that are in the Land Owner's possession or

which the Land Owner might obtain possession of by reasonable efforts. Oswego County shall return these items to the Land Owner if the closing never occurs and this Contract is terminated. At closing, Oswego County shall pay for any update of the title information that might be necessary so as to enable Oswego County to obtain title insurance for the Property.

2. Land Owner shall convey a marketable title, subject only to liens, encumbrances, exceptions, or qualifications set forth in this Agreement and those which shall be discharged by Land Owner at or before closing. Marketable title shall be determined according to applicable title standards adopted by authority of the New York State Bar Association and in accordance with law.

3. If Oswego County discovers that the title is defective, Oswego County shall notify the Land Owner in writing specifying the defect(s). If the defect(s) render the title unmarketable or uninsurable the Land Owner will have thirty (30) days from receipt of notice within which to remove the defect(s) of their own accord or to assist County in clearing same, and if the Land Owner and/or Oswego County are unsuccessful in removing them within such time, Oswego County shall have the option of either accepting the quantum of title as it then is, or demanding a refund of the Option Deposit monies paid hereunder which shall forthwith be returned to Oswego County and thereupon Oswego County and the Land Owner shall be released as to one another of all further obligations under this Agreement.

4. Encroachments by the County from the adjoining Camp Hollis property owned by the County of Oswego, if any, shall not be considered a defect in title for the purposes of this Contract.

D. Closing.

1. This transaction shall be closed and the deed and other closing papers delivered on or before **OCTOBER 15, 2025** (the "Closing Date") unless extended by other provisions of this Contract or by the mutual consent of both parties. The closing shall be held in the county in which the Property is located, at the Oswego County Legislative Office Building, 46 East Bridge Street, Oswego, New York 13126.

2. At closing, Oswego County shall pay the cash portion of the Purchase Price by bank cashier's check or county check either of which shall be issued by and drawn on a local institution and the Land Owner shall furnish the deed and any corrective instruments that may be required in connection with perfecting the title. Oswego County shall furnish the closing statement.

3. Oswego County shall pay the following closing costs: obtaining or updating an abstract, state documentary stamps and surtax charges, the cost of recording any

corrective instruments, the costs of any staked surveys and any title update charges necessary for title insurance, if any. Oswego County shall also pay the cost of recording the deed and title insurance premiums if any.

E. Restrictions; Easements; Limitations.

Oswego County shall take title subject to: zoning, restrictions, prohibitions, and other requirements imposed by governmental authority; restrictions and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record; taxes for year of closing and subsequent years; and the following other exceptions (if any): [NONE.]; provided, however, that there exists at closing no violations of the foregoing and the same does not prevent the use of the property for county governmental purposes. Oswego County is exempt from local zoning and land use requirements acting in a governmental capacity and this purchase is for governmental purposes.

F. Survey of Property.

Oswego County, at its sole expense, shall have the Property surveyed and certified by a registered State of New York land surveyor; the survey shall be staked. If the survey shows any encroachment on the Property or that improvements intended to be located on the Property in fact encroach on setback lines, easements, lands of others, or violate any restrictions, Agreement covenants, or applicable governmental regulations, the same shall be treated as a title defect. In such a case both Oswego County and the Land Owner shall attempt to remedy same by negotiating in good faith to relocate the Property covered by this option to cure any setback or encroachment issue.

G. Ingress and Egress.

The Land Owner warrants that there is ingress and egress to the Property sufficient for its use for Camp Hollis and county purposes and hereby grants Oswego County permission to enter the lands for surveying, an examination of the home and structures upon the premises and soil boring purposes.

H. Liens.

The Land Owner shall furnish to Oswego County at time of closing an affidavit attesting to the absence, unless otherwise provided for herein, of any financing statements, claims of lien or potential lienors known to the Land Owner and further attesting that there have been no improvements or repairs to the Property immediately preceding the date of closing in a form satisfactory to Oswego County. If the Property has been improved, or repaired within such time, the Land Owner shall deliver releases or waivers of mechanic's liens, executed by all general contractors, subcontractors, suppliers, and materialmen, in addition to the Land Owner's lien affidavit setting forth the names of all such general

contractors, subcontractors, suppliers, and materialmen and further reciting that in fact all bills for work to the Property or personalty which could serve as a basis for a mechanic's lien or a claim for damages have been paid or will be paid at closing. Oswego County shall provide the waivers or releases to Land Owner in such an instance.

I. Prorations.

There shall be no adjustments or refund to the Land Owner for County, Town, School, special district, fire, water or other ad valorem taxes and assessments as of closing. Taxes and special assessments, ad valorem assessments and water charges shall be current on the property conveyed hereunder through the day to the closing. Should a tax or water bill not be current, the county will deduct funds from the net amount at closing to pay same in full. Utilities will be transferred as of date of closing.

J. Contract Not Recordable; Persons Bound; Notice.

Neither this Agreement nor any notice thereof shall be recorded in any public records. This Agreement shall bind and inure to the benefit of the parties hereto and their successors in interest or assigns. Whenever the context permits, singular shall include plural and one gender shall include all. Notice given by or to the attorney for any party shall be as effective as if given by or to the party.

K. Occupancy.

Land Owner represents that there are no parties in occupancy other than the Land Owner and family of the Land Owner. Land Owner agrees to deliver occupancy of the property at the time of closing unless otherwise stated herein. If occupancy is to be delivered prior to closing, Oswego County assumes all risk of loss to the Property and personalty for the date of occupancy, and shall be responsible and liable for maintenance thereof from such date, and shall be deemed to have accepted the Property and personalty in their existing condition as of the time of taking occupancy unless otherwise stated herein or in a separate writing.

L. Conveyance.

Land Owner shall convey title to the Property by Warranty Deed as appropriate to the status of the Land Owner, subject only to matters contained in Section C hereof and those otherwise accepted by Oswego County.

M. Other Agreements.

No prior or present agreements or representations shall be binding upon Oswego County or Land Owner unless included in this Agreement. No modifications or changes in this

Agreement shall be valid or binding upon the parties unless in writing and executed by the party or parties to be bound thereby.

N. Typewritten or Handwritten Provisions.

Typewritten or handwritten provisions inserted herein or attached hereto as exhibits or addenda shall control all printed provisions of this contract in conflict therewith. The parties have executed this agreement at Parish, New York on the day and year first above-written.

O. Multiple Originals.

This agreement may be executed in multiple originals however all original executed counterparts shall constitute but one agreement with the same force and effect.

P. No Broker.

The parties represent that no real estate broker or agent has helped to bring about any sale resulting from this Agreement and that the

Q. Singular/Plural.

Whenever the context of this Option Agreement so requires, the singular term "Land Owner" shall be deemed to include the plural.

R. Entire Agreement.

The rights and obligation of the parties and their respective agents, successors and assigns shall be subject to and governed by this Agreement, including any exhibits attached hereto, which supersede any other verbal understandings or writings between or among the parties.

S. Modifications to be in Writing.

No changes, amendments or modifications of any of the terms and/or conditions of this Agreement shall be valid unless reduced to writing and signed by the party to be bound. Unless otherwise specifically provided for therein, the provisions of this Agreement shall apply with all force and effect to the terms and conditions of any written change or amendment to this Agreement.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

T. Subject to Approval of the Oswego County Legislature.

This Agreement is expressly subject to the prior approval of the Oswego County Legislature which is only granted by a resolution passed in a public meeting.

NOTICE: THIS IS INTENDED TO BE A LEGALLY BINDING CONTRACT. DO NOT SIGN IF THERE ARE BLANK SPACES NOT FILLED IN. IF NOT FULLY UNDERSTOOD, SEEK THE ADVICE OF AN ATTORNEY PRIOR TO SIGNING. THE COUNTY ATTORNEY'S OFFICE CANNOT REPRESENT YOU OR PROVIDE YOU WITH LEGAL ADVICE CONCERNING THIS CONTRACT OR THE REAL PROPERTY TRANSFER.

LAND OWNER

Dated: October ____, 2023

By: _____
Mark D. Knopp, Land Owner

LAND OWNER

Dated: October ____, 2023

By: _____
Joy Knopp, Land Owner

COUNTY OF OSWEGO

Dated: October ____, 2023

By: _____
James Weatherup, Chairman of the Legislature

Acknowledgment (RPL§309-a)

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss.:

On the _____ day of OCTOBER in the year 2023 before me, the undersigned, a Notary Public in and for the State of New York, personally appeared **MARK D. KNOPP AND JOY KNOPP**, personally known to me or proved to me to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed same in their respective individual capacities, and that by their signatures on this instrument, the individuals, or the person upon behalf of which the individuals acted executed the instrument.

Notary Public, State of New York

Acknowledgment (RPL§309-a)

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss.:

On the _____ day of OCTOBER in the year 2023 before me, the undersigned, a Notary Public in and for the State of New York, personally appeared **JAMES WEATHERUP AS CHAIR OF THE OSWEGO COUNTY LEGISLATURE**, personally known to me or proved to me to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed same in his individual capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted executed the instrument.

Notary Public, State of New York

DAVID D. & JOHNE E. PAUX
803 / 677

CAMP HOLLIS

RIGHT-OF-WAY

CONCRETE BRIDGE FOUNDATION

CONCRETE BRIDGE

18.537 ACRES

WATER POND

GARRETT A. DEBIA N. WPA INC.
307 / 681

MARK POND

W. L. MARKING POND
102 / 93

MARY D. BODGE & JOY
023 / 202

SAGU ROAD
(containing)

WEST LAKE ROAD

SECTION 9

TOWN OF OSWEGO

OSWEGO COUNTY, NEW YORK

Russell L. Gorman
Landscape Architect
R.D., Box 123
Oswego, NY 13126
1613 / 503-2336

DATE: MAY 1, 1994

SCALE: 1" = 100'

MAP OF:
PART OF LOT 9 IN THE
TOWN OF OSWEGO
OSWEGO COUNTY, NEW YORK

SETTING OF PROPERTY CORNER MARKERS NOT
INCLUDED UNLESS SPECIFICALLY INDICATED

ACROSSROADS
NAME BY RUSSELL L. GORMAN DATED
JUNE 21, 1993, FILE NO. 93553 J

DRAWN AND CALCULATED WITHOUT SURVEY
OR MEASUREMENT OF FIELD

DEPOSITED FOR
OSWEGO COUNTY CLERK'S OFFICE
ARCHIVE J. STINELEY CTS

THE UNDERSIGNED, JAMES HENRY DENNEY, HAS THIS
DAY OF MAY, 1994, AT THE CITY OF ALBANY,
NEW YORK, BEEN DULY SWORN IN AS A JUSTICE OF THE
PEACE, AND HE HAS DECLARED THAT THE FOREGOING
IS A TRUE AND CORRECT STATEMENT OF THE FACTS
AND CONDITIONS HEREIN SET FORTH.

JOHN D. DENNEY
JUSTICE OF THE PEACE

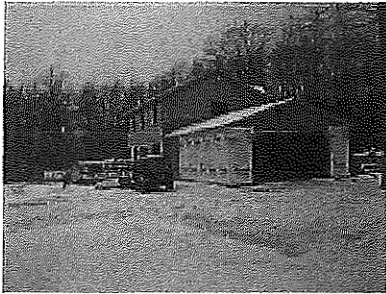
UNIVERSITY OF THE STATE OF NEW YORK
OFFICE OF THE COMPTROLLER
ALBANY, NEW YORK

1613 / 503-2336

93553 J - 1



Property Description Report For: 35 Health Camp Rd, Municipality of Oswego



Status:	Active
Roll Section:	Taxable
Swis:	354200
Tax Map ID #:	163.06-02-11
Property Class:	240 - Rural res
Site:	RES 1
In Ag. District:	No
Site Property Class:	240 - Rural res
Zoning Code:	01
Neighborhood Code:	42003
School District:	Oswego
Total Assessment:	2023 - \$166,400 2022 - \$166,400
Property Desc:	Lot 9 095-004-000
Deed Page:	171
Grid North:	1247640

Total Acreage/Size:	7.66
Land Assessment:	2023 - \$26,300 2022 - \$26,300
Full Market Value:	2023 - \$241,159 2022 - \$208,000
Equalization Rate:	----
Deed Book:	1271
Grid East:	817448

Area

Living Area:	1,992 sq. ft.	First Story Area:	988 sq. ft.
Second Story Area:	1,004 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	2
Finished Rec Room	0 sq. ft.	Finished Area Over Garage	0 sq. ft.

Structure

Building Style:	Colonial	Bathrooms (Full - Half):	1 - 1
Bedrooms:	3	Kitchens:	1
Fireplaces:	0	Basement Type:	Full
Porch Type:	Porch-open/deck	Porch Area:	320.00
Basement Garage Cap:	0	Attached Garage Cap:	832.00 sq. ft.
Overall Condition:	Normal	Overall Grade:	Average
Year Built:	1995	Eff Year Built:	

Owners

Mark D Knopp	Joy Knopp
35 Health Camp Rd	35 Health Camp Rd
Oswego NY 13126	Oswego NY 13126

Sales

No Sales Information Available

Utilities

Sewer Type:	Comm/public	Water Supply:	Comm/public
Utilities:	Gas & elec	Heat Type:	Hot air
Fuel Type:	Natural Gas	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
Gar-1.0 att	26 x 32	Average	Normal	2000
Shed-machine	12 x 28	Average	Normal	2002
Porch-open/deck	16 x 20	Average	Normal	2000

Special Districts for 2023

Description	Units	Percent	Type	Value
FD421-Oswego Town FD	0	0%		0

Special Districts for 2022

Description	Units	Percent	Type	Value
FD421-Oswego Town FD	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2023	BAS STAR	\$24,560	0	2001				0
2022	BAS STAR	\$27,600	0	2001				0

Taxes

Year	Description	Amount
2023	County	\$2,504.38
2022	County	\$2,403.66
2022	School	\$2,872.66

*** Taxes reflect exemptions, but may not include recent changes in assessment.**