

Government, Courts & Consumer Affairs Committee



AGENDA - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: Monday, April 3, 2023 at 9:00a.m.

Location: Conference Room E - Legislative Office Building 46 East Bridge Street Oswego, New York

COMMITTEE MEMBERS:

David Holst, Chair	Legislator, 4 th District
Edward Gilson, Vice Chair	Legislator, 3 rd District
Noelle Salmonsén	Legislator, 21 st District
Michael Solowy	Legislator, 23 rd District
James Scanlon	Legislator, 16 th District
Robert Wilmott	Legislator, 18 th District
Michael Yerdon	Legislator, 1 st District

CALL TO ORDER:

- Pledge of Allegiance

APPROVAL OF MINUTES:

- Approval of Minutes for the Government, Courts and Consumer Affairs Committee's regular meeting on February 27, 2023 and special meeting on March 9, 2023.

RESOLUTIONS:

- GC-1 Resolution Allocating Funds Made Available to the County of Oswego Through the American Rescue Plan Act to Certain Sub-Recipients and Beneficiaries
- GC-2 Resolution Approving and Confirming the Sale and Transfer of Certain Foreclosed Tax Property Pursuant to RPTL §1166
- GC-3 Resolution Requesting the State University of New York to Amend or Remove Its Covid-19 Vaccination Policy
- GC-4 Opposing Governor Hochul's Ban of Gas Stoves and Other New Fossil Fuel Heating Equipment
- GC-5 Resolution Fixing Time and Place for a Public Hearing Relative to Proposed County of Oswego Local Law No. 2 of the Year 2023, Entitled, "A Local Law Allowing Eligible Volunteer Firefighters and Volunteer Ambulance Workers to Receive a Real Property Tax Exemption Under Real Property Tax Law (RPTL) §466-A

REPORTING DEPARTMENTS:

- County Clerk Annual Report and Department Updates
- Clerk of the Legislature Updates
- Strategic Initiative Department Updates
- Board of Elections Department Updates
- Real Property Department Updates

ADJOURNMENT:

Government, Courts & Consumer Affairs Committee **DRAFT**



MINUTES - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: February 27, 2022 at 9:00 a.m.

Location: Conference Room E - Legislative Office Building 46 East Bridge Street Oswego, New York 13126

COMMITTEE MEMBERS:

David Holst, Chair	Legislator, 4 th District	Excused
Edward Gilson, Vice Chair	Legislator, 3 rd District	Present
Noelle Salmonsens	Legislator, 21 st District	Present
Michael Solowy	Legislator, 23 rd District	Excused
James Scanlon	Legislator, 16 th District	Present
Robert Wilmott	Legislator, 18 th District	Present
Michael Yerdon	Legislator, 1 st District	Present

STAFF AND GUESTS:

Rich Mitchell	David Turner	Nancy Belcher
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CALL TO ORDER:

The Regular meeting of the Government, Courts, and Consumer Affairs Committee was called to order at 9:01 a.m. by Vice Chair Edward Gilson Holst with Deputy Clerk of the Legislature present. The meeting commenced with the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion to approve the Jan. 30 and Feb. 9 meeting minutes: Legislator M. Yerdon

Second: Legislator Scanlon

Vote: Unanimous, motion carried

The minutes for the Government, Courts & Consumer Affairs Committee's Regular Meeting on January 30, 2023 and special meeting on February 9, 2023 are approved.

RESOLUTIONS:

GC-1 Resolution Allocating Funds Made Available to the County of Oswego Through the American Rescue Plan Act to Certain Sub-Recipients and Beneficiaries

Leg. Gilson asked for a motion to table and hold a special meeting to discuss further

Motion to table: Legislator Salmonsens

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

GC-2 Resolution Authorizing Budget Modification County Clerk/Department of Motor Vehicles

Motion to approve: Legislator M. Yerdon

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

GC-3 Resolution Approving and Confirming the Sale and Transfer of Certain Foreclosed Tax Property Pursuant to RPTL§1166

Motion to approve: Legislator Scanlon

Second: Legislator Wilmott

Vote: Unanimous, motion carried

GC-4 Resolution Appointing Member to the County Board of Ethics

Motion to approve: Legislator M. Yerdon

Second: Legislator Wilmott

Vote: Unanimous, motion carried

GC-5 Reclassify Support Attorney in the Assigned Counsel Office to Full-Time

Motion to approve: Legislator M. Yerdon

Second: Legislator Scanlon

Vote: Unanimous, motion carried

COMMITTEE REVIEW AND DECISIONS:

None

REPORTING DEPARTMENTS:

None

ADJOURNMENT:

Motion to adjourn at 9:09 a.m.: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

DRAFT

Matthew Reitz
Interim Deputy Clerk of the Legislature

RESOLUTION NO.

April 13, 2023

**RESOLUTION ALLOCATING FUNDS MADE AVAILABLE TO THE COUNTY OF
OSWEGO THROUGH THE AMERICAN RESCUE PLAN ACT TO CERTAIN SUB-
RECIPIENTS AND BENEFICIARIES**

By Legislator David Holst:

WHEREAS, the United States Congress, through the U.S. Department of the Treasury created and funded the American Rescue Plan Act (ARPA) with the intent to help mitigate the physical and financial hardships of the COVID-19 Pandemic that negatively impacted communities across America, and

WHEREAS, Congress entrusted the disbursement and use of the funds within the ARPA to local governments across the country based on their direct knowledge of their respective communities and the residents and businesses within them, and

WHEREAS, the Treasury has provided significant guidance as to the appropriate and eligible uses of the ARPA funds, and

WHEREAS, Oswego County has developed a process for the evaluation of the needs within the County that included consultation with various stakeholder groups that are representative of the community at large, and

WHEREAS, the County has received requests for financial support from individuals, organizations, and businesses throughout the County, and

WHEREAS, the Chairman of this body established a Taskforce for the purpose of reviewing these proposals and making suggestions to the Legislature for appropriate actions that are consistent with the eligibility and use guidance issued by the U.S. Treasury, and

WHEREAS, the "projects" attached hereto on Schedule H have also been reviewed by the respective jurisdictional committees of this body at their regularly scheduled public meetings, then therefore be it and it is hereby

RESOLVED, that, the Oswego County Legislature finds the disbursements identified on Schedule H to be consistent with the intent of the ARPA and eligible under the guidance issued by the U.S. treasury, be it further

RESOLVED, that these disbursements are authorized subsequent to the acceptance of the contract terms and conditions developed for each of these respective entities which will be consistent with the obligations that Oswego County incurs for the use of the ARPA funds and continued compliance with same, and be it further,

RESOLVED, that the Chairman of the Legislature and County Treasurer be and are hereby authorized to execute any and all documents that may be necessary to access and disburse these funds.

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE

YES:

NO:

ABSENT:

ABSTAIN:



David R. Turner
Director

**OSWEGO COUNTY
OFFICE OF STRATEGIC INITIATIVES**

**COUNTY BUILDING
46 EAST BRIDGE STREET
OSWEGO, NEW YORK 13126**

**TELEPHONE (315) 349-8260
OSI@oswegocounty.com**

Kyle Boeckmann
Strategic Programs Specialist

Kasey Chewning-Kulick
Administrative Assistant

INFORMATIONAL MEMORANDUM

SUBJECT: ARPA funding request for consideration.

PURPOSE: Discuss and recommend project to Government Committee for funding.

SUMMARY: Projects included in this resolution have been reviewed for eligibility and subsequently considered by the Chairman's ARPA Taskforce. Suggestions from the Taskforce are identified on Schedule H attached to the Resolution. Not all were suggested to be considered at 100% of the applicant's request. Some requests from the "small business community" eligible under the general category of negative economic impacts have been suggested at 50% of the documented impact.

FISCAL IMPACT: Seven projects suggested in this round total \$616,790.00.

RECOMMENDED ACTION: Projects should be funded by the Legislature once considered and approved by the respective jurisdictional committees including Finance & Personnel and eventually the Committee on Government, Courts & Consumer Affairs.

Schedule H- Proposed Local Disbursements of ARPA Funds

<u>Project Name/Applicant</u>	<u>Project Description</u>	<u>Jurisdictional Committee</u>	<u>Request</u>	<u>Task Force Suggestion</u>	<u>Jurisdictional Committee</u>
Oswego Harbor Festivals Inc.	Application in the amount of \$965,833- Verified loss of revenue through profit Loss Statements. Inability to hold event for 2 years resulted in minimal income. Received \$7,765 in PPP so amount eligible for is \$958,064.	EDP	\$ 965,833	\$ 60,000	
Young Mens Christian Association of Oswego INC	Application in the amount of strictly lost revenue. \$156,776. This amount is left AFTER all covid grants are removed from amount eligible.	EDP	\$ 156,776	\$ 150,000	
Integrated Community Planning of Oswego County Inc.	These organizations will have board members on the alliance. Program is taken from a program in Onondaga that was successful and will facilitate childcare programs and ideas through work with health care facilities, education institutions, Community organizations and local governments. The funding will secure a full time coordinator for the alliance who will maintain and operate the alliance at the direction of the executive committee whose members are listed above. This person will be responsible for ensure all goals and outcomes are being met. This person will also conduct grant writing to ensure future viability. ARPA ask is 71% of total project with in kind work making up the remaining 29%. Position is for two years from the date the program starts and will be self-sustaining after that.	Human Services	\$ 121,290	\$ 121,290	
Lacona Cable Trail VFW Post #8534	Seeking \$30,000 to recoup lost revenue due to the COVID pandemic. Amount verified through certified profit loss statements. They have demonstrated losses of greater than the amount they are asking. Inability to hold events and fundraisers.	EDP	\$ 30,000	\$ 30,000	
Village of Pulaski	Pulaski Arches Project- The village of Pulaski was told by their insurance carrier they either need to demolish or reinforce the arches that are above a park walkway in the village. They have received multiple quotes for the work. They are seeking \$150,000 for a project with a cost estimated to be between \$500,000 and \$600,000. Qualification falls under the ability to renovate, improve, and rehab public parks and spaces as a benefit to the community as it related to being outdoors during COVID. Th project is also within a qualified census tract.	Infrastructure	\$ 150,000	\$ 150,000	
Midway Drive in Theatre	Seeking \$191,267 from lost revenue during the covid time frame. This is the amount left AFTER all covid related loans were removed from eligibility. Included in this amount is \$12,000 for Paypal fees as they were required by law to use contactless ticketing and were charged a fee every time one was purchased through paypal.	EDP	\$ 191,267	\$ 90,000	
Tonia Enterprises Inc. DBA InVogue Salon and Spa	Asking \$30,549 for a multitude of costs and increases. They are seeking to renovate their air filtration system which will have a multi faceted utilization, it will better protect clients and workers from airborne pathogens and also meet industry standards for chemical smells and things related to products used in the shop. The cost of the renovation for this is \$15,500.	EDP	\$ 30,549	\$ 15,500	
TOTALS			\$ 1,645,715	\$ 616,790	

RESOLUTION NO.

April 13, 2023

**RESOLUTION APPROVING AND CONFIRMING THE SALE AND TRANSFER
OF CERTAIN FORECLOSED TAX PROPERTY PURSUANT TO RPTL §1166**

By Legislator David Holst:

WHEREAS, the Enforcing Officer of the County of Oswego has, heretofore, foreclosed against certain delinquent tax property within the county pursuant to Article 11 of the New York State Real Property Tax Law for delinquent property taxes for the years 2020 or prior; and

WHEREAS, the county has obtained a Final Judgment from Supreme Court, Oswego County in an in rem foreclosure proceeding; and

WHEREAS, the county has executed a deed or deeds pursuant to the Final Judgment(s) obtained vesting title in the name of the County of Oswego; and

WHEREAS, the tax district of the County of Oswego enjoys a right of sale under RPTL§1166 either at public auction to the highest bidder or by approval and confirmation of the sale by a majority vote of this body; and

WHEREAS, certain parcels are being sold have offered to pay the county tax district, in full, for all delinquent taxes penalties and interest as part of this purchase thereby making the county whole; and

WHEREAS, other parcels need to be conveyed back due to bankruptcy filings or other issues; and

WHEREAS, a resolution is necessary and desirable,

NOW, THEREFORE, upon the recommendation of the Government, Courts and Consumer Affairs Committee of this body, it is hereby

RESOLVED, the County Treasurer be, and is hereby, authorized to sell and transfer the following delinquent tax properties to the person(s) named for the consideration stated hereinbelow. The Consideration named in said deed shall be considered payment of all taxes held against the property, including the 2022 tax, unless otherwise stated:

RESOLVED, that the foregoing sales (attached) are hereby approved and confirmed by this body.

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE

YES:

NO:

ABSENT:

ABSTAIN:

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

2/13/2022

INFORMATIONAL MEMORANDUM

Subject: Redemption of Oswego County foreclosed properties

Background: These are the buyback properties from the Treasurer's Department. These properties have possible legal issues such as bankruptcies and other situations that warrant a buyback. Properties outside bankruptcies can redeem for unpaid taxes plus any penalties and interest.

Recommendation: The Treasurer strongly recommends this request.

Co. Prop#	SWIS Town	Parcel ID#	Deed To Owner 1	Deed to Owner 2	Property Address	Assessed Owner 1	Assessed Owner 2	Total Unpaid	Reason
2023-22-02	2200 Amboy	230.00-01-30.01	Dudak Steven		105 Birmingham Dr	Dudak Steven		\$ 35,679.40	
2023-30-08	3089 Hamibal	216.00-02-02.05	Foules Brandon	Foules Briana	County Route 7	Foules Brandon	Foules Briana	\$ 2,973.53	
2023-52-01	5289 W/O Sandy Creek	029.07-01-08	Estate of Soule Daniel B	Soule Daniel B	2083 Lake St	Soule Daniel B		\$ 4,380.33	
2023-12-03	1200 City of Oswego	128.40-04-03	Linn Jeremy		84 East Schuyler St	Linn Jeremy		\$ 710.45	
2023-12-04	1200 City of Oswego	146.22-04-24	Linn Jeremy		285 West Eighth St	Linn Jeremy		\$ 1,464.33	
2023-12-06	1200 City of Oswego	128.40-04-04	Linn Jeremy		100 East Ninth St	Linn Jeremy		\$ 1,238.49	

RESOLUTION NO.

April 13, 2023

**RESOLUTION REQUESTING THE STATE UNIVERSITY OF NEW YORK
AMEND OR REMOVE ITS COVID-19 VACCINATION POLICY**

By Legislator David Holst:

WHEREAS, the State University of New York (SUNY) System has required students to have received their COVID-19 Vaccination through its COVID-19 Vaccination Policy (Document No.: 3100), the Summary of which states, in part:

This policy adopts the State of New York directive that public colleges and universities mandate that all students who intend to engage in-person at a SUNY campus or facility must receive a COVID-19 vaccination, pending final approval by the U.S. Food and Drug Administration ("FDA "); and

WHEREAS, the same policy, however, makes clear that the requirement to be vaccinated does not apply to "faculty and staff":

Though this New York State directive does not apply to faculty and staff, all SUNY faculty and staff are strongly encouraged to get vaccinated. However, certain employees, students, and volunteers at SUNY's healthcare facilities may be subject to mandatory COVID-19 Vaccination pursuant to relevant NYS Department of Health regulations.; and

WHEREAS, Cayuga Community College's enrollment is down significantly from a historic perspective; and that the County co-sponsors the College through taxpayer funds; and where the county's total population has decreased as of the 2020 Decennial Census; and that many students who are opposed to receiving a vaccination have chosen to receive their educations in non- SUNY affiliated institutions or in other states; and

WHEREAS, these vaccination requirements would also affect the Oswego County P-TECH program which was founded in 2015 as a private-public partnership and culminates with students completing their education at SUNY schools; and

WHEREAS, the P-TECH program exists as a direct response to a workforce skills gap experienced by concerned manufacturer facilities in Oswego County; this includes replacing an aging workforce with a new generation of manufacturing professionals, as well as fulfilling new jobs spurred by the county's economic development of this sector; and

WHEREAS, the hypocrisy in the aforementioned policy, requiring students yet exempting faculty and staff, to be vaccinated is negatively impacting our youth, our taxpayers, and our college; now, therefore be it

RESOLVED, that the Oswego County Legislature hereby states its opposition to the SUNY COVID-19 Vaccination Policy as implemented, and be it further

RESOLVED, that the Oswego County Legislature opposes mandatory vaccinations, but particularly when such mandates are applicable to younger populations (students), and not to more senior populations, specifically professors and staff; and be it further

RESOLVED, that a certified copy of this resolution be sent to Oswego County's representatives in the New York State Legislature: Senator John Mannion, Senator Mark Walczyk and Assembly Minority Leader William A. Barclay, as well as John B. King Jr, Chancellor of the State University of New York, and Hon. Kathy Hochul, the Governor of the State of New York

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE

YES:

NO:

ABSENT:

ABSTAIN:



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

Jan. 27, 2023

John B. King, Jr.
SUNY Chancellor
H. Carl McCall SUNY Building
353 Broadway
Albany, NY 12246

Re: Reconsideration of Covid Vaccine Requirement for P-Tech Students attending
SUNY Schools

Dear Chancellor King:

The purpose of my letter is to ask if State University of New York will reconsider the vaccine mandate requirement for NYS Pathways in Technology (NYS P-Tech) high school students who attend SUNY college campus classes as part of their education.

As you know, the New York State Pathways in Technology (NYS P-Tech) program prepares high school students in grades 9-14 for jobs in technology, manufacturing, healthcare and finance. This rigorous program provides students with workplace learning and internships supported with an intensive, individualized curriculum provided by both K-12 and college faculty. Amazingly, through this model, P-Tech students are on track to obtain an associate's degree in Applied Science in high-tech fields at little to no direct cost to the students or families. Moreover, their experience enables them to gain hands-on experience and obtain high-paying and highly-skilled jobs upon completing the program while, at the same time, build relationships with local industries including Huhtamaki, Novelis, and Constellation.

In Oswego County where I represent, the P-Tech program is managed through CiTi Boces and there are approximately 40 students in each class. Under the arrangement, students are considered students first of their home school districts which include Hannibal, Fulton, Oswego, Altmar Parish Williamstown, Phoenix, Mexico, Sandy Creek, Pulaski and Central Square. They regularly attend programming at CiTi Boces and/or Onondaga Community College (OCC) which is the local P-Tech partner college where students earn credits toward their associate's degree. These classes incorporate hands-on learning so students learn technical skills during the classes which means remote learning is not an option.

Constituents in my district have reached out to my office recently after receiving written notification from the CiTi Boces P-Tech program regarding the SUNY vaccine mandate. The letter informed parents of 10th graders that if they wish to enroll their students in classes under the P-Tech program next year at OCC as 11th and 12th graders, they must adhere to OCC's vaccine requirements. Without adherence to the policy, the student's place in the program will not be secured on campus during the

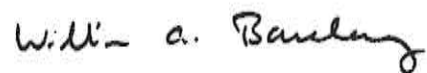
Mr. King
Jan. 27, 2023
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upcoming fall '23 and spring '24 semesters. Unfortunately, this is the 3rd year that Citi Boces has been forced to send such a letter due to SUNY's mandate and because of this, P-Tech loses an average of 10% of potential students who would otherwise enroll in P-Tech. Thankfully, as you know, the Covid vaccination is not mandatory for SUNY faculty or K-12 graders attending public schools and it is through this lens that I urge you to reconsider the Covid vaccine mandate that is in place for P-Tech students who must attend their partner SUNY schools in order to obtain credits toward their associate's degree. It bears repeating that a large majority have elected to be vaccinated so we are talking about a small but growing number of students who would opt not to receive the vaccine given the pandemic's diminishment and what we know about transmission.

The P-Tech program is demonstrating locally that it is providing a significant advantage to what are, in some cases, disadvantaged students in a county where the poverty rate is 15%. In many cases, students are graduating and being immediately placed in highly-skilled jobs where they earn more than \$60,000 with the technical training they have received without college debt. In Oswego County, where per capita income is \$31,000, P-Tech graduates' starting salary is often higher salary than what their parents currently earn. It is easy to see where this program is making a difference and improving the quality of life for these students, their immediate families and, hopefully, future generations.

Given that all other students in grades K-12 are not required to be vaccinated and students in this impoverished community deserve every advantage, it is my hope that SUNY will make exception to this SUNY mandate for P-Tech students who choose not to be vaccinated. Allowing the students and families of upcoming 11th and 12th graders to have a choice will enable the students to continue unencumbered with programming that has already begun and allow others who choose not to be vaccinated from Covid to fully consider the opportunity that is proving immensely successful for students, local manufacturers, and overall workforce development.

Very truly yours,



Will Barclay
Assembly Minority Leader

WAB/bj

**RESOLUTION OPPOSING GOVERNOR HOCHUL'S BAN OF GAS STOVES
AND OTHER NEW FOSSIL FUEL HEATING EQUIPMENT**

April 13, 2023

By Legislator David Holst:

WHEREAS, Governor Hochul's State-of-the-State address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger building; and

WHEREAS, Governor Hochul is further calling for zero-emission new construction, with no on-site fossil fuel combustion by 2025 for small buildings and by 2028 for larger buildings; and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves; and

WHEREAS, the Governor's ban is intended to help address climate change, but this government mandate is more of a burden on our region's working-class residents and will have a devastating effect on restaurants, businesses, and manufacturing facilities when they must convert to all electric; and

WHEREAS, the cost to convert a house to electric will result in a cost between \$20,000-\$50,000 per household and would not include any kind of backup system in the event of a power outage; and

WHEREAS, the conversion to electric will create unnecessary financial burden and hardship for businesses that compete on a national or global level; and

WHEREAS, the ban will push businesses out of the state and will contribute to accelerated population loss for those that are fed up with high taxes, the high cost of living, unreasonable government mandates, reckless spending by the government, and unrealistic environmental mandates not consistent with our geographic region; and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for large portions of New York with harsh winter weather and an exposed electrical infrastructure; appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and

WHEREAS, current technology, that is expected to replace gas appliances, such as space heating, does not work well in our climate; this fact was noted in the recent Climate Action Council's report which proposed requiring two heating sources for New York residents who live in areas that are frequently too cold; and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair; and

WHEREAS, all electric appliances have been shown to be less efficient and therefore cost more to generate the same amount of heat than natural gas fed appliances; and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, with the higher costs, energy bills will go through the roof for residents, further exacerbating the recent price spikes in food, transportation, and general merchandise; and

WHEREAS, as we have seen with California's recent push to make everything electric, this government mandate will likely lead to an increased strain on our state's electrical grid leading to black outs and rationing, which is especially dangerous with the winter weather we routinely experience; and

WHEREAS, the costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs; and

WHEREAS, individual homes, especially those in older housing stock like Oswego County, will be forced to conduct costly in-home electrical panel upgrades to accommodate the increased demand from their appliances; and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Oswego County and Upstate York; therefore, be it

RESOLVED, that the Oswego County Legislature hereby vehemently opposes the Governor's plan to ban natural gas heating and appliances as not feasible or warranted for Oswego County and much of New York; and be it further

RESOLVED, that the Oswego County Legislature hereby strongly urges Governor Hochul and the New York State Legislature to fully examine the real life impact their discussions will have for all New Yorkers, especially those least able to afford them; and be it further

RESOLVED, that the Clerk of the Legislature is to forward certified copies of this resolution to Governor Hochul, Assembly Minority Leader Will Barclay, State Senator John Mannion, State Senator Mark Walczyk, and the New York State Association of Counties.

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

April 13, 2023

**RESOLUTION FIXING TIME AND PLACE FOR A PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 2 OF THE
YEAR 2023, ENTITLED, "A LOCAL LAW ALLOWING ELIGIBLE VOLUNTEER
FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO RECEIVE A
REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW
(RPTL) §466-a**

By Legislator David Holst:

UPON the recommendation of the Government, Courts and Consumer Affairs and Finance & Personnel 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 No. 2 of 2023, entitled "A LOCAL LAW ALLOWING ELIGIBLE VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO RECEIVE A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW (RPTL) §466-a" on the 11th day of May 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, NY 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.

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE

YES:

NO:

ABSENT:

ABSTAIN:

COUNTY OF OSWEGO

Local Law Number _____ of 2023

A Local Law Allowing Eligible Volunteer Firefighters And Volunteer Ambulance Workers to Receive a Real Property Tax Exemption Under Real Property Tax Law (RPTL) § 466-a

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

SECTION 1. STATUTORY AUTHORITY.

The New York State Legislature has, heretofore, amended the Real Property Tax Law (RPTL) to authorize municipalities to permit enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-a which became effective as of December 9, 2022. This local law shall apply to assessment rolls prepared on the basis of a taxable status date of March 1, 2024 and thereafter.

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

RPTL § 466-a, inter alia, allows for volunteers with five (5) years of qualifying service to apply for a tax exemption which will increase the number of eligible volunteers over existing law. The Legislature recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The Legislature hereby finds that it is in the best social and economic interests of the County of Oswego to encourage volunteerism for said purposes. To that end, by providing the following exemption, and by making it available to a larger pool of volunteers, it is the intent to encourage volunteers to join the various fire and ambulance companies within Oswego County.

SECTION 3. EXEMPTION GRANTED.

- A. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the County of Oswego shall be exempt from taxation to the extent ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

B. Application for such exemption shall be filed with the appropriate city, town or village assessor of the assessing unit having jurisdiction of the real property on or before the taxable status date on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance Office of Real Property Tax Services.

C. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing within the County of Oswego unless:

1. The applicant resides in the city, town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which has a service area within the County of Oswego;
2. The property is the primary residence of the applicant;
3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;
4. The applicant has served as an enrolled member with such volunteer fire company or volunteer fire department or incorporated voluntary ambulance service for a minimum of five (5) years; and
5. The incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Office of the Oswego County Fire Coordinator a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company or fire department or incorporated voluntary ambulance service. The Oswego County Fire Coordinator shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption. In the event that the Oswego County Fire Coordinator is eligible for and seeks an exemption as a volunteer firefighter, it shall be reviewed and certified by the Oswego County Treasurer.

D. Any enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten (10) percent exemption as authorized by RPTL § 466-a for the remainder of his or her life as long as his or her primary residence is located within the County of Oswego.

E. **Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse may be continued or re-instated if such member is killed in the line of duty; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
2. Such deceased volunteer had been an enrolled member for at least five years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

F. **Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may be continued or re-instated to such deceased enrolled member's un-remarried spouse; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and

2. Such deceased volunteer had been an enrolled member for at least twenty years; and
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

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SECTION 4. EXISTING EXEMPTIONS PRESERVED.

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of New York Real Property Tax Law Article 4 as of the date of adoption of this Local Law shall suffer any diminution of such benefit because of the provisions of RPTL § 466-a.

SECTION 5. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this chapter or application thereof to any person, individual, corporation, firm, partnership or entity shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this chapter or its application to the person, individual, corporation, firm, partnership or entity directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York and shall apply to assessment rolls prepared on the basis of a taxable status date of March 1, 2024 and thereafter.