

Government, Courts & Consumer Affairs Committee



AGENDA - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: Monday, December 4, 2023 at 9:00 a.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 October 30, 2023, and Special Meeting on November 6, 2023.

RESOLUTIONS:

- GC-1** Resolution Supporting Senate Bill S.7645 that Repeals Certain Provisions of the Executive Law Establishing a Fee for Background Checks on Certain Firearm and Ammunition Purchases
- GC-2** Resolution Authorizing Chairman and Clerk to Handle all Unfinished Business Through December 31, 2023
- GC-3** Resolution Fixing Time and Place for the 2024 Organizational Meeting
- GC-4** Resolution Authorizing the Adoption of an Amended Intermunicipal Agreement as well as Applications for Funding to Support the Development of and Improvements to the Wastewater Infrastructure Within the Village of Phoenix and the Town of Schroepfel
- GC-5** Resolution Adopting County of Oswego Local Law Number 8 of the Year 2023 Entitled, "A Local Law Establishing the Department of Workforce Development"
- GC-6** Resolution Establishing the 2023 County Equalization Rates for Towns and Cities within Oswego County

COMMITTEE REVIEW & DECISIONS:

- Board of Elections; Republican Deputy's pay raise

REPORTING DEPARTMENTS:

- Board of Elections
- County Clerk Department Updates
- Strategic Initiative Department Updates
- Real Property Department Updates
- Public Defender Department Updates
- Assigned Council Department Updates

ADJOURNMENT:

Government, Courts & Consumer Affairs Committee DRAFT



MINUTES - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: October 30, 2023 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	Present
Edward Gilson, Vice Chair	Legislator, 3 rd District	Present
Noelle Salmonsén	Legislator, 21 st District	Present
Michael Solowy	Legislator, 23 rd District	Present
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	Phil Church	Louis Lombardi	Peggy Beckford
Frank Castiglia	Corey Metz	Savannah Wyckoff	

CALL TO ORDER:

The Regular meeting of the Government, Courts, and Consumer Affairs Committee was called to order at 9:00 a.m. by Chair David Holst with Deputy Clerk of the Legislature present. The meeting commenced with the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion to Approve October 2, 2023, meeting minutes: Legislator M. Yerdon

Second: Legislator Solowy

Vote: Unanimous, motion carried

The minutes for the Government, Courts & Consumer Affairs Committee's Regular Meeting on October 2, 2023, are approved.

RESOLUTIONS:

GC-1 Resolution Adopting 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"

Motion to approve: Legislator Scanlon

Second: Legislator Solowy

Vote: Unanimous, motion carried

GC-2 Resolution Authorizing the Chair of the Legislature to Set Minimum Bids and/or Place Bids in the Name of the County Sheriff's Sale -- Attis Ethanol Fulton

Motion to approve: Legislator Gilson

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

GC-3 Resolution Fixing Time and Place for Public Hearing Relative to Proposed County of Oswego Local Law NO. 8 of the Year 2023, Entitled A Local Law Establishing the Department of Workforce Development

Motion to approve: Legislator Solowy

Second: Legislator Scanlon

Vote: Unanimous, motion carried

GC-4 Resolution Authorizing Budget Modification for the Consulting Agreement with Alex Bogawitch Concerning the Attis Ethanol Fulton Property

Motion to approve: Legislator Solowy

Second: Legislator Scanlon

Vote: Unanimous, motion carried

GC-5 Resolution Authorizing the Execution of a One-Year Lease Extension by and Between Operation Oswego County, INC. and The County of Oswego – Board of Elections Offices

Motion to approve: Legislator Scanlon

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

COMMITTEE REVIEW AND DECISIONS:

- None

REPORTING DEPARTMENTS:

- Peggy Beckford Provided a Board of Elections Department Update
- Corey Metz provided a verbal Real Property Department Update.
- Louis Lombardi Provided a verbal update for the Public Defender's Office

ADJOURNMENT:

Motion to adjourn at 9:30 a.m.: Legislator Scanlon

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

DRAFT

Raven Ahart
Deputy Clerk of the Legislature

Government, Courts & Consumer Affairs Committee DRAFT



MINUTES - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: November 06, 2023 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	Present
Edward Gilson, Vice Chair	Legislator, 3 rd District	Present
Noelle Salmonsens	Legislator, 21 st District	Present
Michael Solowy	Legislator, 23 rd District	Present
James Scanlon	Legislator, 16 th District	Present
Robert Wilmott	Legislator, 18 th District	Excused
Michael Yerdon	Legislator, 1 st District	Present

STAFF AND GUESTS:

Jim Weatherup	Betsy Saunders	Terry Wilbur	Rich Mitchell
Phil Church	Veronica Turner	Louis Lombardi	Jamie Thompson
Corey Metz	Sara Davis	Dave Turner	Kevin Gardner
Caroline Chatterson			

CALL TO ORDER:

The Special meeting of the Government, Courts, and Consumer Affairs Committee was called to order at 9:00 a.m. by Chair David Holst with Deputy Clerk of the Legislature present. The meeting commenced with the Pledge of Allegiance.

BUDGET REVIEW

- **Libraries**
Motion to approve: Legislator Salmonsens
Second: Legislator Solowy
Vote: Unanimous, motion carried
- **Sportsmen's Federation**
Motion to approve: Legislator Salmonsens
Second: Legislator Solowy
Vote: Unanimous, motion carried
- **Board of Elections**
Motion to approve: Legislator Solowy
Second: Legislator M. Yerdon
Vote: Unanimous, motion carried
- **County Attorney**
Motion to approve: Legislator Gilson
Second: Legislator M. Yerdon
Vote: Unanimous, motion carried
- **Insurance**
Motion to approve: Legislator Gilson
Second: Legislator Solowy

Vote: Unanimous, motion carried

- **County Clerk**

Motion to amend; removal of Position 146069401:

First: Legislator Gilson

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

Motion to approve as amended: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

- **County Legislature**

Motion to approve: Legislator Solowy

Second: Legislator Gilson

Vote: Unanimous, motion carried

- **Clerk of the Legislature**

Motion to approve: Legislator M. Yerdon

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

- **Weights and Measures**

Motion to approve: Legislator Gilson

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

- **Strategic Initiatives**

Motion to approve: Legislator Solowy

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

- **Real Property**

Motion to approve: Legislator Gilson

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

- **Assigned Council**

Motion to approve: Legislator M. Yerdon

Second: Legislator Scanlon

Vote: Unanimous, motion carried

- **Public Defender**

Motion to approve: Legislator M. Yerdon

Second: Legislator Solowy

Vote: Unanimous, motion carried

ADJOURNMENT:

*Note Legislator Scanlon arrived at 9:12 a.m.

Motion to adjourn at 9:54 a.m.: Legislator Gilson

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

DRAFT

Raven Ahart
Deputy Clerk of the Legislature

RESOLUTION NO.

December 14, 2023

RESOLUTION SUPPORTING SENATE BILL S.7645 THAT REPEALS CERTAIN PROVISIONS OF THE EXECUTIVE LAW ESTABLISHING A FEE FOR BACKGROUND CHECKS ON CERTAIN FIREARM AND AMMUNITION PURCHASES

By Legislator David Holst:

WHEREAS, Senate Majority leader Andrea Stewart-Cousins sponsored Bill S.51001, referred to as the "Concealed Carry Improvement Act" (CCIA) which amended the Penal Law, the General Business Law, the Executive Law, the Civil Practice Law and Rules, and the State Finance Law, in relation to licensing and other provisions relating to firearms; and

WHEREAS, said so-called "Concealed Carry Improvement Act" was signed into law by Governor Hochul on July 1, 2022; and

WHEREAS, said Act included regulations that allow the State to have oversight over background checks for firearms and ammunition purchases; and

WHEREAS, said Act amended State Executive Law to add a new Section 228, authorizing the New York State Police to run National Instant Criminal background (NICS) checks and serve as a State point of contact rather than utilizing the current NICS Background Check System; and

WHEREAS, said Act also created a new bureau within the State Police financed by new "background check fees" upon purchasers to cover the costs associated with performing state background checks; and

WHEREAS, these provisions of the so-called CCIA have resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase with the potential for increases without legislative approval; and

WHEREAS, the CCIA infringes on the Constitutional right to keep and bear arms guaranteed by the Second Amendment; and

WHEREAS, this law targets law-abiding gun owners and puts yet another financial burden on already overtaxed businesses (which has caused many to close) and individuals; and

WHEREAS, Senate Bill S.7645, sponsored by Senator Mark Walczyk would repeal Subdivision 5 of Section 228 of the Executive Law of S51001 relating to the background check fees for firearms and ammunition as included in the CCIA; now,

therefore be it

RESOLVED, that the Oswego County Legislature hereby endorses Senate Bill S.7645 that would repeal certain provisions of the Executive Law establishing a fee for background checks on certain firearm and ammunition purchases and amends state finance law, in relation to the source of funds for the background check fund; and, be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to New York State Governor Kathy Hochul, Senator Mark Walczyk, Senator John Mannion, Assemblyman William Barclay, and Assemblyman Brian Manktelow.

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

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

December 14, 2023

**RESOLUTION AUTHORIZING CHAIRMAN AND CLERK TO HANDLE ALL
UNFINISHED BUSINESS THROUGH DECEMBER 31, 2023**

By Legislator David Holst:

Pursuant to the approval and recommendation of the Government, Courts and Consumer Affairs Committee of this body, be it

RESOLVED, that the Chairman and Clerk of the Oswego County Legislature be, and they hereby are, authorized to look after the interest of the County in all matters unfinished or in any matter which may arise which the County may be interested through the end of the calendar year 2023: Also to direct the prosecution and defense of all legal claims and proceedings in which the County may be interested and either of them are hereby authorized to verify any and all proceedings, affidavits or other papers in such actions or proceedings, to attend all highway and other meetings in which the County may be interested: Also to look after any legislation in which the County may be interested or which may affect the county.

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

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

December 14, 2023

**RESOLUTION FIXING THE TIME AND PLACE FOR THE 2024
ORGANIZATIONAL MEETING**

By Legislator David Holst:

With the approval and recommendation of the Government, Courts and Consumer Affairs Committee of this body, be it

RESOLVED that the Oswego County Legislature shall organize the body and select a Chairman on Thursday, January 4, 2024 at 2:00 p.m. at the Chambers of the Oswego County Legislature in the County Office Building, 46 East Bridge Street, Oswego, New York 13126.

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

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

December 14, 2023

**RESOLUTION AUTHORIZING THE ADOPTION OF AN AMENDED
INTERMUNICIPAL AGREEMENT AS WELL AS APPLICATIONS FOR
FUNDING TO SUPPORT THE DEVELOPMENT OF AND IMPROVEMENTS TO
THE WASTEWATER INFRASTRUCTURE WITHIN THE VILLAGE OF
PHOENIX AND THE TOWN OF SCHROEPPEL**

By Legislator David Holst:

WHEREAS, the County of Oswego has identified the lack of sufficient municipal wastewater conveyance and treatment as an impediment to the future growth of its communities; and

WHEREAS, the County, the Village of Phoenix, the Town of Schroepel and the County of Oswego Industrial Development Agency (hereinafter the Partners) also find it desirable to enhance wastewater services to those properties known as the Oswego County Industrial Park as well as the other homes and businesses in the greater Phoenix/Schroepel area; and

WHEREAS, if funded, these improvements will significantly increase the treatment capacity at the Phoenix Wastewater Treatment Plant as well as the capacity to convey sanitary and industrial wastewaters from the Oswego County Industrial Park; and

WHEREAS, improvements at the Phoenix Wastewater Treatment Plant will also resolve wet weather concerns as identified in the Village's Order on Consent opening-up new opportunities for business growth within and around the Village and the Town; and

WHEREAS, the Partners propose to work together to pursue these improvements including their joint efforts to apply for grants and other sources of funding; and

WHEREAS, the Partners identified above, heretofore entered into a previous Intermunicipal Agreement regarding the Phoenix/Schroepel Wastewater Treatment and Conveyance Project dated May 18, 2021; and

WHEREAS, there have been significant changes in the cost of the project and the funding available for the completion of the project over the last two years such that it is has become necessary and appropriate to make certain amendments to that agreement; and therefore, it is hereby,

RESOLVED, that the County of Oswego is hereby authorized to assist the Village of Phoenix, NY and the Town of Schroepel, NY with applications for funding this project from any sources that become available during the course of this project; and be it further

RESOLVED, that the Chairman of the Oswego County Legislature is hereby authorized to execute an amended Intermunicipal Agreement as well as any and all documents that may be necessary for the application, acceptance and disbursement of additional funds for this project from sources that become available during the course of this project.

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: Chairman's Authorization

PURPOSE: Authorize the Chairman to sign an amended version of the Intermunicipal Agreement between, Oswego County, the Village of Phoenix, the Town of Schroepfel and the County of Oswego IDA.

SUMMARY: The existing agreement was created to facilitate a joint project to repair and expand the Phoenix Wastewater Treatment Plant (WWTP) and the Town of Schroepfel's wastewater conveyance line that serves the industrial park adjacent to Rts. 481 and 264. The original version was approved and dated May 18, 2021. The proposed amendments combine the two activities into one project and allow the County to be the lead entity for purposes of procurement of services and grant/project management. It also includes a new section (#6) that provides options for alternative funding strategies.

FISCAL IMPACT: Reconfirms our original commitment of one million dollars (\$1,000,000)

RECOMMENDED ACTION: The Government, Courts and Consumer Affairs Committee recommends that the Oswego County Legislature authorize this action.

**INTERMUNICIPAL AGREEMENT BY AND BETWEEN
THE TOWN OF SCHROEPPPEL, THE COUNTY OF OSWEGO,
THE VILLAGE OF PHOENIX AND THE COUNTY OF OSWEGO INDUSTRIAL
DEVELOPMENT AGENCY**

(Phoenix/Schroeppeel Wastewater Treatment and Conveyance Project)

THIS AGREEMENT entered into this ___ day of December, 2023 by and between the **TOWN OF SCHROEPPPEL**, a municipal corporation by and of the State of New York with its principal offices for business located at 69 County Route 57A, Phoenix, New York 13135 (hereinafter "Town"); the **COUNTY OF OSWEGO**, a municipal corporation by and of the State of New York, with its principal offices for business located at the Legislative Office Building, 46 East Bridge Street, Oswego, New York 13126 (hereinafter "County"); and, the **VILLAGE OF PHOENIX**, a municipal corporation by and of the State of New York with principal offices for business located at 455 Main Street, Phoenix, New York 13135 (hereinafter Village); and, the **COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter "IDA"), a body corporate and politic and a public benefit corporation of the State of New York, duly organized and validly existing under the laws of the State of New York with an office at 44 W. Bridge Street, Oswego, NY 13126, the foregoing entities being collectively referred to herein as the "parties,"

WITNESSETH:

WHEREAS, the Town of Schroeppeel has, heretofore, formed a sewer district known as Sewer District 1 (hereinafter "District") which presently serves the Oswego County Industrial Park, which is owned by Operation Oswego County, Inc., but is tax-exempt by virtue of a PILOT Agreement with the IDA as its sole customer; and

WHEREAS, the Town has, heretofore, adopted Local Law 1 of 2011 entitled, a "*Local Law for the Management, Control and Operation of Water and Sewer Districts in the Town of Schroeppeel*" concerning same; and

WHEREAS, the Town and District have statutory authority to undertake sewer conveyance improvements under Town Law Articles 12-A, 12-C and, also, under Town Law §209-a; and

WHEREAS, the Village has heretofore established a complete sewerage system for the Village under Village Law Article 14 and, further, may enlarge its Publicly Owned Treatment Works (hereinafter POTW) pursuant to Village Law §14-1408; and

WHEREAS, the Village is wholly within the Town and County and it has heretofore adopted Chapter 149 of the Village Code, entitled "*Sewer Use*" which, *inter alia*, provides for the efficient, economic, environmentally safe, and legal operation of the Village's POTW which has limited capacity at present to handle and process wastewater including wastewater needs from the present Industrial Park; and

WHEREAS, the County of Oswego has statutory authority to further economic and municipal cooperative development within its borders under the County Law and the General Municipal Law and, further, it may also opt to create county sewer districts under County Law Article 5-a; and

WHEREAS, the IDA has broad statutory authority regarding economic development and, in particular, regarding industrial pollution control facilities including, but not limited to, water collecting systems, wastewater treatment works, sewage treatment works system, sewage treatment system or solid waste disposal facility or site under General Municipal Law §854(8) *et seq.*; and

WHEREAS, the Town and Village have independent authority under General Municipal Law §119 *et seq.*, concerning entering into agreements the construction and development of excess sewage capacity and facilities; and

WHEREAS, the Town, Village and County have authority to enter into an agreement under Article 5-G of the General Municipal Law §119-0(1), to include matters as are reasonably necessary and proper to effectuate and progress the joint service or a joint water, sewage or drainage project and the IDA has statutory authority to assist the Town, County and Village in furtherance of same; and

WHEREAS, the Town presently owns and operates the District, and the parties are desirous of expanding and modernizing the wastewater treatment and conveyance systems in the Town and Village to protect ground and drinking water quality to provide increasing economic development opportunities to support the creation and retention of local jobs and grow the local economy; and

WHEREAS, the County has previously identified the need to improve and enhance wastewater treatment and conveyance systems throughout the County as part of its Strategic Economic Advancement Plan; and

WHEREAS, both the County and IDA want to expand and promote economic development at the IDA-owned Industrial Park serviced by the District and the POTW owned and operated by the Village; and,

WHEREAS, the IDA has recently acquired approximately 200 acres to expand the Industrial Park which will further strain existing conveyance and wastewater treatment assets including the POTW; and

WHEREAS, the lack of sufficient municipal sewer capacity further hinders development in and around the Village and within the Town of Schroepfel which is an otherwise highly- competitive area for future development; and

WHEREAS, the IDA has commissioned preliminary studies to determine the problems and identify the needed improvements in both the Town's and the Village's current respective assets and the County is identifying eligible state and federal funding sources; and

WHEREAS, the Parties have discussed this matter and have reached an agreement regarding the payment and reimbursement of the costs incurred in these matters that is fair and equitable; and

WHEREAS, said arrangement promotes intermunicipal cooperation and shared services and is in the best interests of the respective governments and the IDA; and

WHEREAS, the Phoenix/Schroepfel Wastewater Treatment and Conveyance (hereinafter the "project"), when completed, will promote the public health and welfare as well as enhance economic development opportunities at the Oswego County Industrial Park and in the greater Phoenix/Schroepfel area; and

WHEREAS, an intermunicipal agreement to facilitate the Phoenix/Schroeppel Wastewater Treatment and Conveyance project is both necessary and desirable, and

WHEREAS, the parties identified above, heretofore entered into a previous Intermunicipal Agreement regarding the Phoenix/Schroeppel Wastewater Treatment and Conveyance Project dated May 18, 2021, and

WHEREAS, there have been significant changes in the cost of the project and the funding available for the completion of the project over the last two years such that it is has become necessary and appropriate to make certain amendments to that agreement,

NOW, THEREFORE, it is mutually agreed as follows:

§ 1. RESPONSIBILITIES OF THE COUNTY OF OSWEGO:

The following is expressly subject to the approval of the Oswego County Legislature:

- (1.1) The County agrees to contribute an amount for the project, one-million dollars (\$1,000,000) for expenses related to design, construction, engineering, and other project expenses expressly contingent upon receipt of state and federal grant funding for same. The actual amount of the County's contribution shall be determined upon the availability of state and federal grant funds and the final cost of the improvements.
- (1.2) Contingent upon the receipt of sufficient funding and permissions from the Town and Village, the County will work with and for the Village and the Town in their joint efforts to prepare and let bids and proposals for the construction and engineering of the project.
- (1.3) Contingent on the respective approvals identified in item 2 above, the County will join the Town projects and the Village projects into one proposal. The newly formed project will be bid, let, and managed by the County in cooperation with the other three funding partners party to this agreement.
- (1.4) During the term of the project, the County shall invoice the other funding partners at appropriate intervals up to the amounts identified in this agreement and any other amounts that may or have been established through grants awarded to the other partners specifically for this project.
- (1.5) The County will perform work for the benefit of the project, but, at no time, shall the County own or operate the sewer treatment and conveyance system as said ownership will remain with the Town or Village respectively unless separately agreed to by the Town, Village and County in writing.

§ 2. RESPONSIBILITIES OF THE TOWN OF SCHROEPPPEL:

The following is expressly subject to the approval of the Town Board of the Town of Schroeppeel:

- (2.1) To the extent allowed by law, the Town and District agree to allow the County and IDA to connect any of their own structures within the Industrial Park to the sewer district conveyance lines once the project is completed at a rate and term to be determined that considers the debt service obligations associated with the project.
- (2.2) The Town and District agree to work with the County and the IDA to obtain and maintain all necessary permits and approvals for the District as may be necessary for the Town to own and operate the District and to operate same in full compliance with all applicable state and federal laws and regulations.
- (2.3) The Town and District accept and agree to own the lines, pumps, lift stations and mechanicals of the sewer district from the date of completion of construction and will establish an equitable agreement with the Village for any repairs or maintenance necessary (c.g. clogs, broken lift stations, etc.) if not otherwise covered by warranty or regularly performed by the Town.
- (2.4) The Town will defend and indemnify the District if the District and/or Town is sued in an Article 78 proceeding in connection with the proposed district expansion and/or any agreement with the Village concerning this Project.
- (2.5) To the extent allowed by law, and, as a partial inducement for IDA assistance hereunder to fund improvements, the Town and District agree to negotiate a mutually acceptable special improvement district charge for the IDA and take into consideration the use and occupancy of any new IDA owned buildings at the Industrial Park in determining such special improvement district charges for a period of five (5) years.
- (2.6) To the extent allowed by law, and, as a partial inducement for County assistance hereunder in the funding of the improvements, the Town and District agree to negotiate a mutually acceptable special improvement district charge for the County and take into consideration the use and occupancy of any new County owned buildings at the Industrial Park in determining such special improvement district charges for a period of five (5) years.
- (2.7) Expressly contingent upon the receipt of grant and other funding sufficient for the completion of the project, the Town agrees to contribute an amount not to exceed \$400,000 for expenses related to the completion of the newly formed joint project.
- (2.8) The Town shall work with the County, the Village and the IDA to plan, host and conduct all hearings and filings as may be necessary and appropriate for this project.
- (2.9) The Town, as the owner of the District and the conveyance system within it proposed to be improved under this project, agrees to allow the County to be the contracting entity for all work at, in and around their system in consultation with the Town and the joint advisory committee established for the guidance and oversight of this project.

§ 3. RESPONSIBILITIES OF THE VILLAGE OF PHOENIX:

The following is expressly contingent upon approval of the Village Board of Trustees:

- (3.1) The Village of Phoenix agrees to accept all sewage within the allowable limits of its DEC/EPA permits and its available capacity at the time of final delivery and will work with the Town and District to develop a rate schedule that is consistent with the pricing formulas the Village uses for similar customer classes.
- (3.2) Prior to the completion of this project, the Village agrees to obtain and maintain all other and further permits and approvals as may be necessary for the Village to receive and treat at its POTW additional sewage from the District and Industrial Park at its own cost and expense if project funds are not sufficient to cover those costs.
- (3.3) Once constructed, the Village shall cooperate with the Town and District regarding district maintenance and related issues necessary for the proper operation of the district, at the Town's request.
- (3.4) The Village, as the owner of the POTW to be improved under this project, agrees to allow the County to be the contracting entity for all work at, in and around their POTW facility in consultation with the Village and the joint advisory committee established for the guidance and oversight of this project.
- (3.5) The Village shall work with the County, the Town and the IDA to plan, host, and conduct all hearings and filings as may be necessary and appropriate for this project.
- (3.6) Expressly contingent upon the receipt of grant funding, the Village agrees to contribute \$1,383,683 for expenses related to the completion of the project. The actual amount will be determined based on the availability of other state and federal grant funds and the final cost of the improvements. Should existing funding be insufficient for the completion of the project, the Village also agrees to work with the County, the IDA and the Town to find and secure any additional funds as may be required for the project.

§ 4. RESPONSIBILITIES OF THE IDA

The following is expressly contingent upon the approval of the IDA Board:

- (4.1) Contingent upon the receipt of grant funding, the IDA agrees to contribute an amount not to exceed \$1,000,000 for expenses related to the completion of the project. The actual amount will be determined based on the availability of other state and federal grant funds and the final cost of the improvements. Should grants be awarded, payments will be quarterly installments (which may be of varying amounts) commencing thirty (30) days after the award of an engineering/design contract for the project.

§ 5. ADVISORY COMMITTEE

The parties agree to form an advisory committee comprised of at least one (1) representative of each party to this Agreement. The committee will convene as needed to review funding opportunities, project details, acceptance and disbursement of funds, and report back to the respective governing body of each party on the status of the project. The advisory committee shall not have any independent decision-making authority and shall only serve as an advisory group to assist in the facilitation of the project in accordance with this Agreement.

§ 6. FUTURE GROWTH

Recognizing that this project may have a funding shortfall and that the Town, and the Village have other pressing infrastructure projects that should be addressed in order to facilitate additional residential and commercial growth, the County may offer funds beyond those identified in §1.1 above to assist in closing a limited funding gap if one should exist. Should the County choose to bring additional funding to this project, the County reserves the right to negotiate a repayment agreement for any additional funds they bring to the project. In addition, with or without an agreement for any reimbursement of the financial assistance and support provided by the County and the IDA, the Town and the Village agree to invite the County and the IDA (as equal parties) to participate in any discussions related to future growth opportunities that could be mutually beneficial to the parties and the respective communities they represent.

§ 7. ENTIRE AGREEMENT

This constitutes the entire and integrated agreement among the parties and is an amended version of the original IMA dated 05/18/2021. This agreement may not be changed unless changed by written instrument signed by all parties. By the signatures below, each party represents that the requisite approval has been obtained for the execution of this agreement, the authorizing resolutions having been attached hereto and made a part hereof as **EXHIBIT A**.

[SIGNATURE PAGE TO FOLLOW]

WHEREFORE, we, the undersigned having been duly authorized by our governing body, have separately set our hands and seals effective on the date and year first above written.

TOWN OF SCHROEPPPEL

By: _____ L.S.
Cary Redhead, Supervisor

COUNTY OF OSWEGO

By: _____ L.S.
James Weatherup, Chairman of the Legislature

VILLAGE OF PHOENIX

By: _____ L.S.
Brian Borchik, Mayor

COUNTY OF OSWEGO IDA

By: _____ L. S.
Austin Wheelock, Chief Executive Officer

RESOLUTION NO.

December 14, 2023

**RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 8 OF
THE YEAR 2023 ENTITLED "A LOCAL LAW ESTABLISHING THE
DEPARTMENT OF WORKFORCE DEVELOPMENT"**

By Legislator Holst:

WHEREAS, a public hearing was held on December 14, 2023, at 2:00 p.m. and all interested parties having had an opportunity to be heard; and

NOW, upon recommendation of the General Government Committee of this body,
be it

RESOLVED, that Local Law Number 8 of the year 2023, entitled ""A LOCAL LAW ESTABLISHING THE DEPARTMENT OF WORKFORCE DEVELOPMENT" be and is hereby, adopted and enacted in its entirety; and be it further

RESOLVED, that this Local Law shall take effect immediately.

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

YES:

NO:

ABSENT:

ABSTAIN:

COUNTY OF OSWEGO
LOCAL LAW No.: 8 OF 2023
A LOCAL LAW ESTABLISHING THE
DEPARTMENT OF WORKFORCE DEVELOPMENT

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

Section 1. Legislative Intent.

The County Legislature of the County of Oswego, in its continuing efforts to bring about the most efficient manner of providing services to residents of this County, hereby finds and determines that the increasingly difficult and complex task of coordinating and implementing a variety of workforce development programs across several county departments is best administered by a separate department of County government. This new department can liaise and work with the Workforce Development Board of Oswego County, a separate entity required by federal and state law, other county departments and local residents and employers alike. The Legislature is aware that, while the planned investment in the Micron facility to be built in Onondaga County is a potential benefit to the region, it brings with it significant challenges for existing industries, businesses and employers to recruit and retain their present workforce and maintain jobs within Oswego County as well as a new need to prepare county residents with the requisite skills and training to also fill available jobs at and/or related to Micron. Oswego County has unique industries, resources, employers and economic development needs in relation to other counties within the Central New York region. The County Legislature finds and determines that the creation of a Department of Workforce Development is in the best interests of the County of Oswego and, accordingly, necessary and proper.

Section 2. Department of Workforce Development Established.

Pursuant to the powers enjoyed by the County Legislature under NEW YORK STATE MUNICIPAL HOME RULE LAW§10 concerning the creation of departments of its government and the prescription or modification of their powers and duties, and, to promote the welfare of county residents and businesses alike, the Oswego County Department of Workforce Development is hereby created and established. Said Department shall be under the day-to-day supervision and oversight of the Director of Workforce Development whom shall be appointed by the County Legislature for a term of two (2) years to coincide with the term of the County Legislature. The Director of Workforce Development shall be responsible for the management and operation of the Department of Workforce Development (hereinafter "Department") and shall possess all the qualifications, powers and duties necessary and proper to carry out the functions of the Department as set forth herein and such other responsibilities as may, from time to

time, be required by resolution of the Workforce Development Board of Oswego County and/or the County Legislature or as otherwise provided for by law.

Section 3. Director of the Department of Workforce Development; Duties.

The Director of Workforce Development, within the budgetary appropriation for the Department, shall:

- (a) Be the chief administrative official of the administrative unit comprising the Department and shall be responsible for all programs, activities and projects undertaken within or by the Department.
- (b) Have charge of and control of, under the general oversight of the County Administrator and County Legislature, employees within the Department. The Director of Workforce Development shall have the power to appoint, hire, suspend, lay-off, discipline and/or remove any employee of the Department subject to the provisions of any applicable collective bargaining agreement, NEW YORK STATE CIVIL SERVICE LAW and the Oswego County Rules for the Classified Civil Service. The Director shall establish and oversee Departmental policies, as may be necessary or required, to promote the interests and efficient operation of the Department. The Director shall have and enjoy the power to assign and re-assign powers and duties to Departmental employees, as may be necessary and convenient, for Departmental needs and operations subject to the provisions of any applicable collective bargaining agreement, NEW YORK STATE CIVIL SERVICE LAW and the Oswego County Rules for the Classified Civil Service. The Director of Workforce Development shall manage the Department in accordance with this enactment, sound management principles, Oswego County administrative policies and procedures, NEW YORK STATE CIVIL SERVICE LAW and all other applicable state and federal laws, rules and regulations which may be applicable to the Department and its operations.
- (c) Prepare statistical and other reports as required by the county, and/or state or federal government, and present same as may be necessary.
- (d) Assign professional, technical and/or clerical personnel to assist with Department duties and oversee all Department contracts and accounts.
- (e) Exercise sound judgment and keep sensitive information provided by local businesses and employers regarding their individual employment needs, changes in markets and other business information in confidence when and where required.
- (f) Develop policies and procedures to enhance county workforce development and economic development goals within the County of Oswego to benefit local industries, employers and residents alike and work with other economic development agencies and the Workforce Development Board of

Oswego County in furtherance of same.

- (g) Apply for, manage and/or administer grant applications for the Department independently and/or in conjunction with other county departments and/or the Workforce Development Board of Oswego County, local businesses and/or other entities.
- (h) Assist the Social Services District comprising the County of Oswego with the implementation of its biennial plan for the provision of education, work, employment and training and supportive services related to the operation of work activity programs pursuant to NEW YORK STATE SOCIAL SERVICES LAW §333, the local biennial plan required to be filed thereunder and/or as otherwise provided for in Title 9-B of the NEW YORK STATE SOCIAL SERVICES LAW.
- (i) Separately serve as Executive Director of the Workforce Development Board of Oswego County and provide assistance and county resources as may be requested or required by the Workforce Development Board of Oswego County including, but not limited to, assisting the board in developing strategic plans to match employers with qualified candidates and in delivering skill-based programs to job-seekers through One-Stop Career Centers. Nothing herein prevents or precludes the Department from contracting with, or assisting, the Workforce Development Board of Oswego County in carrying-out its duties.
- (j) Perform such other duties, and make such reports, as may be required by the County Legislature including an annual report to the County Legislature of the Department's activities. The Department shall constitute an administrative unit of the county and the Director is required to develop and manage its annual budget and to submit to the county's budget officer an estimate of revenues and expenditures of such administrative unit for the ensuing fiscal year in accordance with NEW YORK STATE COUNTY LAW §353.
- (k) Report to the Economic Development & Planning Committee of the County Legislature, or any successor legislative committee by any other name, as well as the County Administrator regarding day-to-day activities and operations. The Department shall also, separately, keep the Workforce Development Board of Oswego County apprised of its general activities on at least a quarterly basis.
- (l) Possess such other and further powers and duties as required by law and/or as authorized by the County Legislature.

Section 4. Director of the Department of Workforce Development; Classification and Salary

Pursuant to NEW YORK STATE MUNICIPAL HOME RULE LAW §10(a)(1), the title of Director of the Department of Workforce Development shall be placed in the exempt class of the Civil Service due to the unique duties pertaining to Oswego County employers and businesses, the title's handling of confidential information from private industry and employers within the county and from other county agencies. The County Legislature finds and determines that an individual holding the title of Director must possess requisite skills and experience to best serve the needs of the County of Oswego, its employers and residents, and to promote the county's economic development needs, which are distinct from surrounding counties in many respects. The Director of the Department of Workforce Development shall have a salary fixed by the County Legislature in the annual budget or by resolution at time of appointment. The Director of the Department of Workforce Development shall enjoy the benefits of the Management Compensation Plan.

Section 5. Workforce Development Board of Oswego County; Separate and Distinct.

Although the Department will work closely with, and provide assistance to, the Workforce Development Board of Oswego County, nothing herein shall impair the independence or operation of, or shall conflict with the powers possessed by, the Workforce Development Board of Oswego County presently enjoyed under 20 CFR Part 678 and 20 CFR Part 679, concerning Workforce Innovation and Opportunity Act Local Governance, Title 1 funded roles, the local plan and/or as otherwise provided for by law, rule or regulation. The Workforce Development Board of Oswego County's operations and accounts shall continue to be separate and distinct from the Department as provided for by law. The Department may, however, act as the repository for the Workforce Development Board of Oswego County's papers and minutes as requested or required. The Department may also enter into agreements with the Workforce Development Board of Oswego County to undertake such services or duties as may promote board goals or operations.

Section 6. SEQRA Determination.

The County 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 §§ 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of §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 routine and continuing agency administration and management. The Clerk of the Legislature 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 local law.

Section 7. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law, as written or in its application, shall be inconsistent with any federal or state statute, law, regulation

or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order, judgment or legislation shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited such order or judgment.

Section 8. **Effective Date.**

This Local Law shall take effect upon its adoption and being duly filed with the New York Secretary of State and Oswego County Clerk as provided by the NEW YORK STATE MUNICIPAL HOME RULE LAW.

RESOLUTION NO.

December 14, 2023

**RESOLUTION ESTABLISHING THE 2023 COUNTY EQUALIZATION RATES
FOR TOWNS AND CITIES WITHIN OSWEGO COUNTY**

By Legislator David Holst:

WHEREAS, earlier this year the State of New York Department of Taxation and Finance, Office of Real Property Tax Services established the county equalization rates for the municipalities in the County listed below.

NOW, on recommendation of the Government, Courts & Consumer Affairs Committee and approval of the Finance & Personnel Committees of this body, be it

RESOLVED, that the several tax districts of the County of Oswego are hereby ascertained to be assessing the real property and improvements thereon in such several tax districts, upon the following equalization rates:

County of Oswego	74.37%
City of Fulton	92.00%
City of Oswego	83.00%
Town of Albion	86.00%
Town of Amboy	73.00%
Town of Boylston	64.00%
Town of Constantia	65.00%
Town of Granby	71.00%
Town of Hannibal	67.00%
Town of Hastings	86.00%
Town of Mexico	70.00%
Town of Minetto	78.00%
Town of New Haven	77.00%
Town of Orwell	73.00%
Town of Oswego	69.00%
Town of Palermo	88.00%
Town of Parish	74.00%
Town of Redfield	72.00%
Town of Richland	62.00%
Town of Sandy Creek	65.00%
Town of Schroepfel	55.00%
Town of Scriba	68.00%
Town of Volney	70.00%
Town of West Monroe	100.00%
Town of Williamstown	72.00%

RESOLUTION PASSED/FAILED, WITH A VOICE/ROLL CALL VOTE**YES:****NO:****ABSENT:****ABSTAIN:**