

Economic Development & Planning Committee



AGENDA - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: Wednesday, July 5, 2023 at 9:00 a.m.

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

COMMITTEE MEMBERS:

| | |
|-------------------------------|---------------------------------------|
| Mary Ellen Chesbro, Chair | Legislator, 10 th District |
| Noelle Salmonsens, Vice Chair | Legislator, 21 st District |
| Edward Gilson | Legislator, 3 rd District |
| Roy Reehil | Legislator, 5 th District |
| Paul House | Legislator, 8 th District |
| Marie Schadt | Legislator, 19 th District |
| Paul Connolly | Legislator, 20 th District |

CALL TO ORDER:

- Pledge of Allegiance

APPROVAL OF MINUTES:

- Approval of Minutes for the Economic Development and Planning Committee's regular meeting on June 6, 2023

RESOLUTIONS:

- EP-1** Resolution Approving an Amended and Restated Title VI Plan for the County of Oswego
- EP-2** Resolution Appointing the Director of Mobility Management as the Public Transportation Liaison
- EP-3** Resolution Authorizing Budgetary Modification Department Of Community Development, Office Of Planning And Community Development – Land Use Planning

COMMITTEE REVIEW AND DECISIONS:

- ARPA – AJ Montclair Inc., Aqua Spa Float Center LLC, Bellinger Auto Sales and service Inc., Chase Enterprise Inc., Leroi Inc., Mitchell Printing and Mailing Inc., N.E.T and Die, Al-noor Hospitality and Inns (Oswego INN), SMG-08 DBA The Palladium Times, The Valley News, Oswego Shopper, Oswego County News, The Pressbox of Oswego Inc., TCD of Oswego LLC (The Cellar Door), Valti Graphics, Vonas Restaurant Inc., Oswego Minor Hockey Association Inc., Safe Haven Museum and Education Center Inc., Redfield Snowmobile Association Inc., Winona Forest Recreation Inc., Bugow Driving School, H Lee White Marine Museum, Harborfest

REPORTING DEPARTMENTS:

- Oswego County Soil and Water Conservation Updates
- Promotion and Tourism Department Updates
- Planning and Community Development Department Updates
- Operation Oswego County Updates
- Cornell Cooperative Extension Update

ADJOURNMENT:

Economic Development & Planning Committee

DRAFT



MINUTES - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: Tuesday, June 6, 2023 at 9:00 a.m.

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

COMMITTEE MEMBERS:

| | | |
|-------------------------------|---------------------------------------|---------|
| Mary Ellen Chesbro, Chair | Legislator, 10 th District | Present |
| Noelle Salmonsens, Vice-Chair | Legislator, 21 st District | Present |
| Edward Gilson | Legislator, 3 rd District | Present |
| Paul House | Legislator, 8 th District | Present |
| Roy Reehil | Legislator, 5 th District | Present |
| Marie Schadt | Legislator, 19 th District | Present |

STAFF AND GUESTS:

| | | | |
|---------------|------------------|-----------------|------------------|
| Marc Greco | Austin Wheelock | Heather Snow | Paul Forestiere |
| Dan Breitweg | Phil Church | Tim Stahl | Marc Greco |
| Paul Connolly | Joe Chairvolotti | Veronica Turner | Savannah Wyckoff |
| Kelly Jordal | Richard Kline | | |

CALL TO ORDER:

A Regular Meeting of the Economic Development & Planning Committee was called to order at 9:00 a.m. by Committee Chair Mary Ellen Chesbro with the Clerk of the Legislature present. The meeting commenced with the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion to approve the meeting minutes from May 2, 2023: Legislator House

Second: Legislator Reehil

Vote: Unanimous, motion carried

The minutes for the Economic Development & Planning Committee Regular Meeting on May 2, 2023 were approved.

RESOLUTIONS:

EP-1 Resolution Designating Various Snowmobile Trail Improvements Type II Actions Under New York State SEQRA

Motion to approve: Legislator Salmonsens

Second: Legislator House

Motion to amend to add an additional whereas to include an additional trail: Legislator House
Second: Legislator Gilson
Vote: Unanimous, motion carried

Vote: Unanimous, motion carried

EP-2 Resolution to Amend the Agricultural District Plan Boundaries by Permitting Additional Areas of Inclusion, Pursuant to Agriculture and Markets Law (AML) Section 303-B, As Amended

Motion to approve: Legislator House
Second: Legislator Salmonsens
Vote: Unanimous, motion carried

EP-3 Resolution Adopting Modified Agricultural District # 11 and Finding that the Proposed District Will Not Have a Significant Environmental Impact

Motion to approve: Legislator Salmonsens
Second: Legislator House

Motion to Amend to add “to remove properties” after the last resolve: Legislator Reehil
Second: Legislator Gilson
Vote: Unanimous, motion carried

Vote: Unanimous, motion carried

EP-4 Resolution Authorizing The Chair Of The Legislature To Execute No-Cost Time Extension Requests For Various NYSDOT Contracts (ATC-17-OSW, ATC-18-OSW, NY-2017-057, NY-2018-44, NY-18-X031, NY-2020-086)

Motion to approve: Legislator Gilson
Second: Legislator Reehil
Vote: Unanimous, motion carried

COMMITTEE REVIEW & DECISIONS:

- None

REPORTING DEPARTMENTS:

- Joe Chairvolotti provided update on Oswego County Soil and Water
- Dan Breitweg gave a verbal update for promotion and tourism
- Tim Stahl provided update on Planning and Community Development
- Heather Snow provided an update and reviewed information in handouts.
- Austin Wheelock provided Operation Oswego County update
- Paul Forestiere updated the committee on Cornell Cooperative Extension

ADJOURNMENT:

Motion to adjourn at 11:00 a.m.: Legislator Gilson

Second: Legislator Salmonsén

Vote: Unanimous, motion carried

DRAFT

Betsy Sherman-Saunders
Clerk of the Legislature

RESOLUTION NO.

July 13, 2023

**RESOLUTION APPROVING AN AMENDED AND RESTATED TITLE VI PLAN
FOR THE COUNTY OF OSWEGO**

By Legislator Chesbro:

WHEREAS, as a recipient of federal and state funds, Oswego County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended as well as the various Federal Laws and Executive Orders that expand the Title VI nondiscrimination mandate (the "Act"); and

WHEREAS, the Act, as amended provides that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"; and

WHEREAS, the Act was further clarified to include all programs, services, or activities administered by an agency if any part of that agency receives Federal financial assistance; and

WHEREAS, the Americans with Disabilities Act expands the Act's nondiscrimination mandate to include individuals with disabilities in all areas of public life, including jobs, school, transportation and all public and private places that are open to the general public; and

WHEREAS, Executive Order 12898 (Environmental Justice) further expands the Act's nondiscrimination mandate to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations; and

WHEREAS, Executive Order 13166 (Limited English Proficiency) further expands the Act's nondiscrimination mandate to ensure individuals whose first language is not English and have a limited capacity to read, write or understand English have meaningful access to programs, information and services; and

WHEREAS, being subject to the requirements and provisions of the Act, as amended and expanded, Oswego County has amended and restated its Plan to address compliance and provide education related to this Act as well as procedures to address and investigate complaints and provided the public an opportunity to comment on same; and

NOW, THEREFORE, upon the recommendation of the Economic Development & Planning Committee of this body, be it

RESOLVED, that the Oswego County Legislature hereby adopts the amended and restated Title VI Plan on file with the Clerk of this Legislature effective immediately and directs the Chair of the Legislature to sign same and the distribution of this resolution and

the amended and restated plan to all departments; and further

RESOLVED, That the Oswego County Legislature hereby appoints Timothy Stahl, Director of Community Development, Tourism and Planning as the Title VI Coordinator for the county.

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

YES:

NO:

ABSENT:

ABSTAIN:

COUNTY OF OSWEGO
Amended and Restated Title VI Plan



James S. Weatherup, Chairman

Effective/Dated: July ___, 2023

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Title VI/Nondiscrimination Policy Statement

Oswego County assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Oswego County further assures every effort will be made to ensure nondiscrimination in all its programs and activities, whether those programs and activities are federally funded or not.

If Oswego County distributes federal aid funds to another governmental entity, Oswego County will include Title VI language in all written agreements and will monitor for compliance. Oswego County is responsible for initiating and monitoring Title VI activities, preparing required reports and other Oswego County responsibilities as required by 23 CFR 200 and 49 CFR 21.

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4*, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3; EO 13166.

Title VI Coordinator

The Title VI Coordinator is responsible for providing leadership, direction, and policy to ensure compliance with Title VI of the 1964 Civil Rights Act. The Title VI Coordinator plan develops, monitors and enforces standards for compliance in Oswego County programs, services and benefits.

Oswego County is required to appoint a Coordinator under 23 CFR 200.9(b)(1) with easy access to the Chairman of the Oswego County Legislature. Oswego County has appointed the Director of Community Development, Tourism and Planning as the Oswego County Title VI Coordinator.

The contact information for the County's Title VI Coordinator is as follows:

Title: Director of Community Development, Tourism and Planning
Mailing Address: 46 East Bridge Street, Oswego, New York 13126
Phone: 315-349-8220
Email: tim.stahl@oswegocounty.com

Limited English Proficiency Strategies

Strategies to provide meaningful access to LEP persons to ensure that they can communicate effectively will be achieved by measures including but not limited to:

- Applying the "four factor analysis" process provided as a guideline from the U.S. Department of Justice to determine LEP needs. This process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the nature and importance of the program to people's lives, and the resources available to provide translation services. The results of this analysis will be used to outreach and engage LEP persons in the transportation planning process.
- Developing a demographic assessment for the impacted area to determine if there is a 5% or more minority population requiring special language assistance and address the needs.
- Developing a written policy to ensure the implementation of LEP measures that identify and assess the language needs of its LEP population and provide for a range of language assistance options, including notices to LEP persons in a language they can understand regarding their right to free language assistance.
- Training to ensure that staff are knowledgeable and aware of LEP policies and procedures and are trained to work effectively in the facilitation of the process.
- Providing translation services for public documents and competent interpreters at public hearings.
-
- Increasing opportunities for public involvement, particularly by historically underserved populations including LEP individuals by advertising in local and local minority newspapers.
- Monitoring the program to ensure that LEP persons have meaningful access to the transportation planning and implementation process.
- See, also, the County of Oswego Language Access Plan available on the Oswego County website at: www.oswegocounty.com.

Title VI Responsibilities

- Monitor compliance with Title VI requirements in all aspects of the environmental process, including Environmental Justice and Limited English Proficiency requirements.
- Conduct meetings to review the project impact.
- Disseminate to the public their right to call or write the department to view plans and discuss environmental problems.
- Ensure DBE goal attainment.
- Coordinate the gathering of environmental information for the Annual Title VI Update Report including awards to DBE firms.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure time and location for public meetings or hearings is accessible.
- Maintain mechanisms to identify population affected by a project.
- Ensure participation of all segments of the impacted population in the location selection process.
- Ensure that all federally funded consultant contracts administered by this section have the appropriate Title VI Appendix enclosed.
- Review guidelines and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area as required for completion of the department's internal annual Title VI Annual Report.

Environmental Justice Plan

"Environmental Justice" is the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation and enforcement of environmental laws, regulations and policies. For the purpose of this Oswego County Environmental Justice Plan, fair treatment means that no population is forced to bear a disproportionate burden of the negative human health and environmental impacts, including social and economic effects, resulting from transportation decisions, programs and policies made, implemented and enforced at the Federal, State, local or tribal level.

Guiding Principles:

The Oswego County Environmental Justice Plan is guided by the following three principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.

2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

To ensure compliance with these Guiding Principles, Oswego County will:

- Continuously monitor its programs, policies, and activities to ensure that disproportionately high and adverse effects on minority populations and low-income populations are avoided, minimized or mitigated in a manner consistent with these principles.
- Actively administer and monitor its operations and decision-making to assure that nondiscrimination and the prevention of disproportionately high and adverse effects are an integral part of its programs, policies, and activities
- Train staff to identify and report incidences of observed service denial or reduction of any capacity in the day-to-day activities of all County departments.
- Make efforts to ensure services are equally available to all populations regardless of race, age, socioeconomic status, and other factors, and indicate so on publications and our website as necessary.
- Revisit the County's Equal Employment Opportunity Policy Statement from time to time and update as necessary.
- Immediately investigate and rectify any complaints received (from all populations which include minorities and those of low-income) from the public as they relate to the denial or reduction in services received.

Title VI Coordinator's Responsibilities

As authorized by the Chairman of the Oswego County Legislature, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring Oswego County's compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by Oswego County in accordance with Oswego County's Complaint Procedures. If any individual believes they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or gender, they may file a complaint with Oswego County. It is the goal of Oswego County to resolve complaints informally at the lowest managerial level.
2. Collect statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of Oswego County highway programs (i.e., persons relocated for highway projects, impacted citizens, and affected communities). Each of the Title VI program areas will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is enough in meeting the Title VI program administration requirements.
3. Conduct Title VI reviews, when necessary, of contractors and other recipients of federal aid highway funds.

4. Work with program staff to ensure the fundamental principles of Environmental Justice outlined below:
 - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
 - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
 - Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
5. Develop Title VI information for Public Dissemination. Ensure dissemination to the public and, where appropriate, in languages other than English. The County will disseminate Title VI Program information to County employees, contractors, subcontractors, consultants, and subconsultants as well as the public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement will be published in newspapers having a general circulation near proposed projects and announcements of hearings and meetings in minority publications.
6. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update will include goals and objectives for the upcoming year.
7. Schedule training for Title VI related statutes for Oswego County employees in conjunction with the Human Resources Department. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. All directives providing operational guidelines to all sub recipients, and program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.
8. Identify and eliminate discrimination when found to exist. Work with all Oa Offices and Departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.
9. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period of 90 days. Oswego County will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period of 90 days.

Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

Oswego County will seek the cooperation of the sub recipient in correcting deficiencies found during the Title VI compliance reviews. Oswego County will also provide the technical assistance and guidance needed to aid the sub recipient to comply voluntarily.

When a sub recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, Oswego County will submit a copy of the case file to NYSDOT's Office of Civil Rights or the FHWA and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the sub recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

10. Maintain updated legislative and procedural information regarding Oswego County's Title VI Program. This will include federal laws, rules and regulations, NYSDOT guidelines, the Oswego County Plan and updates, and other resource information pertaining to Title VI issues.

Title VI Complaint Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, relating to any transportation or Public Works program or activity administered by the County, as well as to sub recipients, consultants, and contractors. These procedures apply to complaints filed against a program or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest managerial/administrative level possible. The option of informal mediation meeting(s) between the affected parties and the investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, sex, age, national origin or disability may file a written complaint with Oswego County.

Time Limits for Filing

A formal complaint must be filed within 180 days after:

- .. The date of the alleged act of discrimination; or

- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of discriminatory conduct.

Form of Complaints

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail.
- A formal complaint of discrimination received by telephone will be written down and provided to the complainant for confirmation or revision before processing.
- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties in the complained of incident.

Upon receipt of the complaint, Oswego County will acknowledge receipt of complaint, determine jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. In cases where the complaint is against one of Oswego County's sub recipients of federal highway funds, Oswego County will assume jurisdiction and will investigate and adjudicate the case. Complaints against Oswego County will be referred to the New York State Department of Transportation's Office of Civil Rights for proper disposition. In special situations warranting intervention to ensure equity, the NYSDOT Office of Civil Rights may assume jurisdiction and either complete or obtain services to review or investigate matters.

Acceptance of a complaint will be determined by

- Whether the complaint is timely filed;
- Whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation;
- Whether the allegations involve a program or activity of a Federal-aid recipient
- The complainant(s) acceptance of reasonable resolution based on the Department's administrative authority;

A complaint may be dismissed for the following reasons

- The complainant requests the withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process complaint;
- The complainant cannot be located after reasonable attempts.

Oswego County has sole authority for accepting complaints for investigation. Once Oswego County decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and be logged into Oswego County's records identifying its basis, alleged harm, the race, color, national origin and gender of the complainant(s).

In cases where Oswego County assumes investigation of the complaint, Oswego County will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of Oswego County's written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, Oswego County or NYSDOT investigator will prepare an investigative report for Oswego County Title VI Coordinator and the Chairman of the

Oswego County Legislature. The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The Oswego County Title VI Coordinator and Chairman of the Oswego County Legislature will have ten (10) calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the Office of the Oswego County Attorney for review. The Office of the Oswego County Attorney will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the Office of the Oswego County Attorney will be reviewed by Chairman of the Oswego County Legislature. There will be a period of 10 calendar days for the Chairman of the Oswego County Legislature to discuss the report and any recommendations with Oswego County's Title VI Coordinator, and to have the Title VI Coordinator address any modifications before the report's release to the corresponding United States Department of Transportation (USDOT) modality (FHWA, FTA, FAA).

Oswego County's final investigative report and a copy of the complaint will be forwarded to either NYSDOT, FHWA, FTA, or FAA, within 60 calendar days of the acceptance of the complaint.

Oswego County will notify the parties of its preliminary findings which are subject to the corresponding USDOT modality's concurrence.

The corresponding USDOT modality will issue the final decision to Oswego County based on the investigative report.

Title VI Complaint Form COUNTY OF OSWEGO

| | | |
|--|-----------------------------|-----------------|
| Name: | | |
| Address: | | |
| Home Phone: | Cell Phone: | Work Phone: |
| Email Address: | | |
| Accessible Format Required? [3 Large Print C] Audio Tape C] TTY/TDD | | Other (Specify) |
| Basis of Complaint (check all that apply): | | |
| Race | Age | |
| Color | Disability (ADA) | |
| sex | Low-Income | |
| National Origin | Limited English Proficiency | |
| Who allegedly discriminated against you? | | |
| Name: | | |
| Address: | | |
| Phone: | | |
| If an organization, what is its name? | | |
| Name: | | |
| Address: | | |
| Phone: | | |
| Explain as clearly as possible what happened and why you were discriminated against. | | |
| Date/s and times discrimination occurred? | | |
| First Time: | | |
| Second Time: | | |
| Third Time: | | |

Continued Next Page**

| | | | |
|---|--------------|-----------------------|-----------------------|
| <p>Were there any other witnesses to the discrimination? Yes, please provide further details below No</p> | | | |
| <u>Name</u> | <u>Title</u> | <u>Work Telephone</u> | <u>Home Telephone</u> |
| | | | |
| | | | |
| <p>What can Oswego County do to resolve the complaint?</p> | | | |
| <p>Have you filed your complaint with anyone else? Yes No</p> | | | |
| <p>Who:</p> | | | |
| <p>When:</p> | | | |
| <p>Complaint number, if known:</p> | | | |
| <p>Do you have an attorney in this matter? If Yes, please provide further details below <input type="checkbox"/> No</p> | | | |
| <p>Name:</p> | | | |
| <p>Address:</p> | | | |
| <p>When did you retain the attorney?:</p> | | | |
| <p>Please attach any written materials or other information you feel is relevant to your complaint.</p> | | | |
| <p>Signed _____ Date _____</p> | | | |
| <p>Please submit this completed Title VI Complaint Form in person at the address below, or mail to:</p> | | | |
| <p>Title VI Complaint Officer</p> | | | |
| <p>Director of Community Development, Tourism and Planning</p> | | | |
| <p>46 East Bridge Street</p> | | | |
| <p>Oswego, New York 13126</p> | | | |

Attachment 1 — Title VI Notice to Public

Oswego County hereby gives public notice that it is Oswego County's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Oswego County receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Oswego County. Any such complaint must be in writing and filed with the County Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant on our website at : www.oswegocounty.com or by calling 315-349-8220.

Attachment 2 — Standard Title VI/Non-Discrimination Assurances

Oswego County (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the New York State Department of Transportation (NYSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs Of The Department of Transportation-Effectuation Of Title VI Of The Civil Rights Act of 1964*);
- 28 C.P. R. section 50.3 (I.S. Department of Justice Guidelines for enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the NYSDOT.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted transportation and highway programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in 21.23 (b) and 21.23 (c) of 49 C.F.R. 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all transportation and highway programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The County of Oswego, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C." 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award "

3. The Recipient will insert the clauses of Appendix A and Appendix E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. Where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. Where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b, the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Recipient also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the NYS DOT, You must keep records, reports, and submit the material for review upon request to NYS DOT, or its designee in a timely, complete, and accurate way.

Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The County of Oswego gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the transportation and highway programs. This ASSURANCE is binding on the State of New York, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the transportation and highway programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

COUNTY OF OSWEGO

James Weatherup, Chairman
Oswego County Legislature

Dated: July __, 2023.

APPENDIX A

For Contractors, Subcontractors, Suppliers, and Manufacturers

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by The County of Oswego or the NYSDOT to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the City, or the New York State Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, County of Oswego and the NYS Department of Transportation shall impose such contract sanctions as it, or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or;
 - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the County of Oswego

or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the name of sub recipient enter into such litigation to protect the interests of the name of sub recipient and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program), and the policies and procedures prescribed by the (Title of Modal Operating Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of

Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 52000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Title of Recipient) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Title of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (Title of Recipient), its successors and assignees.

The County of Oswego, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [and]* (2) that the (Title of Recipient) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].

*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (name of sub recipient) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc, as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1) In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (name of sub recipient) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (name of sub recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will there upon revert to and vest in and become the absolute property of Oswego County and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by (name of sub recipient) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, (name of sub recipient) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. *
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, (name of sub recipient) will there upon revert to and vest in and become the absolute property of (name of sub recipient) and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Title II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodations, and certain testing entities (42 U.S.C. §§ 1213-112189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, improving Access to Services for Persons with Limited English Proficiency and resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

RESOLUTION NO.

July 13, 2023

**RESOLUTION APPOINTING THE DIRECTOR OF MOBILITY MANAGEMENT
AS THE PUBLIC TRANSPORTATION LIAISON**

By Legislator Chesbro:

WHEREAS, in 2005, A Presidential Executive Order called for coordinated planning to improve access and mobility for all populations, and

WHEREAS, in 2008, by resolution No. 076, the Oswego County Legislature did appoint the Oswego County Director of Community Development Programs to be the Oswego County Public Transportation Liaison and

WHEREAS, in 2018, by resolution No. 137 the Oswego County Legislature authorized the formation of the Oswego County Transportation Advisory Committee and

WHEREAS, in 2021, by resolution No. 181 the Oswego County Legislature approved and adopted the updated Oswego County Coordinated Transportation Plan for Mobility services and

WHEREAS, in 2022, Oswego County by resolution No. 107 Oswego County adopted Local Law Number 2 of 2022 "A Local Law Authorizing the Provision of Mass Transportation and the Establishment of Mass Transportation Facilities within the County of Oswego and

WHEREAS, Oswego County is responsible for all rules and regulations associated and the oversight of Public transportation programs such as 5311, 5310, STOA, ATC, CARES and Mobility Management and

WHEREAS, Oswego County is responsible for the implementation of the Oswego County Coordinated Transportation Plan for Mobility services and

WHEREAS, the acting Public Transportation Liaison, the Director of Community Development Programs will relinquish the title and

WHEREAS, the duties for public transportation oversight are listed in the job description and duties of the Director of Mobility Management and

WHEREAS, the Transportation Liaison position is one of managerial oversight, decision making and planning,

NOW, upon recommendation of the Economic Development and Planning Committee of this body; be it

RESOLVED, that Heather Snow, Director of Mobility Management for Oswego County will be the Oswego County Public Transportation Liaison for the purposes of

implementing the Oswego County Coordinated Plan for Mobility services, for the implementation of all federal and state public transportation programs and will oversee the Transportation Coordination Advisory Committee.

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

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

July 13, 2023

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION DEPARTMENT
OF COMMUNITY DEVELOPMENT, OFFICE OF PLANNING AND COMMUNITY
DEVELOPMENT – LAND USE PLANNING**

By Legislator Mary Ellen Chesbro:

WHEREAS, developments in Central NY over the next few years present significant and unique economic opportunities for Oswego County, and

WHEREAS, in an effort to facilitate beneficial growth throughout communities across Oswego County there is a need to either develop and/or update comprehensive planning documents, and

WHEREAS, there is a current need within the Office of Planning and Community Development to update the Oswego County's Comprehensive Plan, and

WHEREAS, when scoring applications granting organizations often give greater weight to governmental applicants who provide up-to-date comprehensive plans related to the project; and

WHEREAS, proper land use planning is both labor intensive and time consuming and typically facilitated by consultants experienced in this field.

NOW, THEREFORE, BE IT RESOLVED, that \$75,000 of internal ARPA funds be allocated to the Office of Community Development and Planning for updating the Oswego County Comprehensive Plan, and be it further

RESOLVED, that the Chairman of the Legislature be and is hereby authorized to execute any and all documents that may be necessary to access these funds, and be it also

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 and Budget Officer shall be his authority to affect such transfer and make such adjustments.

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



Tim Stahl
Director

**OSWEGO COUNTY DEPARTMENT OF COMMUNITY
DEVELOPMENT, TOURISM AND PLANNING**

COUNTY BUILDING
46 EAST BRIDGE STREET
OSWEGO, NEW YORK 13126

TELEPHONE (315) 349-8292
FAX (315)349-8279

Daniel Breitweg
Deputy Director

Donna B. Scanlon
*Office of Community
Development Programs*

Kelly Allen
Office of Housing Assistance

INFORMATIONAL MEMORANDUM

- SUBJECT:** Allocate internal ARPA funds to the Planning & Community Development office.
- PURPOSE:** To modify the department budget in order to provide for the necessary updates to the County's Comprehensive Plan
- SUMMARY:** With proper local land use planning, Central NY communities are currently in a position to help define what their futures will look like. To do that effectively typically requires some outside assistance through consultants who specialize in those activities.
- This proposal will provide up to \$75,000 to update our severely out of date county comprehensive plan.
- FISCAL IMPACT:** \$75,000 from the internal ARPA funds.
- RECOMMENDED ACTION:** The committee on Economic Development & Planning committee, in concert with the Committee on Finance and Personnel, recommends that the Oswego County Legislature authorize this action.

Schedule I- Proposed Local Disbursements of ARPA Funds

| <u>Project Name/Applicant</u> | <u>Project Description</u> | <u>Request</u> | <u>Task Force Suggestion</u> | <u>Jurisdictional Committee</u> |
|---|---|----------------|------------------------------|---------------------------------|
| AJ Montclair Inc. | A contractor in Central Square has asked for \$765,000. After reviewing documents and records as well as PPP information we have determined the organization is potentially eligible for up to \$609,961. This is for lost revenue due to the COVID Pandemic. | \$750,000.00 | \$75,000.00 | EDP |
| Aqua Spa Float Center LLC | The company is seeking a total of \$49,882.17. They are asking for \$33,882.66 for marketing they continued to pay during the COVID pandemic as well as \$15,991.51 that they paid to employees during this time as well, they did not receive any PPP monies. | \$49,882.17 | \$15,991.51 | EDP |
| Bellinger Auto Sales and service Inc. | This is a used car company and automotive repair business located in Volney that is looking for assistance for lost revenue due to the COVID pandemic. The company is seeking \$243,624 and after reviewing PPP loan information that they received (\$43,800) they are potentially eligible for up to \$199,824. | \$243,624.00 | \$96,544.97 | EDP |
| Chase Enterprise Inc. | Chase Enterprises is looking to recover some lost revenue. They demonstrated losses well over 1.5 million dollars through cancelled confirmed contracts. They did receive a PPP loan of \$537,000. Cancelled contracts were confirmed through communication directly with the Pennsylvania Department of Transportation as well as certified letter from the CPA. They are requesting a total of \$350,000 in assistance. | \$350,000.00 | \$75,000.00 | EDP |
| Leroi Inc. | The company is seeking \$1,000,000 in economic recovery assistance. Based on documents provided they demonstrated more harm than that however they are asking for \$1 million. After reviewing PPP information, they are potentially eligible for up to \$700,000. | \$1,000,000.00 | \$144,945.00 | EDP |
| Mitchell Printing and Mailing Inc. | The company is requesting \$90,000 in lost revenue from the pandemic. After reviewing all documents and PPP information they are potentially eligible for up to \$177,324 however they are only seeking a portion of that amount. | \$90,000.00 | \$85,674.00 | EDP |
| N.E.T and Die | This Fulton based machining business is seeking \$451,000 due to lost revenue from the COVID pandemic. The amount has been verified and the eligible amount is \$495,000 after losses were adjusted for PPP assistance they received. | \$451,000.00 | \$144,945.00 | EDP |
| Al-noor Hospitality and Inns (Oswego INN) | The Oswego Inn is seeking to recover lost revenue in the amount of \$92,093. This amount has been verified through profit loss records. The applicant received PPP and that amount was also removed leaving the eligible amount at \$70,362. | \$92,093.00 | \$33,995.00 | EDP |
| SMG-08 DBA The Palladium Times, The Valley News, Oswego Shopper, Oswego County News | The Pall Times is seeking lost revenue funding due to COVID in the amount of \$292,531. The demonstrated amount of loss is \$390,082. | \$292,531.00 | \$144,945.00 | EDP |

| | | | | |
|---|--|--------------|-------------|-----|
| The Pressbox of Oswego Inc. | The Pressbox is seeking \$80,000 for work that has been and is being done on an upgraded and expanded kitchen. The project was expected to begin in 2020 and was placed on hold due to COVID. Upon starting the project, the cost of good and services soared. They have submitted quotes from the pre and post pandemic demonstrating the increased costs of goods and services they are seeking help with covering. | \$80,000.00 | \$80,000.00 | EDP |
| TCD of Oswego LLC (The Cellar Door) | Is seeking \$327,000 for lost revenue and expenses due to the COVID Pandemic. Upon review of financial records and statements the eligible amount for the organization is \$168,711 once PPP and NY Loans are removed. | \$327,000.00 | \$81,513.00 | EDP |
| Vaini Graphics | The company is requesting \$139,000 in lost revenue due to the COVID pandemic. After review of documents and PPP information the applicant is eligible for up to \$125,861 | \$139,000.00 | \$60,810.00 | EDP |
| Vonas Restaurant Inc. | The company is seeking \$83,971 in lost revenue. This is the eligible amount remaining after removing PPP loan forgiveness. | \$83,971.00 | \$40,570.11 | EDP |
| Oswego Minor Hockey Association Inc. | The Association has demonstrated lost revenue of \$80,000 and are requesting to use these funds to create larger and safer areas for the the various users of the their primary ice rink facility. | \$80,000.00 | \$77,304.00 | EDP |
| Safe Haven Museum and Education Center Inc. | The museum is hoping to recover lost funds that will be used to enhance the facility and grounds. They asked for \$50,000 and based on documentation provided, they are potentially eligible for up to \$36,751. | \$50,000.00 | \$36,751.00 | EDP |
| Redfield Snowmobile Association Inc. | They are planning to construct a pole barn that will allow them to house expensive equipment that they currently store outside. The structure is also designed to allow for a safer environment in the area where they conduct meetings. Being a part of the travel and tourism industry and allowing them to store equipment that will keep trails open and safe, this project does qualify for assistance. They are seeking \$70,000 for a project that is quoted to cost roughly \$206,000. | \$70,000.00 | \$70,000.00 | EDP |
| Winona Forest Recreation Inc. | Is asking for \$5,406 to help cover costs associated with lost revenue from an event they were unable to hold because of the COVID pandemic. They have demonstrated this loss of revenue through IRS 990 forms and are seeking to recoup the lost funds. | \$5,406.00 | \$5,406.00 | EDP |
| Bugow Driving School | Driver Rehab service provides comprehensive driving evaluation and instruction in safe driving practices and the use of adaptive equipment for individuals whose driving ability is compromised by physical or cognitive limitations. They are asking for \$129,400 for lost revenue as demonstrated through company profit loss statements and tax returns. | \$129,400.00 | \$43,763.73 | EDP |
| H Lee White Marine Museum | They are requesting funds to offset lost revenue in the amount of \$74,878 | \$74,878.00 | \$36,117.31 | EDP |
| Harborfest | The request was brought back to the ARPA taskforce for consideration. They have demonstrated significant losses during the pandemic and are looking for assistance in recovering lost funds. | \$150,000.00 | \$72,472.50 | EDP |

| | | | | |
|--|--|--------------|--------------|----------------|
| Bishop's Commons Inc. | They are seeking \$62,553 in premium pay they gave to their employees during their "Healthcare Hero" initiative. Funds were provided to RN, LPN, Critical Care Aids and other frontline staff. The funds were distributed to 46 staff members. | \$62,553.00 | \$62,553.00 | Human Services |
| Rural and Migrant Ministry of Oswego County, Inc. | They are seeking \$35,958.74 in order to construct a barn and storage facility on site that will allow them to house medical equipment and other necessary items they loan to residents who need assistance. These items are currently stored at various homes, garages, barns, sheds throughout the Richland/Pulaski area making it difficult to access and find the equipment in an expeditious manner. | \$35,958.74 | \$32,000.00 | Human Services |
| CAC Foundation Inc. (Child Advocacy Center of Oswego County) | This organization located in Fulton is seeking \$38,816.22 to help cover cost increases that they have demonstrated through quotes for work that has been needed to resurface their parking area, this was done to provide a safer environment for clients and it was full of holes, divots and other hazards and they also would like to upgrade their HVAC unit to a more efficient model. | \$38,816.22 | \$38,816.22 | Human Services |
| Habitat for Humanity of Oswego County | The organization is seeking \$120,000 to have a program that will work with The Office of the Aging, Arise, Home Health Aids, Medical Practitioners and others that will allow habitat to retrofit seniors homes to be safer for them allowing them to "age in place" instead of needing to be relocated to a nursing facility. This may include things like adding rails for safety in the home, adding a ramp, or other features. This team of professionals will work on a case-by-case basis to formulate a plan that will then be overseen by building professionals. The work may be done by qualified volunteers or bid out to other professionals if needed. An estimated cap per household is expected to be around \$2,500 allowing potentially 48 households to become a safer place for the residents. | \$120,000.00 | \$120,000.00 | Human Services |
| St. Francis Commons Inc. | Is seeking \$76,213 that they paid to employees in the middle of the COVID pandemic as bonuses during their "healthcare hero" campaign. These funds were paid to RN, LPN, home health aides, and other frontline staff. This campaign helped in the retention of 38 employees and recovering these funds will allow St. Francis to provide quality services to up to 60 clients in their facility. | \$76,213.00 | \$76,213.00 | Human Services |
| Milestones Childrens Center | Little Lukes will no longer be offering special education services (4410 program) leaving a void in those services in Oswego County. Milestones, an already operating business in Jefferson, Oswego and Onondaga Counties has proposed to work in Little Lukes Childcare centers to offer these services in conjunction with Little Lukes. In order to begin offering the services once the Little Lukes program closes, they as requesting \$282,229 to cover the first 2 months of staff, books, tests, adaptive equipment for special needs students and curriculum supplies. Once funded Milestones would become a self-sustaining program through revenue brought in from the students. The County does send children to other Counties who need these services at the cost of \$570 per day per child and Milestones/ Little Lukes has committed to ensuring that during initial registration all slots will be prioritized to be given to Oswego County students. If Little Lukes closes and Milestones does not open, there could be a significant increase in cost to the County to send children to other Counties for services. | \$282,229.00 | \$282,229.00 | Human Services |

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| The Victory Transformation Inc. | They are seeking funding to help cover costs of roof repairs. The shelter serves homeless and disenfranchised individuals allowing the application to fall under ARPA guidelines. The budget included lists the entire cost of replacing both roofs of Victory house and Val haven to be at about \$350,000. They are seeking funding in the amount of \$49,800 to help cover some of the expenses. Cost include removal of asbestos, new shingles, plywood, equipment, labor and contingencies. | \$49,800.00 | \$49,800.00 | Human Services |
| Brewerton Volunteer Fire Department Ambulance | This organization serves the Southeastern part of the county including designated service areas in Hastings and other portions of the county. They provide coverage services to other agencies in the county and have responded to roughly 350-400 calls for service in Oswego County last year. They are seeking a total of \$63,538.98 to purchase a LUCAS machine or automatic CPR which allows for smaller crews as they have trouble staffing, this costs \$26,096.56. They would also like 2X Stryker Xpedition Stair chairs that allow for much easier transportation of patients going in and out of buildings. Each unit costs \$18,721 and includes all batteries and equipment necessary for operation. | \$63,538.98 | \$19,000.00 | Public Safety |
| Village of Lacona/ Lacona Volunteer Fire Department | They are seeking \$30,000 for a new air compressor from Bauer Equipment. The new cascade machine will allow them to completely fill their air tanks. Air tanks should be filled to 4500psi, and their aging compressor is only able to fill up to about 3000 causing a roughly 10-15 min shortage of vital air for the firefighters. These extra minutes could potentially be the difference between saving someone and not. Additionally, the Volunteer Fire Dept lost about \$39,000 during covid because of the inability to host any fundraisers. This funding would cover part of the machine that is estimated to cost \$38,641 plus installation. The Village of Lacona has committed to covering all costs after the \$30,000 award is funded. | \$30,000.00 | \$30,000.00 | Public Safety |
| City of Fulton Fire Dept. | The Fulton Fire dept is undergoing a million-dollar renovation and is seeking \$49,999 to assist with final details. They are seeking to upgrade communications equipment that will allow for quicker dispatch and service that is estimated to cost \$20,000 and they are also seeking funding for the onboarding, training and outfitting of new firefighters that they will be having through the Federal (SAFER) Grant award they received. Fulton will be matching funds to finish covering the cost of training and equipment for the new fighters. Altogether it is expected to cost roughly \$72,000. | \$29,999.00 | \$29,999.00 | Public Safety |
| Town of Orwell | The Town has requested \$150,000 for replacement of an old fire engine due to "Faulty Manufacturing of the Spartan Frame". The newer engine will allow safer work environment and the ability to bring more equipment to calls and allows for rope rescue efforts. Cost of new truck is \$365,000 and they expected to pay roughly \$150,000 after the trade in of the older vehicle however received less in trade in and ended up paying \$264,000 for the new truck they have secured. | \$150,000.00 | \$75,000.00 | Public Safety |

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| Town of Minetto | The Town is requesting \$399,000 to complete upgrades that were the result of a mandated 2-year study by the NYS DEC. The upgrades will be made to the existing treatment plant that was originally constructed in 1977. This facility services Minetto and Seneca Hill facility. The upgrades will include upgrades of pumps and associated piping. These improvements will increase efficiency and also provide lower energy consumption. This project will be a portion of a larger project and upgrades, however the pumps project itself is seeking 100% funding to be completed with the Town bonding to complete the other portion of the project. | \$399,000.00 | \$399,000.00 | Infrastructure, Facilities & Technology |
| City of Fulton Parks Dept. | The Fulton Park Program demonstrated over \$16,000 due to lost revenue from events such as user fees, rental fees and venue fees and is seeking \$8,516. They would like funds to be able to complete the purchase of a Basketball hoop raising and lowering system. They have \$12,000 already committed to the project and are seeking only a portion of their lost revenue to be able to complete this project. | \$8,516.00 | \$8,516.00 | Government, Courts & Consumer Affairs |
| Town of Granby | The Town has requested \$350,000 for part of the community center upgrades they are interested in completing. The overall project is expected to cost roughly \$1,300,000 based on submitted documents. ("We will be making an application for this round of CFA which is capped at \$500,000. The rest of the cost will be bonded and paid for at the local level".) | \$350,000.00 | \$50,000.00 | Government, Courts & Consumer Affairs |
| Town of West Monroe | The Town is seeking \$25,000 for a welcome/message board to be placed at the Town hall. This sign will allow them to display important information including but not limited to items that relate to public health such as upcoming vaccinations, clinic sites, directions on where to go in the event of an emergency, etc. | \$25,000.00 | \$25,000.00 | Government, Courts & Consumer Affairs |
| Town of Volney | They are seeking \$25,000 for a backup generator at the Town DPW. They currently do not have any way to mechanically open the overhead doors and could possibly not be able to launch plows or other necessary equipment that could be needed in the event of an emergency. The town did apply for funding through FEMA but was unsuccessful in the bid to secure funds. This project would be 100% funded through the ARPA program including the generator and the installation of the device. | \$25,000.00 | \$25,000.00 | Government, Courts & Consumer Affairs |
| Town of Mexico | They would like to conduct a study to determine if and how to best expand the site known as the Mexico Community Park. COVID had them at capacity and they need to grow to allow for more options for kids to play. Requesting \$30,000 and will match it with \$30,000 of their own funds. | \$30,000.00 | \$30,000.00 | Government, Courts & Consumer Affairs |
| TOTALS | | \$6,285,409.11 | \$2,774,874.35 | |