

Government, Courts & Consumer Affairs Committee



AGENDA - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: Thursday, July 6, 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 June 5, 2023.

RESOLUTIONS:

- GC-1** Resolution Allocating Funds Made Available to the County of Oswego Through the American Rescue Plan Act To Certain Sub-Recipients and Beneficiaries
- GC-2** Resolution Authorizing Budgetary Modification Office of Strategic Initiatives, American Rescue Plan Funds
- GC-3** Resolution Rescinding Certain Previously Approved ARPA Awards
- GC-4** Resolution Authorizing Budget Modification County Clerk/Department of Motor Vehicles
- GC-5** Resolution Awarding Professional Services Contract –RFP 23-PD-001 Case Management Software
- GC-6** Resolution Authorizing Budget Modification to Increase Wages for Temporary and Part-Time Warehouse, Trucking and Technician Workers for Board of Elections
- GC-7** Resolution Setting Standard Workdays and Reporting for Elected and Appointed Officials
- GC-8** Resolution Authorizing the Reclassification of One Position in the County Attorney's Office

- GC-9** Resolution Denying Administrative Tax Refund or Credit Pursuant To New York State Real Property Tax Law §556 Regarding Real Property Located At 10 Wedgeworth Drive In The Town of West Monroe
- GC-10** A Resolution Adopting County of Oswego Local Law Number 3 of 2023, Entitled “A Local Law Amending Local Law Number 2 of 2021 As Concerns Residency Requirements for Assistant Public Defenders”
- GC-11** Resolution Authorizing The Chairman Of The Legislature To Execute Documents That May Be Necessary As County Departments Seek Public And Private Funds To Support Approved Programs And Projects
- GC-12** Resolution Fixing Time And Place For A Public Hearing Relative To Proposed County Of Oswego Local Law No. 3 Of The Year 2023, Entitled, “A Local Law Allowing Eligible Volunteer Firefighters And Volunteer Ambulance Workers To Receive A Real Property Tax Exemption Under Real Property Tax Law (RPTL) §466-A

COMMITTEE REVIEW & DECISIONS:

- ARPA-City of Fulton Parks Dept., Town of Granby, Town of West Monroe, Town of Volney, Town of Mexico

REPORTING DEPARTMENTS:

- County Clerk Department Updates
- Strategic Initiative Department Updates
- Real Property Department Updates
- Board of Elections Department Updates

ADJOURNMENT:

Government, Courts & Consumer Affairs Committee DRAFT



MINUTES - REGULAR MEETING

OSWEGO COUNTY, NEW YORK

Date/ Time: June 5, 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	Excused
Michael Yerdon	Legislator, 1 st District	Present

STAFF AND GUESTS:

James Weatherup	Rich Mitchell	David Turner	Phil Church
Terry Wilbur	Louis Lombardi	Peggy Bickford	Laura Brazak
Kevin Gardner	Corey Metz	Savannah Wyckoff	Kelly Jordal
Marc Greco			

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion to approve the May 1, 2023, meeting minutes: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

The minutes for the Government, Courts & Consumer Affairs Committee's Regular Meeting on May 1, 2023 are approved.

RESOLUTIONS:

GC-1 Resolution Fixing Time and Place for Public Hearing Relative to Proposed County of Oswego Local Law No. 3 of the Year 2023, Entitled "A Local Law Amending Local Number 2 of 2021 As Concerns Residency Requirements for Assistant Public Defenders"

Motion to approve: Legislator Solowy

Second: Legislator Scanlon

Vote: Unanimous, motion carried

GC-2 Resolution Authorizing the Reclassification of One Position in the Real Property Tax Services Office

Motion to approve: Legislator Gilson

Second: Legislator Salmonsens

Vote: Unanimous, motion carried

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

Motion to approve: Legislator Gilson

Second: Legislator Solowy

Vote: Unanimous, motion carried

GC-4 Resolution Approving and Confirming the Sale and Transfer of Certain Foreclosed Tax Properties to the City of Oswego Pursuant to RPTL §1166

Motion to approve: Legislator Salmonsens

Second: Legislator Scanlon

Vote: Unanimous, motion carried

GC-5 Resolution Authorizing The Purchase of Two Automobiles In Public Defender's Office

Motion to approve: Legislator M. Yerdon

Second: Legislator Scanlon

Vote: Unanimous, motion carried

GC-6 Resolution Authorizing The Reclassification Of One Position And Deletion Of One Position In Public Defender's Office

Motion to approve: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

COMMITTEE REVIEW AND DECISIONS:

None

REPORTING DEPARTMENTS:

- County Clerk Terry Wilbur provided department updated
- Director David Turner provided updates on Strategic Initiatives
- Corey Metz provided Real Property updates and distributed a handout regarding the senior citizen exemptions for persons with disabilities and limited incomes in 2023-2024 Enacted State Budget.
- Commissioner Peggy Bickford provided department updates. Ms. Bickford asked the committee to consider raises for seasonal warehouse workers. A budget mod and resolution will be brought to next month's meeting.

EXECUTIVE SESSION:

Motion to go into Executive Session at 9:37AM to discuss proposed, pending or current litigation - Manzi vs. Oswego County Oswego Steam Station and Attis

Ethanol: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

Motion to re-enter Open Session at 9:58: Legislator Gilson

Second: Legislator Scanlon

Vote: Unanimous, motion carried

ADJOURNMENT:

Motion to adjourn at 9:58 a.m.: Legislator Salmonsens

Second: Legislator M. Yerdon

Vote: Unanimous, motion carried

DRAFT

Betsy Sherman-Saunders
Clerk of the Legislature

RESOLUTION NO.

July 13, 2023

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

By Legislator David Holst:

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

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

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

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

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

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

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

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

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

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

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

YES:

NO:

ABSENT:

ABSTAIN:

Schedule I- Proposed Local Disbursements of ARPA Funds

Project Name/Applicant	Project Description	Request	Task Force Suggestion	Jurisdictional Committee
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
Valti 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 are 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

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

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	

RESOLUTION NO.

July 13, 2023

**RESOLUTION AUTHORIZING BUDGET MODIFICATION
OFFICE OF STRATEGIC INITIATIVES – AMERICAN RESCUE PLAN FUNDS**

By Legislator David Holst:

WHEREAS, The County has been awarded funds through the American Rescue Plan Act, and

WHEREAS, a process has been developed by this body for the distribution of those funds that is consistent with the intent of the federal law and the associated rules and regulations established by the US Treasury, and

WHEREAS, the funds proposed for transfer will only be used to support projects that have been fully vetted through this process and authorized by this body, then therefore be it and it is hereby

RESOLVED, that the Chairman of the Legislature be and is hereby authorized to execute any and all documents that may be necessary for this transaction, 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:



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 Chewing-Kulick
Administrative Assistant

INFORMATIONAL MEMORANDUM

SUBJECT: Budget modification.

PURPOSE: Transfer funds from ARPA holding account to a budget expenditure account to allow for authorized disbursements.

SUMMARY: Previous Resolutions and the one scheduled to be adopted on 07/13/2023 will result in 100 projects being funded that total just over \$10 million. Should these all move successfully through the contractual process we will need additional funds to be moved from the ARPA holding account to the expenditure line under the Office of Strategic Initiatives. This action transfers funds to an expense line to facilitate those disbursements.

FISCAL IMPACT: Transfer requested is \$3,000,000.

RECOMMENDED ACTION the Committee on Government, Courts & Consumer Affairs in concurrence with the Finance & Personnel recommend this action to the Legislature at the July 13th meeting.

[illegible]

COMMITTEE SIGNATURES	DATE
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PERSONNEL DIRECTOR

DATE

COUNTY ADMINISTRATOR	DATE

DEPARTMENT HEAD	DATE
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RESOLUTION NO.

July 13, 2023

**RESOLUTION RESCINDING CERTAIN PREVIOUSLY APPROVED ARPA
AWARDS**

By Legislator David Holst:

WHEREAS, this body authorized certain disbursements from the County's ARPA allocation via Resolutions #130 of 2022, # 253 of 2022 and #009 of 2023, and

WHEREAS, for various reasons, certain awards authorized through those Resolutions were subsequently not able to be finalized, and

WHEREAS, in order to reallocate those funds (\$240,000) to other worthy and eligible projects it is necessary and desirable to rescind the authorizations for the 4 Minnows Café (#130), the Blue Moon Grill (#253) and the Tasswood Bakery (#009), then therefore be it and it is hereby

RESOLVED, that, the respective authorizations for the awards referenced herein are hereby rescinded and the funding previously associated with those projects is now available for re-allocation.

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
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Kyle Boeckmann
Strategic Programs Specialist

Kasey Chewning-Kulick
Administrative Assistant

INFORMATIONAL MEMORANDUM

SUBJECT: ARPA funding amendment.

PURPOSE: Rescind certain previously authorized allocations.

SUMMARY: Resolutions #130 and 253 of 2022 and #009 of 2023 allocated \$240,000 to three specific projects (4 Minnows Café, the Blue Moon Grill and the Tasswood Bakery). Subsequent to those authorizations, circumstances surrounding each of those projects required us to withhold the funding that had been approved for them. This resolution officially rescinds the awards for these specific projects and allows the related funds to be used for other eligible projects.

FISCAL IMPACT: None additional

RECOMMENDED ACTION: The Committee on Government, Courts & Consumer Affairs with concurrence from the Committee on Finance and Personnel acknowledges and approves this action and recommends that the full legislature approves this measure.

RESOLUTION NO.

AGENDA# GC-4

July 13, 2023

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION
COUNTY CLERK / DEPARTMENT OF MOTOR VEHICLES**

By Legislator:

Upon recommendation of the Government, Courts & Consumer Affairs Committee of this body, with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the County Treasurer be, and he hereby is, To modify the following accounts : Revenue A1411.412555.EZPAS with a budget increase of \$2100.00 and Expense A1411.543800.EZPAS with a budget increase of \$2100.00

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

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

YES:

NO:

ABSENT:

ABSTAIN:



OSWEGO COUNTY CLERK'S OFFICE
46 EAST BRIDGE STREET, OSWEGO, NEW YORK 13126
Phone 315-349-8621 315-349-8383 (Fax)

MATHEW F BACON
DEPUTY CLERK

TERRY M. WILBUR
OSWEGO COUNTY CLERK
CLERK OF SUPREME
AND COUNTY COURTS

NANCY L. BELCHER
DEPUTY CLERK OF
OPERATIONS

DIANE PAROW
DEPUTY CLERK OF MOTOR
VEHICLES
DMV OFFICES
OSWEGO/FULTON/PULASKI

Date: June 28, 2023

To: Members of the Government, Courts, and Consumer Affairs Committee

From: Terry M Wilbur County Clerk

Informational Memorandum

Subject: Sale and tracking of E-Z Pass Tags

Purpose: To increase accounts for the purchase and subsequent sale of E-Z Pass Tags in the County Clerk's Office as well as all DMV offices. These Accounts, A1411.412555.EZPAS a revenue account with a budget increase of \$2100.00 and A1411.543800.EZPAS an expense account with an increase budget of \$2100.00

Summary: The sale of e-z pass tags at our DMV offices is higher than expected and in order to cover the cost of purchasing more tags and thus create more revenue we need to adjust the ez-pass revenue and expense lines.

Recommended Action: The Government, Courts and Consumer Affairs Committee approve the new budget amounts.

[illegible]

RESOLUTION NO.

July 13, 2023

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
RFP 23-PD-001 CASE MANAGEMENT SOFTWARE**

By Legislator David Holst:

WHEREAS the County issued a request for proposal for a vendor to provide Case Management Software; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited Requests for Proposals (RFP 23-PD-001) from multiple qualified firms to provide Case Management Software; and

WHEREAS, the Oswego County Public Defender Department and Oswego County Purchasing Department have reviewed the proposals received and determined the proposal from Legal Edge Software of King of Prussia, PA meets the County's needs.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Government, Courts, and Consumer Affairs Committee that the County of Oswego awards the professional service contract for providing Case Management Software, to Legal Edge Software, 1150 First Ave, Suite 501, King of Prussia, PA 19406 not to exceed \$61,000.00 and be it further.

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

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

YES: NO: ABSENT: ABSTAIN:



OSWEGO COUNTY PURCHASING

46 E Bridge Street, Oswego NY 13126
Phone (315)326-6051
Email: Purchasing@OswegoCounty.Com

RFP 23-PD-001 CASE MANAGEMENT SOFTWARE

Name of Company	Location	Evaluation Rating	Lump Sum Total	Required Documentation PRCS/PIS/SHC/NCC/RFC				
Spartan Technology	125 Venture Blvd Spartanburg, SC 29306	76.7	\$99,075.00	X	X	X	X	N/A
NYS Defenders	194 Washington Ave Suite 500 Albany, NY 12210	60.3	\$100,200.00	X	X	X	X	N/A
Planstreet Inc	220 Lexington Green Circle Suite 110 Lexington, Kentucky 40503	29.0	\$39,400	X	X	X	X	N/A
Thomas Reuters	610 Opperman Drive Eagan, MN 55123	64.3	\$116,866.28	X	X	X	X	N/A
Kodify	1976 S La Cienega Bl# C444 Los Angeles, CA 90034	71.7	\$129,600.00	X	X	X	X	N/A
Main Street Computing	658 Main Street #2 East Aurora, NY 14052	58.3	\$240,015.00	X	X	X	X	N/A
Legal Server	PO Box 221154 Chicago, IL 60622	67.7	\$95,324.00	X	X	X	X	N/A
Legal Edge	1150 First Avenue Suite 501 King of Prussia, PA 19406	86.3	\$61,000.00	X	X	X	X	N/A
Legal Files	801 S Durkin DR Springfield, IL 62704	70.3	\$102,842.00	X	X	X	X	N/A
Case Fox	16 Corning Ave Suite 136 Milpitas, CA 95035	61.0	\$206,675.00	X	X	X	X	N/A

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

Solicitation Process: RFP 23-PD-001 was publicly advertised in the official newspaper, on Bidnet, and on the Oswego County website on May 17, 2023. It was also sent directly to the following vendors:

- Journal Tech
- Clio
- Karel
- ZLS
- Justice Works
- QNA Tech

Number of Responses: Ten (10)

Legal Edge Software	<p>Pro: In business for a long time and does work exclusively with government agencies, especially Public Defenders. Has an investigative and mental health protocol that other systems do not. Can interface with local courts and do local reports.</p> <p>Con: Full set up can take a bit of time.</p>
Case Fox	<p>Pro: CMS is mostly built in resulting in a quick installation and it is also customizable.</p> <p>Con: Very expensive. Also, West Coast based operation may have issues responding to support requests in timely manner as time zone difference.</p>
Kodify	<p>Pro: Can produce reports for local courts.</p> <p>Con: Time zone difference that could interfere with timely tech support. Also, a new company.</p>
Legal File Software	<p>Pro: Can do local reports and interface with local courts.</p> <p>Con: Not much work for public defenders and presentation lacking on specifics in criminal application.</p>
NYS Defenders	<p>Pro: Interfaces with local courts and can do local reports.</p> <p>Con: Very generic case management system.</p>

Legal Server	<p>Pro: Can customize software and it is very adaptable.</p> <p>Con: Customization and overall costs are high. Installation will also take a significant amount time.</p>
Main Street Computing	<p>Pro: Has government and legal experience</p> <p>Con: Very expensive and long time to implement</p>
Planstreet Inc	<p>Pro: Hands on and experienced staff</p> <p>Con: Highly expensive and plan does not highlight experience for criminal law application</p>
Spartan Tech	<p>Pro: Highly experienced in the field. Can do local interface and local reports.</p> <p>Con: Long time about ten weeks to implement</p>
Thomas Reuters	<p>Pro: Would interface well with legal research platform which is same company</p> <p>Con: Highly expensive and does not appear to be criminal case management specific.</p>

Proposals Reviewed By: Louis Lombardi, Jamie Thompson, and Lindsey Ramsey

Evaluation Summary: The evaluation committee reviewed and rated each proposal according to the criteria listed on the attached schedule. The Committee recommends awarding the contract to Legal Edge Software.

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

Evaluation Comparison
RFP 23-PD-001 CASE MANAGEMENT SOFTWARE

Total Points	Evaluation Criteria	SPARTAN			NYS DEFENDERS			PLANSTREET			KODIFY		
		JT	LR	LL	JT	LR	LL	JT	LR	LL	JT	LR	LL
40	Evaluator Experience & Capabilities	28	35	30	25	25	25	0	10	20	30	30	20
30	Management Outline and Project Approach	25	20	25	15	20	15	0	15	21	25	25	25
10	Business & Organization	6	8	8	7	6	8	0	4	7	5	8	5
20	Cost	15	15	15	15	10	10	0	10	2	15	17	10
100	Total Points	74	78	78	62	61	58	0	39	50	75	80	60
Rating per Evaluation		76.7			60.3			29.7			71.7		

Total Points	Evaluation Criteria	THOMAS REUTERS			LEGAL EDGE			LEGAL FILES			CASE FOX		
		JT	LR	LL	JT	LR	LL	JT	LR	LL	JT	LR	LL
40	Evaluator Experience & Capabilities	39	30	15	35	30	40	32	20	30	30	30	25
30	Management Outline and Project Approach	20	23	20	25	25	25	25	20	20	29	20	15
10	Business & Organization	8	6	9	9	9	10	8	8	7	5	8	3
20	Cost	12	10	1	18	18	15	10	16	15	10	6	2
100	Total Points	79	69	45	87	82	90	75	64	72	74	64	45
Rating per Evaluation		64.3			86.3			70.3			61.0		

JT - JAMIE THOMPSON
LL - LOUIS LOMDARDI

LR - LINDSEY RAMSEY

Total Points	Evaluation Criteria	MAIN STREET COMPUTING			LEGAL SERVER		
		JT	LR	LL	JT	LR	LL
40	Evaluator Experience & Capabilities	30	20	20	35	30	25
30	Management Outline and Project Approach	25	15	20	25	18	20
10	Business & Organization	8	5	8	8	8	7
20	Cost	11	10	3	10	15	2
100	Total Points	74	50	51	78	71	54
Rating per Evaluation		58.3			67.7		

JT - JAMIE THOMPSON
LL - LOUIS LOMDARDI

LR - LINDSEY RAMSEY

RESOLUTION NO.

June 14, 2023

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION TO INCREASE
WAGES FOR TEMPORARY AND PART-TIME WAREHOUSE, TRUCKING AND
TECHNICIAN WORKERS FOR BOARD OF ELECTIONS**

By Legislator David Holst:

Upon recommendation of the Government, Courts & Consumer Affairs Committee of this body, with the approval of the Finance and Personnel Committee, be it

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

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

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

YES:

NO:

ABSENT:

ABSTAIN:



BOARD OF ELECTIONS

COUNTY OF OSWEGO
185 EAST SENECA STREET BOX 9
OSWEGO, NEW YORK 13126
FAX (315-349-8357)



Laura Brazak, Commissioner
315-349-8350

Carol M. Bickford, Commissioner
315-349-8351

INFORMATIONAL MEMORANDUM

Resolution accepting Budget Modifications by the Oswego County Board of Elections Regarding Pay raises for Warehouse Workers who have not had an increase in 14 years.

COUNTY OF OSWEGO

FROM
TO[illegible]

COMMITTEE SIGNATURES _____ **DATE** _____

COUNTY TREASURER

DATE _____

PERSONNEL DIRECTOR

DATE _____

COUNTY ADMINISTRATOR

DATE _____

DEPARTMENT HEAD
Deputy Director Laura Brazek

6/14/2023

DEPARTMENT HEAD

DATE _____

RESOLUTION NO.

July 13, 2023

**RESOLUTION SETTING STANDARD WORKDAYS AND REPORTING FOR
ELECTED AND APPOINTED OFFICIALS**

By Legislator David Holst:

BE IT RESOLVED, that the County of Oswego hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day Hrs/Day	Term Begins/Ends	Days/ Month based on Record of Activities
ELECTED				2 PP/3 PP per month
Legislator	Frank Bombardo	6	01/01/22-12/31/23	15.02/22.53
Legislator	Frank Castiglia	6	01/01/22-12/31/23	20.00/30.00
Legislator	Cornelius-Mangano, Laurie	6	01/01/22 – 12/32/23	4.62/6.93
Legislator	Emmons, Nathan	6	01/01/22-12/31/23	3.06/4.59
Legislator	House, Paul	6	01/01/22-12/31/23	6.93/10.39
Legislator	Karasek, James	6	01/01/22-12/31/23	5.77/8.66
Legislator	Kline, Richard P.	6	01/01/22-12/31/23	9.03/13.55
Legislator	Martino, John J.	6	01/01/22-12/31/23	7.32/10.99
Legislator	Rechil, Roy E.	6	01/01/22-12/31/23	9.17/13.75
Legislator	Noelle Salmonsens	6	01/01/22-12/31/23	4.38/6.51
Legislator	Stahl, Tim M.	6	01/01/22-12/31/23	2.57/3.85
Legislator	Twiss, Patrick	6	01/01/22-12/31/23	5.52/8.29
Legislator	Walpole, Stephen M.	6	01/01/22-12/31/23	17.96/26.94
Legislator	Weatherup, James S.	6	01/01/22-12/31/23	19.3/28.95
Legislator	Wilmott, Robert	6	01/01/22-12/31/23	1.80/2.70
County Treasurer	Kevin Gardner	7	01/01/22 – 12/31/25	22.79/34.18

District Attorney	Oakes, Greg	7	01/01/20 – 12/31/23	20.00/30.00
County Clerk	Wilbur, Terry M.	7	01/01/22 – 12/31/25	20.00/30.00
APPOINTED				
Board of Elections	Bickford, Carol	7	01/01/21 – 12/31/24	19.62/29.43
Board of Elections	Brazak, Laura	7	01/01/21 – 12/31/24	20.00/30.00
Administrator – Indigent Defendants	Davis, Sara	6	01/01/22 – 12/31/23	11.31/16.96
Medical Consultant, Preventative	Liepke, Christina	6	01/01/23 – 12/23/23	4.78/7.17
Deputy County Coroner	Tesoriero, Richard	6	01/01/20 – 12/31/23	1.72/2.58

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

YES:

NO:

ABSENT:

ABSTAIN:

RESOLUTION NO.

July 13, 2023

**RESOLUTION AUTHORIZING THE RECLASSIFICATION OF ONE POSITION
IN THE COUNTY ATTORNEY'S OFFICE**

By Legislator David Holst:

WHEREAS, to better reflect the duties of the incumbent who performs key professional administrative responsibilities which include assisting with labor relations matters and Arbitrations within the County Attorney's Office it is preferable to reclassify this position as Administrative Secretary (County Attorney); and

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

RESOLVED, that position #142044201, Administrative Assistant to the County Attorney in the Oswego County Professionals Association unit be reclassified to an Administrative Secretary (County Attorney) in the Management Compensation Plan, Grade SG-20, Step 15 (\$47,080.00), and be it further

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

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

YES:


NO:

ABSENT:

ABSTAIN:

MEMORANDUM

To: General Government Committee

From: Richard C. Mitchell, County Attorney 

Date: June 20, 2023

Re: Request for Reclassification - Administrative Assistant to County Attorney

Attached please find a request to reclassify this position to Administrative Secretary to the County Attorney under the management plan.

The position is presently under OCPA and, as the duties of the position follow the duties of this office, the incumbent deals with confidential labor relations/management information in connection with arbitrations, notices of discipline, communications with Human Resources, counseling memoranda and the like in addition to the other duties of this office, many of which are confidential, concerning cases against the county and insurance. The incumbent takes the minutes of the Board of Ethics/filings and the County Legislature when needed for coverage. The incumbent also deals with files containing income information/orders matrimonial decrees establishing child support from private out of state individuals which this office represents support proceedings as well as assisting the Presentment Agency in juvenile delinquency/Family Court matters.

The incumbent has worked for the county for eleven (11) years including two (2) years in this office.

Accordingly, this request is to change salary for the above -referenced position in the current 2023 budget to Management Plan SG-20, Step 15 (\$47,080). Due to vacant line/individual on unpaid leave this is budget neutral for the 2023 budget year with an increase of (\$4186) for the 2024 budget year.

Thank you. Kindly contact me with any questions.

POSITION REQUEST/DELETE BUDGET FORM

DEPARTMENT: A1420

DIVISION/UNIT (NUMBER):

A. NEW POSITION REQUEST

1. Position Title Requested:

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

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

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

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

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

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

B. RECLASSIFICATION REQUEST

1. Present Title: Admin. Asst. County Atty 2. Position #: 142044201

3. Present Salary/Hourly Rate: \$42,894 Grade: SG20

4. Requested Title: Admin. Secretary (County Atty)

5. Requested Salary: \$47,080

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

b. Management or OCPA – Salary Requested: Mgmt *STEP 15* Grade: SG20

6. Percent of Federal and/or State Reimbursement: 0 Fringe Reimbursed: ☐ Yes ☒ No

7. Justification of Need (use additional sheets as necessary): *Reclassify position to better suit duties and to place under Management Plan due to confidential duties/involvement with labor arbitrations etc*

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

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

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

**OSWEGO COUNTY HUMAN RESOURCES
DEPARTMENT**

NEW POSITION DUTIES STATEMENT

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

1. DEPARTMENTS/SCHOOL DISTRICT/TOWN OR VILLAGE A1420	DIVISION, UNIT, OR WORK SECTION	LOCATION OF POSITION County Attorney's Office
2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job. Use a separate Paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided. Title requested: <i>Administrative Secretary</i>		
PERCENT OF WORK TIME		

	<ul style="list-style-type: none"> -- Utilizes software packages to produce letters, reports, charts, graphs, spreadsheets, and databases in support of department programs; -- Schedules and arranges meetings/conferences and organizes related documents; -- May assign and review the work performed by clerical staff, ensuring that assignments are complete, accurate and timely; -- Screens callers and visitors to determine nature of the inquiry, answers questions on established policy/procedure and refers to appropriate agency staff; -- Opens and distributes incoming mail in accordance with staff assignments and priority; -- May supervise the preparation of information releases; -- Independently prepares routine correspondence -- Maintains complex records of activities of the agency; -- May order office supplies and/or equipment and maintain inventory; -- May assist with budget planning and tracking; -- May post payroll data to appropriate pay type category, compute and verify totals, and key data into computerized payroll system; -- May track expenses and reimbursements for various programs; -- May prepare reimbursement requests for grant funded activities -- Prepares all initial petitions subject to approval of Family Court Attorney; -- Prepares affidavits, final orders, and decrees under direction of Family Court Attorney; -- Prepares correspondence between the County Attorney, Assistant County Attorney, other attorneys, the Court, and clients; -- Prepares subpoenas and arranges for service of subpoenas by the Sheriff's Department; -- Prepares weekly schedules of trials and adjournments in Family Court; -- Coordinates, with the Oswego County Sheriff's Department or public agency involved, the scheduling of witnesses for juvenile delinquency trials; -- May act as confidential secretary to the County Attorney, in his secretary's absence; -- Arranges purchase of office equipment and supplies; -- Maintains a set of routine financial accounts, payroll records, requisitions and checks receipt of supplies and equipment; -- Takes dictation as required; -- Resolves client emergencies without giving legal advice; -- Evaluates information to determine what will be contained in the petition and what relief will be requested in the order; -- Acts as contact person for out-of state support enforcement agencies and clients, and is responsible for correlating and relaying information between support units, attorneys, clients and the court. - Completes and submits forms to the court, required by the Domestic Violence Act; -- Handles last minute additions or adjournments of cases, rescheduling of attorneys, and checking on the status of referrals and orders; -- Corrects and retypes juvenile delinquency petitions which have been prepared by law enforcement agencies; -- Writes to law enforcement agencies to obtain depositions or other information to be added to petitions; -- Arranges for interpreters for non-English speaking or hearing-impaired clients; -- Handles confidential matters involving discipline, communications with Human Resources etc..
	<ul style="list-style-type: none"> -- Assists with labor relations and Arbitrations along with a variety of related duties in carrying out the work of the office.

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

NAME	TITLE	TYPE OF SUPERVISION
Richard Mitchell	County Attorney	

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

NAME	TITLE	TYPE OF SUPERVISION
N/A		

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

NAME	TITLE	LOCATION OF POSITION
Jennifer Shepardson	Confidential Secretary	County Attorney's Office

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

Education: ☐ High School _____ years
☒ College 4 years, with specialization in _____
☐ Other _____ years, with specialization in _____

Experience (list amount and type): *Typing, Spreadsheets, MUNIS, organizational skills, some knowledge of Courts preferred, especially Family Court.*

Essential knowledge, skills and abilities:

Type of license or certificate required:

7. The above statements are accurate and complete.

Date: 6/20/2023

Title: County Attorney

Signature: 

CERTIFICATE OF OSWEGO COUNTY PERSONNEL OFFICER

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

POSITION CLASS TITLE:

JURISDICTIONAL CLASS:

Date:

Signature:

7/23/19

(page 4 of 4)

RESOLUTION NO.

July 13, 2023

**RESOLUTION DENYING ADMINISTRATIVE TAX REFUND OR CREDIT
PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW §556
REGARDING REAL PROPERTY LOCATED AT 10 WEDGEWORTH DRIVE IN
THE TOWN OF WEST MONROE**

By Legislator Holst:

WHEREAS, Brian and Michelle Lipes purchased certain real property located at 10 Wedgeworth Drive in the Town of West Monroe (Tax ID Number: 308.02-02-08) on July 12, 2021; and

WHEREAS, Brian and Michelle Lipes as owners (hereinafter "owners") of the aforementioned real property have timely filed an application for refund or credit of real property taxes under New York State Real Property Tax Law §556 from 2021 to present because they allege there is an inventory error on the assessment rolls regarding their home as concerns living space and excess taxes were paid as a result of the alleged error; and

WHEREAS, the Oswego County Director of Real Property Tax Services has reviewed the request, conducted an investigation and finds no assessment inventory errors which could be corrected administratively under Real Property Tax Law §§550-556 as the owners' recourse, if any, would be judicial in nature; and

WHEREAS, the recommendation of the County Director is to deny the application and as such this resolution must be decided by the appropriate tax levying body which would be the Oswego County Legislature, notwithstanding the enabling resolution authorizing the County Treasurer to otherwise decide same; and

WHEREAS, the owners entered into a stipulation with the Town of West Monroe in May of 2022 concerning the assessment and reducing same to \$310,000; and

WHEREAS, this body also notes, in passing, the owners purchased the subject real property on July 12, 2021 for \$429,000, the Town of West Monroe has a Level of Assessment relative to market value of 100%, and the property is presently assessed on the 2023 final assessment roll at \$389,000; and

WHEREAS, this body has reviewed and considered both the request of the owners and the recommendation of the Oswego County Director of Real Property Tax Services,

NOW, THEREFORE, upon the recommendation of the Government, Courts and Consumer Affairs Committee of this body and upon the recommendation of the Oswego County Director of Real Property Tax Services, it is hereby

RESOLVED, Chair of the County Legislature, as Chief Elected Official, be and is hereby authorized and directed to deny the within application and to endorse same as denied on behalf of this body which is the appropriate tax levying body under Real Property Tax Law §556 for the reasons stated in the annexed memorandum from the Oswego County Director of Real Property Tax Services; and, it is further

RESOLVED, this constitutes a final determination by the County Legislature concerning the owners' request.

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

YES:

NO:

ABSENT:

ABSTAIN:



OSWEGO COUNTY
DEPARTMENT OF REAL PROPERTY TAX SERVICES

Corey Metz
Director of Real Property Tax Services

June 1, 2023

**Oswego County Real Property Tax Investigative Report for
Denial of Application for Administrative Refund (§ 556)**

On 5/31/2023 I received an application for a correction or refund of the 2021, 2022, and 2023 County/Town Tax. This application is for property owned by Brian and Michelle Lipes, assessed within the Town of West Monroe. The tax map identification number is 308.02-02-08. I am recommending this application be denied for all tax rolls requested.

The application states that excessive taxes were paid because of an incorrect listing of livable space. The applicant alleges that they have 198 square feet less livable area than what is listed in the assessor's records. Presumably the applicant is then asserting that the assessed value of the property is incorrect as a result of faulty inventory data which led to an excessive tax bill and entitles them to a refund of their overpayment.

As a result of my investigation, I have determined that the owners purchased this property on 7/12/2021 and the assessor made a site visit thereafter to collect and update inventory which resulted in the increased square footage being recorded. This inventory update was effective on the taxable status date of March 1, 2022. This alleged error is in the description of the real estate and therefore does not meet the criteria set forth in Corrections of Errors law (RPTL Article 5 Title 3). Attached are a memo from the state Office of Real Property Services, as well as an opinion of counsel that corroborate that these errors are not remedied under this section of law.

Whether an error in the description of the property exists or not, this type of error does not have a remedy within the scope of real property tax law §550-556. Correct inventory is imperative for accurate assessments and as such, assessors are required to complete or update inventory by March 1st each year and that inventory is available for public inspection thereafter. The assessor mailed to the owner a summary of the inventory on 4/20/2022 which was returned signed by the owner. This inventory summary listed the total square footage as 1,952. Taxpayers have the opportunity to bring alleged inventory errors to the assessor's attention before the filing of the tentative roll. After said roll is filed, administrative and judicial remedies are then available to the aggrieved party. The correction of errors process is not meant as an alternative remedy to address alleged inventory errors.

A copy of the correction form is attached. Please note Part III. This will need to be filled out by the "Tax Levying Body" after they render a decision on whether to approve or deny the application. This application should be kept for auditing purposes.

Respectfully,

A handwritten signature in black ink, appearing to read "Corey Metz".

Corey Metz
Oswego County Director of
Real Property Tax Services

Enclosure
CC: Owner
CC: Assessor



Department of Taxation and Finance
Office of Real Property Tax Services

Application for Refund or Credit of Real Property Taxes

RP-556
(12/19)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Brian and Michelle Lipes					
Mailing address of owners (number and street or PO box) 10 Wedgeworth Drive			Location of property (street address) 10 Wedgeworth Drive		
City, village, or post office West Monroe		State NY	ZIP code 13167	City, town, or village West Monroe	
Daytime contact number 3158970655		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 308.02-02-08	
Account number (as appears on tax bill)		Amount of taxes paid or payable		Date of payment	
Reasons for requesting a refund or credit: Seeking refund or credit for amount of excess taxes paid since I purchased the home in July of 2021 due to clerical error citing my home's livable space as 1,952 square feet versus the actual 1,754 square feet. Error made because an 200 square foot enclosed porch was listed as interior space since 1965.					

I hereby request a refund or credit of real property taxes levied by West Monroe for the year(s) 2021 to now.
(County, city, village, etc.)

Signature of applicant <i>Brian Lipes</i>	Date 5/23/23
--	-----------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received 5/31/2023	Date warrant annexed 12/31/21, 12/31/22
Last day for collection of taxes without interest 1/31/22, 1/31/23	Recommendation Approve application* <input type="checkbox"/> Deny application <input checked="" type="checkbox"/>
Signature of official <i>Greg J. Kelly</i>	Date 6/1/2023

* If this application is approved, and the same error appears on a current assessment roll, send a copy of this form, including all attachments, to the assessor and board of assessment review. They must treat this application as a petition for the correction of that current roll (Form RP-553).

Part 3 – For use by the tax levying body or official designated by resolution _____ : (insert number or date, if applicable)

Application approved (Mark an X in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes paid	Amount of taxes due	Amount of refund or credit
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Application denied (reason): _____ _____
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Signature of chief executive officer or official designated by resolution	Date
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Memorandum



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF REAL PROPERTY SERVICES

via e-mail only

October 29, 2007

To: Robin Johnson
From: Stephen J. Harrison
Subject: Correction of Errors

This is in reply to your October 24, 2007 e-mailed inquiry concerning the correction of errors procedures (Real Property Tax Law, Art. 5, title 3). You state that, in 2004, a taxpayer returned an inventory data mailer he received to the assessor, noting therein what the taxpayer believed to be an incorrect entry for square footage of living area. The assessor did not change his or her records (in apparent disagreement with the taxpayer's allegation), and, in 2005, the property's assessment was increased as part of the town's revaluation. The taxpayer did not grieve his assessment that year nor has he done so since, but, in now reviewing the assessor's records, the taxpayer discovered what he considers to be a correctable error.

In the past, you have considered such factual situations to not fit within any of the statutory definitions of "error" (RPTL, §550), but instead to be inventory errors subject to the usual administrative and judicial review processes (RPTL, Arts. 5 and 7; 9 Op.Counsel SBEA No. 23). The taxpayer, however, alleges that a clerical error (as defined in RPTL, §550(2)(g)) has occurred so that he is entitled to an administrative refund (per RPTL, §556). You request our opinion.

Section 550(2)(g) defines a "clerical error" as "an entry on an assessment or tax roll which is incorrect by reason on an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor...." Here, because the square footage in the assessor's records is allegedly wrong, the taxpayer argues that those facts meet this statutory definition. We respectfully disagree.

"Arithmetical" is defined as "in agreement with the rules or methods of arithmetic" or "proceeding by an arithmetic progression" (Webster's Third New International Dictionary).

MEMORANDUM

Robin Johnson

Page 2

September 14, 2016

Here, presumably, the taxpayer is not contending that the assessor added or multiplied incorrectly (e.g., $2 \times 3 = 8$), but that he or she entered an incorrect factor into the calculation (e.g., the assessor correctly multiplied 2×4 , but that the assessor should have used 3 instead of 4, resulting in a correct product of 6).

We agree with you that the described situation is akin to that we discussed in the aforementioned 9 Op.Counsel SBEA No. 23. There, the assessor calculated the assessment of an apartment building upon the belief it contained eight units; it had but seven. We concluded that such a mistake was not an error in essential fact (per RPTL, §550(3)). Assuming that the assessor ascribed a value to each apartment unit, the taxpayer there might have alleged what is alleged here: an arithmetical mistake. In fact, no such allegation was then made nor do we think it would have been evinced, just as it is not here. There, as here, the assessor may have erred in his or her inventory, but arithmetic processes were correctly applied.

Correct inventory is essential to accurate assessments. Its importance is borne out in the fact that the law requires the assessor to complete (or update) the inventory by March 1 of each year (RPTL, §500(1)) and to "forthwith" publish notice of its availability for inspection (RPTL, §501). Taxpayers may then bring alleged inventory errors to the assessor's attention before the tentative assessment roll is prepared (and notice given of its filing). Regardless of whether the taxpayer inspects the inventory or the tentative roll, he or she is charged with knowledge of what is included in that inventory and appears on the roll (see, Congregation Yetev Lev D'Satmar, Inc. v. County of Sullivan, 59 N.Y.2d 418, 452 N.E.2d 1207, 465 N.Y.S.2d 879 (1983); Sheehan v. County of Suffolk, 67 N.Y.2d 52, 490 N.E.2d 523, 499 N.Y.S.2d 656 (1986)). The aforementioned administrative and judicial remedies are then available to the aggrieved taxpayer. The correction of errors remedy is not an alternative remedy to address alleged inventory errors.

Volume 9 - Opinions of Counsel SBEA No. 23

Opinions of Counsel index

Correction of errors (error in essential fact) (incorrect description of improvement) - Real Property Tax Law, § 550:

The incorrect description of an improvement does not constitute an error in essential fact and may not be corrected pursuant to the correction of errors law. This type of valuation error is subject to review upon filing of an administrative complaint with the board of assessment review.

An assessor calculated the assessed value of an apartment building based upon the belief that it had eight units. While completing a subsequent inventory of commercial property within the city, however, the assessor discovered that the apartment building had only seven units. The assessor asks if this is a correctable error.

Article 5, title 3, of the Real Property Tax Law authorizes corrections on assessment rolls and tax rolls of certain "clerical errors," "errors in essential fact," and "unlawful entries," as those terms are defined in section 550 of the RPTL. The assessor suggests that the situation described is an "error in essential fact." We assume that the assessor is referring to "an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an *improvement* to real property which was not in existence or which was present on a different parcel" (RPTL, § 550(3)(b), emphasis added). We interpret the term "improvement" to refer to an entire structure, not an incorrect description of an improvement (i.e., structure) existing on a parcel.

The number of apartment units within a building is a part of the description of an improvement and is not administratively correctable by the procedures prescribed in Article 5, title 3, of the RPTL. This type of valuation error is subject to review upon the timely filing of an administrative complaint with the board of assessment review in accordance with title 1-A of Article 5 of the Real Property Tax Law.

October 27, 1987

Mary Lesnau Assessor
 Town of West Monroe
 46 Co Rt 11
 Phone (315) 676 - 3521 ext4
<https://townwestmonroe.digitaltowpath.org>

Date: 4/20/2022

Owner Name and Mailing Address:

Brian Lipes
 Michelle Lipes
 10 Wedgeworth Dr
 West Monroe, NY 13167

Dear Brian Lipes :

Updated inventory has been collected on your property designated as 308.02-02-08 located on 10 Wedgeworth Dr. Please check this information and note any discrepancies. Sign and return this form as soon as possible.

Bldg Style	Old style	First Story	1076
No. Stories	2.0	Second Story	876
Yr. Built	1929	Additional Story	0
Eff. Yr. Built	0	Half Story	0
No. Kitchens	1	3/4 Story	0
No. Baths	1	Fin over garage	0
No. 1/2 Baths	2	Fin attic	0
No. Bedrooms	3	Fin basement	0
No. Rooms	0	Unfin 1/2 story	0
No. Fireplace	0	Unfin 3/4 story	0
Fireplace Type		Fin rec room	0
Heat Type	Hot air	Unfin room	0
Fuel Type	Electric	Unfin over garage	0
Central Air	Yes	Basement Type	Partial
Exterior Wall	Wood	Garage Capacity	0
		Total Sqft	1952

Indicate any other structure(s):
 Comments:

Porch + 2 CAR. Sq. Age in 2021 100% complete

The above information is:

☒ correct
☐ incorrect - please comment above

Property Owner Signature

Date

Very truly yours,

Assessor

Parcel Information

Curr Owner: Lipes, Brian
Location: 10 Wedgeworth Dr
West Monroe, NY 13167
Acct #: 353201 Central Square
Roll Sect: 1 Taxable RS/S:
Prop Class: 210 1 Family Res

Parcel Land Size

Front: 135.00 Acres: 0.89
Depth: 0.00 Sq Ft: 0
Grid Coordinates
East: 955709 North: 1181480

File Maintenance Info

Created: 10/12/1993
Modified: 05/31/2023 03:15 PM
By: mlesnau
Folder: Improvement

Site Characteristics

Site No: 1
Site Type: R Residential
Prop Class: 210 1 Family Res
Route No: 06
Nbhd Cd: 60230
Sewer Type: 3 Comm/public
Water Supply: 3 Comm/public
Utilities: 3 Electric
Site Desire: 3 Superior
Nbhd Type: 1 Rural
Nbhd Rating: 1 Below average
Road Type: 3 Improved
DC Entry Type:
Zoning Cd: RES Residential

Economic Obs: 0
Data Mailer: Yes
Last Phy Insp:
Reappraisal: 05/31/2023

Residential Building Information

Bldg Style: 08 Old style
No. Stories: 2.0
Ext Wall Mtrl: 01 Wood
Act Yr Blt: 1929
Eff Yr Blt:
Yr Remodel:
No. Kitchen: 1
Kitchen Qual:
No. Bath: 1
No. Half: 2
Bath Qual:
No. Bdrms: 3
No. Rooms: 0
No. Firepics: 0
Firepic Type:
Heat Type: 2 Hot air
Fuel Type: 3 Electric
Central Air: Yes
Bsmt Type: 3 Partial
Bsmt Gar Cap: 0
Overall Cond: 3 Normal
Ext Cond:
Int Cond:
Constr Grade: C Average
Grade Adjust: 0
Pct Good: 0
Func Obs: 0

Area in Sq. Ft.

1st Story: 876 Fin Bsmnt: 0
2nd Story: 876 Unfin 1/2: 0
Addl Story: 0 Unfin 3/4: 0
1/2 Story: 0 Unfin Rm: 0
3/4 Story: 0 Unfin Ovr Gar: 0
Over Garage: 0 SFLA: 1,752
Fin Attic: 0 Fin Rec Rm: 0

Land Breakdowns

Land Type 10 Waterfront
Front 135.00
Depth 0.00
Acres 0.89
Sq Ft 0
Soil Rating

Depth Factor 0
Infl Pct 125
Infl Cd 1 8
Infl Cd 2
Infl Cd 3

Unit Dim
Price Code
Land Value 137200
RCNLD No. 154157.303

Additional Improvements

Structure Code Measure Code Dim1 Dim2 SQFT MISC
RG1 Garage, 1 Story Attached Dimension 16.00 20.00 .00
RP4 Porch, Enclosed Dimension 9.00 11.00 .00
RP4 Porch, Enclosed Dimension 9.00 21.00 .00
RP1 Porch, Open Dimension 12.00 20.00 .00
RP1 Porch, Open Dimension 12.00 12.00 .00
RG4 Garage, 1 Story Detached Dimension 24.00 36.00 .00
RP4 Porch, Enclosed Dimension 10.00 20.00 .00

Overall Act Eff Yr Pct Func Srv
Grd Cond Yr Built Gd Obs Life
C Norm 1960 0 0 0
C Norm 1965 0 0 0
C Norm 1965 0 0 0
C Norm 2021 0 0 0
C Norm 2021 0 0 0
C Norm 2021 0 0 0
C Norm 1980 80 0 0

RCN 17507
RCNLD No. 11380
RCNLD No. 655
RCNLD No. 957
RCNLD No. 3630
RCNLD No. 2545
RCNLD No. 33817
RCNLD No. 7931
Unit Bld Bld
No. No. Sec
0 0 0
0 0 0
0 0 0
0 0 0
0 0 0
0 0 0
0 0 0



OSWEGO COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES

Corey Metz
Director

June 20, 2023

Informational Memorandum

Subject: Application for Refund or Credit of Real Property Taxes, 10 Wedgeworth Drive, West Monroe (tax ID 308.02-02-08).

Background: Annually at the organizational meeting of the Oswego County Legislature the County Treasurer is named as the individual responsible for handling corrections of errors, refunds, and credits of real property taxes whenever an application for such is received provided that the Director of Real Property Tax Services recommends approval of the application, and where the dollar amount is less than \$2,500.

If the Director recommends denial of the application, the dollar amount exceeds the maximum amount, or if the County Treasurer denies the application, the County Legislature is tasked with reviewing the application and making the final determination on whether to grant the application for correction, refund, or credit of real property taxes.

Summary: An application for refund or credit of taxes was received on May 31st, 2023. The County RPTS Director has recommended that this application be denied. The Director is required to make a full investigation of the facts before making a recommendation. The summary of that investigation is included as an attachment to this memorandum.

Recommended Action: Approve the resolution denying the refund.

Fiscal Impact: None.

Attachment: Summary of investigation by County Director of Real Property Tax Services.

RESOLUTION NO.

July 13, 2023

**A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 3
OF 2023, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NUMBER 2
OF 2021 AS CONCERNS RESIDENCY REQUIREMENTS FOR ASSISTANT
PUBLIC DEFENDERS"**

By Legislator David Holst:

WHEREAS, a public hearing was held on July 13, 2023 and all interested parties having had an opportunity to be heard,

NOW, upon the recommendation of this body, be it

RESOLVED, that Local Law Number 3 of the year 2023 entitled "A LOCAL LAW AMENDING LOCAL LAW NUMBER 2 OF 2021 AS CONCERNS RESIDENCY REQUIREMENTS FOR ASSISTANT PUBLIC DEFENDERS" be, and is hereby, adopted and enacted in its entirety.

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

YES:

NO:

ABSENT:

ABSTAIN:

COUNTY OF OSWEGO

PROPOSED LOCAL LAW ____ OF 2023

A LOCAL LAW AMENDING LOCAL LAW NUMBER 2 OF 2021 AS CONCERNS
RESIDENCY REQUIREMENTS FOR ASSISTANT PUBLIC DEFENDERS

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

Section 1: PURPOSE AND INTENT.

Due to difficulties in recruitment, and to meet its responsibility in providing quality publicly supported legal representation to indigent persons under the County Law, it is the intent of the intent of the Legislature of County of Oswego to amend Local Law Number 2 of 2021 to supercede the provisions of New York State Public Officers Law section 3 (1) as concerns the residency requirements of Assistant Public Defenders only.

Section 2. LOCAL LAW NUMBER 2 OF 2021 IS AMENDED.

Local Law number 2 of 2021 be, and is hereby AMENDED, in part, so that a new Section 4(A) is added to the local law with the rest and remainder of said local law remaining in full force and effect. Amendments/Additions are underlined, deletions are stricken out:

SECTION 4(A): RESIDENCY REQUIREMENT: ASSISTANT PUBLIC DEFENDER.

The provisions of Section 3(1) of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Assistant Public Defender of the County of Oswego provided that such a person resides within the County of Oswego or a contiguous county adjoining the County of Oswego within the State of New York. The provisions of this local law shall not apply to any person holding the position of Deputy Public Defender, the holder of which would assume the duties of the Public Defender upon the Public Defender's absence from the county, a vacancy in that office, or upon the Public Defender's inability to perform his or her duties.

SECTION 3: 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 4: 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 Municipal Home Rule Law.

RESOLUTION NO.

July 13, 2023

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO
EXECUTE DOCUMENTS THAT MAY BE NECESSARY AS COUNTY
DEPARTMENTS SEEK PUBLIC AND PRIVATE FUNDS TO SUPPORT
APPROVED PROGRAMS AND PROJECTS**

By Legislator David Holst:

WHEREAS, the business of local governments has become increasingly more complex and costly in recent years, and

WHEREAS, there are a number of public and private sources of funding that could be available to help fund a wide variety of programs and projects that could be beneficial to the residents and businesses in Oswego County, and

WHEREAS, from time-to-time it is necessary to have a document that demonstrates that the applicant has been authorized to pursue certain sources of funding, and

WHEREAS, this body finds it desirable to minimize the cost of County government by seeking outside funds where and when they are available, then therefore be it and it is hereby

RESOLVED, that after the authorization review process required by the County's Grant-In-Aid Policy (PRP 2016-9) has been completed and approved, the Chairman is authorized to execute any application documents that may be necessary to pursue external funds for those projects and programs that further the legitimate business of Oswego County government and enhance the quality of life for our residents and businesses.

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



David R. Turner
Director

**OSWEGO COUNTY
DEPARTMENT OF STRATEGIC INITIATIVES**

COUNTY BUILDING
46 EAST BRIDGE STREET
OSWEGO, NEW YORK 13126
TELEPHONE (315) 349-8260

Kyle Boeckmann
Strategic Programs Specialist

Kasey Chewning-Kulick
Administrative Assistant

INFORMATIONAL MEMORANDUM

SUBJECT: Amend Resolution #107 of 2016.

PURPOSE: This resolution proposes to modify the Resolved section of an existing resolution.

SUMMARY: From time-to-time it is necessary to have a document that demonstrates that a grant applicant has been authorized to pursue certain sources of funding. Occasionally, and for various reasons, there is a very limited time in the application process, and it may not line up well with our internal legislative processes. This resolution makes a couple of modifications to a previous action that will address minor concerns about commitments.

FISCAL IMPACT: None

RECOMMENDED ACTION: The Committee on Government, Courts & Consumer Affairs authorizes this action.

RESOLUTION NO.

July 13, 2023

**RESOLUTION FIXING TIME AND PLACE FOR A PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 3 OF THE
YEAR 2023, ENTITLED, "A LOCAL LAW ALLOWING ELIGIBLE VOLUNTEER
FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO RECEIVE A
REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW
(RPTL) §466-A**

By Legislator David Holst:

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

RESOLVED, that the Oswego County Legislature shall hold a Public Hearing on the proposed County of Oswego Local Law No. 3 of 2023, entitled "A LOCAL LAW ALLOWING ELIGIBLE VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO RECEIVE A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW (RPTL) §466-a" on the 10th day of August 2023, at 2:00 o'clock, in the afternoon of said day at the H. Douglas Barclay Courthouse, 1 Broad Street, Pulaski, NY, 13142 and be it further

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

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

YES:

NO:

ABSENT:

ABSTAIN:

COUNTY OF OSWEGO

Local Law Number ____ of 2023

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

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

SECTION 1. STATUTORY AUTHORITY.

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

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

RPTL § 466-a, inter alia, allows for volunteers with two (2) years of qualifying service to apply for a tax exemption which will increase the number of eligible volunteers over existing law. The Legislature recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The Legislature hereby finds that it is in the best social and economic interests of the County of Oswego to encourage volunteerism for said purposes. To that end, by providing the following exemption, and by making it available to a larger pool of volunteers, it is the intent to encourage volunteers to join the various fire and ambulance companies within Oswego County.

SECTION 3. EXEMPTION GRANTED.

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

- b. Application for such exemption shall be filed with the appropriate city, town or village assessor of the assessing unit having jurisdiction of the real property on or before the taxable status date on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance Office of Real Property Tax Services.
- c. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing within the County of Oswego unless:
1. The applicant resides in the city, town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which has a service area within the County of Oswego;
 2. The property is the primary residence of the applicant;
 3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;
 4. The applicant has served as an enrolled member with such volunteer fire company or volunteer fire department or incorporated voluntary ambulance service for a minimum of two (2) years; and
 5. The incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Office of the Oswego County Fire Coordinator a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company or fire department or incorporated voluntary ambulance service. The Oswego County Fire Coordinator shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption. In the event that the Oswego County Fire Coordinator is eligible for and seeks an exemption as a volunteer firefighter, it shall be reviewed and certified by the Oswego County Treasurer. The

Office of Fire Coordinator must maintain written guidelines, available upon request, as to the minimum requirements necessary for the exemption to be granted consistent with law.

6. Any qualified applicant seeking the exemption provided for hereunder shall also file an annual application with their local assessing unit assessor, on a form prescribed by the New York State Board of Equalization and Assessment. The application must be filed on or before the taxable status date.
7. The Office of Fire Coordinator must annually file with each local assessor not later than January 31st of each year, prior to the March 1st taxable status date, a list of the active volunteer members who are certified as eligible to meet the minimum service requirement. Such list must provide, as of the date of filing, the number of years of service served by each such enrolled member and such enrolled member's address of residence. The Office of Real Property Tax Services shall provide the Office of Fire Coordinator advice and assistance as may be necessary to complete the filings with the local assessing units and to develop written guidelines for the exemption.
 - A. Any enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten (10) percent exemption as authorized by RPTL § 466-a for the remainder of his or her life as long as his or her primary residence is located within the County of Oswego.
 - B. **Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse may be continued or re-instated if such member is killed in the line of duty; provided, however, that:
 1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire

company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and

2. Such deceased volunteer had been an enrolled member for at least five years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

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

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
2. Such deceased volunteer had been an enrolled member for at least twenty years; and
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

SECTION 4. EXISTING EXEMPTIONS PRESERVED.

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

SECTION 5. SEVERABILITY.

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

SECTION 6. EFFECTIVE DATE.

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