Government, Courts & Consumer Affairs Committee

AGENDA - REGULAR MEETING **OSWEGO COUNTY, NEW YORK**

Date/ Time: Monday, October 30, 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, 4th District
Edward Gilson, Vice Chair	Legislator, 3rd District
Noelle Salmonsen	Legislator, 21st District
Michael Solowy	Legislator, 23rd District
James Scanlon	Legislator, 16th District
Robert Wilmott	Legislator, 18th District
Michael Yerdon	Legislator, 1st District

CALL TO ORDER:

- Pledge of Allegiance

APPROVAL OF MINUTES:

- Approval of Minutes for the Government, Courts and Consumer Affairs Committee's regular meeting on October 2, 2023.

RESOLUTIONS:

GC-1 Resolution Adopting County of Oswego Local Law Number 4 of 2023, Entitled "A Local Law Amending Local Law Number 1 of 2022 Regarding Income Qualifications for Partial Tax Exemptions on Certain Real Property Owned by Eligible Persons 65 Years of Age or Over"

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

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

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

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

COMMITTEE REVIEW & DECISIONS:

None

REPORTING DEPARTMENTS:

- Board of Elections
  - Presentation on New Clear Ballot Voting Machines (Legislative Chambers)

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

ADJOURNMENT:

Government, Courts & Consumer Affairs Committee DRAFT

MINUTES - REGULAR MEETING **OSWEGO COUNTY, NEW YORK**

Date/ Time: October 2, 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, 4th District	Present
Edward Gilson, Vice Chair	Legislator, 3rd District	Present
Noelle Salmonsen	Legislator, 21st District	Present
Michael Solowy	Legislator, 23rd District	Excused
James Scanlon	Legislator, 16th District	Present
Robert Wilmott	Legislator, 18th District	Present
Michael Yerdon	Legislator, 1st District	Present

STAFF AND GUESTS:

Marc Greco	Rich Mitchell	David Turner	Phil Church
Frank Castiglia	Terry Wilbur	Corey Metz	Mark Techmanski
Sara Davis	Mark Moody	Lesley Schmit	Rachel Dator

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion to Approve September 7, 2023, meeting minutes: Legislator Scanlon
Second: Legislator Gilson
Vote: Unanimous, motion carried

The minutes for the Government, Courts & Consumer Affairs Committee's Regular Meeting on September 7, 2023, are approved.

RESOLUTIONS:

GC-1 A Resolution Fixing Time and Place for Public Hearing Relative to Proposed County of Oswego Local Law No. 4 Of the Year 2023 Entitled A Local Law Amending Local Law Number 1 Of 2022 Regarding Income Qualifications For Partial Tax Exemptions On Certain Real Property Owned By Eligible Persons 65 Years Of Age Or Over

Motion to approve: Legislator Gilson
Second: Legislator M. Yerdon
Vote: Unanimous, motion carried

GC-2 Resolution Authorizing Transfer to Additional Funds of $412,277 from the Fund Balance A15900 to the Assigned Counsel Office Legal Fees A1170 Object 543300

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

GC-3 Resolution Authorizing the Reclassification of One Position in the Public Defender's Office

Motion to approve: Legislator Gilson
Second: Legislator Scanlon
Vote: 1 Apposed, Unanimous, motion carried, Edward Gilson Apposed.

COMMITTEE REVIEW AND DECISIONS:

- None

REPORTING DEPARTMENTS:

- Terry Wilbur, County Clerk, provided a verbal department update.
- Dave Turner provided a verbal Strategic Initiative Department update.
- Corey Metz provided a verbal Real Property Department update.
- Mark Techmanski Provided a verbal update for the Public Defender's Office

EXECUTIVE SESSION:

- **Motion to go into Executive Session at 9:40 A.M. Discussions Regarding proposed, pending or current litigation Western Regional Off-Track Betting.**

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

Motion to re-enter Open Session at 9:48 A.M.: Legislator M. Yerdon
Second: Legislator Gilson
Vote: Unanimous, motion carried

ADJOURNMENT:

Motion to adjourn at 9:50 a.m.: Legislator Gilson
Second: Legislator M. Yerdon
Vote: Unanimous, motion carried

DRAFT

Raven Ahart
Deputy Clerk of the Legislature

AGENDA# GC-1

RESOLUTION NO.

November 9, 2023

A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 4 OF 2023, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 2022 REGARDING INCOME QUALIFICATIONS FOR PARTIAL TAX EXEMPTIONS ON CERTAIN REAL PROPERTY OWNED BY ELIGIBLE PERSONS 65 YEARS OF AGE OR OVER"

By Legislator Holst:

WHEREAS, a public hearing was held on November 9th, 2023, and all interested parties having had an opportunity to be heard; and

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

RESOLVED, that Local Law Number 4 of the year 2023 entitled "A LOCAL LAW AMENDING LOCAL LAW NUMBER 1 OF 2022 REGARDING INCOME QUALIFICATIONS FOR PARTIAL TAX EXEMPTIONS ON CERTAIN REAL PROPERTY OWNED BY ELIGIBLE PERSONS 65 YEARS OF AGE OR OVER" 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
LOCAL LAW No.: 4 OF 2023
ENTITLED A LOCAL LAW
AMENDING LOCAL LAW NUMBER 1 OF 2022 REGARDING INCOME QUALIFICATIONS FOR PARTIAL TAX EXEMPTIONS ON CERTAIN REAL PROPERTY OWNED BY ELIGIBLE PERSONS 65 YEARS OF AGE OR OVER

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

Section l. Title and Legislative Findings.

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

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

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

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

Section 3. Income Qualifications.

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

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

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

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

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

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

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

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

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

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

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

Section 3. Severability.

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

Section 4. SEQRA Determination.

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

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

Section 5. Effective Date.

This local law shall take effect immediately upon its adoption.

AGENDA# GC-2

RESOLUTION NO.

November 9, 2023

RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO SET MINIMUM BIDS AND/OR PLACE BIDS IN THE NAME OF THE COUNTY SHERIFF'S SALE - ATTIS ETHANOL FULTON

By Legislator Holst:

WHEREAS, the County of Oswego has, heretofore, obtained a $185,745.82 judgment stemming from a defaulted PILOT agreement under General Municipal Law; and

WHEREAS, the Sheriff of the County of Oswego has levied on certain personal property of the judgment-debtor by virtue of a personal property execution issued by the County of Oswego as judgment creditor; and

WHEREAS, the Sheriff will advertise and hold a public auction to sell this personal property in approximately thirty (30) days in the future on public notice, unless said sale is otherwise extended or adjourned; and

WHEREAS, the County of Oswego should protect its interests as judgment creditor by either (a) setting minimum reserve bids and/or (b) bidding to acquire certain equipment or vehicles which may serve county purposes; and

WHEREAS, a resolution is both necessary and desirable; and

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

RESOLVED, that the Chair of the Legislature, in consultation with the Director of Purchasing and involved department heads, may place minimum bids on behalf of the County of Oswego on any or all equipment or vehicles levied upon by the Sheriff's Office under this property execution and/or any other property execution concerning Attis Ethanol Fulton, LLC's personal property OR may bid on behalf of the County of Oswego upon certain vehicles or equipment which may have a beneficial county purpose levied by the Sheriff's Office from the judgment debtor under this and/or any subsequent execution.

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

YES: **NO:** **ABSENT:** **ABSTAIN:**

CPLR§5230(a) NOTICE: The Judgment Creditor is the State of New York, or any of its agencies or municipal corporations, *to-wit*: the COUNTY OF OSWEGO, a municipal corporation.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO

COUNTY OF OSWEGO,
46 East Bridge Street
Oswego, New York 13126 *Plaintiff -Judgment Creditor,*

vs.

ATTIS ETHANOL FULTON, LLC,
376 Owens Road
Fulton, New York 13069, *Defendant -Judgment Debtor.*

PERSONAL PROPERTY EXECUTION

Index No:
EFC-2021-1749

COUNTY OF OSWEGO

THE PEOPLE OF THE STATE OF NEW YORK

TO THE SHERIFF OF THE COUNTY OF OSWEGO (Levying Officer), GREETINGS:

WHEREAS, in an action in the SUPREME COURT OF THE STATE OF NEW YORK held in and for the COUNTY OF OSWEGO between the **COUNTY OF OSWEGO, a municipal corporation,** as plaintiff and **ATTIS ETHANOL FULTON, LLC** as defendant(s) who are all the parties named in said action, a judgment was entered on APRIL 21, 2022 in favor of **plaintiff COUNTY OF OSWEGO (judgment creditor)** and against **ATTIS ETHANOL FULTON, LLC, defendant (judgment debtor)** in the amount of $185,745.82 of which $185,745.82 together with nine (9) percent interest pursuant to CPLR §5004(a) thereon from APRIL 21st, 2022 remains due and unpaid; and

WHEREAS, a transcript of the judgment has been filed and entered on APRIL 21st, 2022 with the County Clerk in and for the County of Oswego;

NOW, THEREFORE, WE COMMAND YOU to satisfy the said judgment out of the personal property of the above named judgment debtor, located at 376 Owens Road, Volney, New York and the debts due to it; and that only the personal property in which said judgment debtor who is not deceased has an interest or the debts owed to it shall be levied upon and/or sold hereunder, *to-wit*: only those certain motor vehicles and equipment specified and described on **SCHEDULE A** annexed hereto and made a part hereof;

PRINTED ON RECYCLED PAPER

Attis Ethanol Fulton, LLC
Property Execution

SCHEDULE A

Vehicles:

Make	Model	Year	VIN	Owner
Ford	Pick Up	1964	F10JE450250	Attis Ethanol Fulton, LLC
Ford	Explorer	2016	1FM5K8B80GGB03286	Attis Ethanol Fulton, LLC
Ford	Explorer	2016	1FM5K8D84GGC80338	Attis Ethanol Fulton, LLC
Ford	Panel Van	2016	1FTBF4XG6GKB10860	Attis Ethanol Fulton, LLC
Ford	Explorer	2016	1FM5K7B81GGB44228	Attis Ethanol Fulton, LLC
Ford	F-25 Pick Up	2006	1FTNF20586ED70233	Attis Ethanol Fulton, LLC

Other Equipment:

1. Genie 2008 IC Power 4x4 Boom Lift: Model No.: Z-45/25
   Serial No.: Z452508A-37544

2. Genie Light Tower and Generator Unit: Model TML 4000N

3. JCB 2008 Agri Plus Loader: Model No.: 541-70AG +
   PIN: JCB5ADRHV81509802

4. JCB Skid Steer/Constructor: Model No.: 1110
   VIN: SLP111WS8U1400332
   PIN: 1400332

5. JCB Loader: Model No.: 270-T4+
   PIN: GE0270WVEJ2478623

6. Broom Attachment for JCB
   Forks Attachment for JCB

Any other JCB equipment or attachments on premises

Attis Ethanol Fulton, LLC
Property Execution

SCHEDULE A

7. John Deere HPX Gator/UTV 4x4: S/N: M0RG0FA103675 (Attis # 01-2015)
8. John Deere HPX Gator/UTV 4x4: S/N M0RG0FA13676 (Attis # 02-2015)
9. John Deere Gator 4x2 6 Wheel (Gator 302)
10. John Deere Gator 4x2 6 Wheel
11. John Deere accessories/loose parts for Gators (doors, wheels, etc.)

AGENDA# GC-3

RESOLUTION NO.

November 9, 2023

A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 8 OF THE YEAR 2023, ENTITLED A LOCAL LAW ESTABLISHING THE DEPARTMENT OF WORKFORCE DEVELOPMENT

By Legislator Holst:

UPON the recommendation of the General Government Committee of this body; be it

RESOLVED, that the Oswego County Legislature shall hold a Public Hearing on the proposed County of Oswego Local Law Number 8 of 2023, entitled "A LOCAL LAW ESTABLISHING THE DEPARTMENT OF WORKFORCE DEVELOPMENT" on the 14th day of December 2023, at 2:00 o'clock, in the afternoon of said day at the Oswego County Legislative Chambers, County Office Building, 46 E. Bridge Street, Oswego, New York 13126; and be it further

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

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

YES: **NO:** **ABSENT:** **ABSTAIN:**

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

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

Section 1. Legislative Intent.

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

Section 2. Department of Workforce Development Established.

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

Legislature or as otherwise provided for by law.

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

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

(a) Be the chief administrative official of the administrative unit comprising the Department and shall be responsible for all programs, activities and projects undertaken within or by the Department.

(b) Have charge of and control of, under the general oversight of the County Administrator and County Legislature, employees within the Department. The Director of Workforce Development shall have the power to appoint, hire, suspend, lay-off, discipline and/or remove any employee of the Department subject to the provisions of any applicable collective bargaining agreement, NEW YORK STATE CIVIL SERVICE LAW and the Oswego County Rules for the Classified Civil Service. The Director shall establish and oversee Departmental policies, as may be necessary or required, to promote the interests and efficient operation of the Department. The Director shall have and enjoy the power to assign and re-assign powers and duties to Departmental employees, as may be necessary and convenient, for Departmental needs and operations subject to the provisions of any applicable collective bargaining agreement, NEW YORK STATE CIVIL SERVICE LAW and the Oswego County Rules for the Classified Civil Service. The Director of Workforce Development shall manage the Department in accordance with this enactment, sound management principles, Oswego County administrative policies and procedures, NEW YORK STATE CIVIL SERVICE LAW and all other applicable state and federal laws, rules and regulations which may be applicable to the Department and its operations.

(c) Prepare statistical and other reports as required by the county, and/or state or federal government, and present same as may be necessary.

(d) Assign professional, technical and/or clerical personnel to assist with Department duties and oversee all Department contracts and accounts.

(e) Exercise sound judgment and keep sensitive information provided by local businesses and employers regarding their individual employment needs, changes in markets and other business information in confidence when and where required.

(f) Develop policies and procedures to enhance county workforce development and economic development goals within the County of Oswego to benefit local industries, employers and residents alike and work with other economic development agencies and the Oswego County Workforce Development Board in furtherance of same.

(g) Apply for, manage and/or administer grant applications for the Department independently and/or in conjunction with other county departments and/or the Oswego County Workforce Development Board, local businesses and/or other entities.

(h) Assist the Social Services District comprising the County of Oswego with the implementation of its biennial plan for the provision of education, work, employment and training and supportive services related to the operation of work activity programs pursuant to NEW YORK STATE SOCIAL SERVICES LAW §333, the local biennial plan required to be filed thereunder and/or as otherwise provided for in Title 9-B of the NEW YORK STATE SOCIAL SERVICES LAW.

(i) Separately serve as Executive Director of the Oswego County Workforce Development Board, without additional compensation, and provide assistance and county resources as may be requested or required by the Oswego County Workforce Development Board including, but not limited to, assisting the board in developing strategic plans to match employers with qualified candidates and in delivering skill-based programs to job-seekers through One-Stop Career Centers. Nothing herein prevents or precludes the Department from contracting with, or assisting, the Oswego County Workforce Development Board in carrying-out its duties.

(j) Perform such other duties, and make such reports, as may be required by the County Legislature including an annual report to the County Legislature of the Department's activities. The Department shall constitute an administrative unit of the county and the Director is required to develop and manage its annual budget and to submit to the county's budget officer an estimate of revenues and expenditures of such administrative unit for the ensuing fiscal year in accordance with NEW YORK STATE COUNTY LAW §353.

(k) Report to the Economic Development & Planning Committee of the County Legislature, or any successor legislative committee by any other name, as well as the County Administrator regarding day-to-day activities and operations. The Department shall also, separately, keep the Workforce Development Board of Oswego County apprised of its general activities on at least a quarterly basis.

(l) Possess such other and further powers and duties as required by law and/or as authorized by the County Legislature.

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

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

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

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

Section 6. SEQRA Determination.

The County Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this local law constitutes a Type II action pursuant to §§ 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of §8-0109(2) of the NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with routine and continuing agency administration and management. The Clerk of the Legislature is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance as, may be necessary, in accordance with this local law.

Section 7. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law, as written or in its application, shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order,

judgment or legislation shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited such order or judgment.

Section 8. Effective Date.

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

AGENDA# GC-4

RESOLUTION NO.

November 9, 2023

RESOLUTION AUTHORIZING BUDGET MODIFICATON FOR THE CONSULTING AGREEMENT WITH ALEX BOGAWICH CONCERNING THE ATTIS ETHANOL FULTON PROPERTY

By Legislator David Holst:

WHEREAS, on July 13, 2023, the Oswego County Legislature passed Resolution No. 241 authorizing the Chair of the Legislature to enter into a consulting agreement with Alex Bogawich to maintain the Attis Ethanol Fulton property; and

WHEREAS, on September 26, 2023, the Oswego County Legislature passed Resolution No. 313 extending the contract for Alex Bogawich until December 31, 2023; and

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

RESOLVE, that the County Treasurer be, and 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:**

OFFICE OF THE CHAIRMAN
OSWEGO COUNTY LEGISLATURE

Phone (315) 349-8230
Fax (315) 349-8237

COUNTY OFFICE BUILDING - 46 EAST BRIDGE STREET OSWEGO, NEW YORK 13126

JIM WEATHERUP
CHAIRMAN
EMAIL: james.weatherup@oswegocounty.com

BETSY SHERMAN-SAUNDERS
CLERK OF THE LEGISLATURE
EMAIL: betsy.saunders@oswegocounty.com

INFORMATIONAL MEMORANDUM

SUBJECT: Budget Modification to move money for the supervision and oversight of the Attis Ethanol Plant.

SUMMARY: On July 13, 2023 the Oswego County Legislature passed Resolution No. 241 to enter into an agreement with Alex Bogawich to maintain the Attis Ethanol Plant in Fulton and on September 26, 2023 an additional Resolution, No. 313, was passed extending the contract until the end of 2023.

RECOMMENDED ACTION: Approve this budget modification transferring $10,000.00 from Appropriated Fund Balance, A 159900 to Other Fees and Services, A1010 543800 to pay for the supervision and oversight of the Attis Ethanol Plant until December 31, 2023.

COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST

ACCOUNT NUMBER			ACCOUNT NUMBER				
ORG	OBJECT	PROJ	ORG	OBJECT	PROJ	DESCRIPTION	DOLLAR AMOUNT
A	159900					Appropriated Fund Balance	($10,000)
			A1010	543800		Other Fees and Services	$10,000

DEPARTMENT HEAD DATE

*DIRECTOR OF HUMAN RESOURCES DATE

COUNTY ADMINISTRATOR DATE

CHAIRPERSON DATE

COUNTY TREASURER DATE

*If Personnel Services are impacted

AGENDA# GC-5

RESOLUTION NO.

November 9, 2023

RESOLUTION AUTHORIZING THE EXECUTION OF A ONE-YEAR LEASE EXTENSION BY AND BETWEEN OPERATION OSWEGO COUNTY, INC. AND THE COUNTY OF OSWEGO – BOARD OF ELECTIONS OFFICES

By Legislator David Holst:

WHEREAS, the County of Oswego has heretofore entered into a lease agreement with Operation Oswego County, Inc. for space used by the Board of Elections; and

WHEREAS, the current lease agreement will expire at the end of 2023; and

WHEREAS, one-year extension of the present lease on the same terms is required and is agreeable to the landlord, Operation Oswego County, Inc.; and

WHEREAS, a resolution is both necessary and desirable; and

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

RESOLVED, that the Chairman of the Legislature be and is hereby authorized to execute the annexed one-year lease extension agreement with Operation Oswego County, Inc. to commence January 1, 2024, and expire January 31, 2024.

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

YES: **NO:** **ABSENT:** **ABSTAIN:**

44 West Bridge Street
Oswego, NY 13126
315-343-1545

Fax: 315-343-1546
email: ooc@oswegocounty.org
www.oswegocounty.org

Operation Oswego County

An Economic and Job Development Corporation Serving Oswego County, NY

OSWEGO COUNTY BUSINESS EXPANSION CENTER

LEASE AGREEMENT

(One-Year Extension)

This Agreement, extending a Lease Agreement further described herein, is made effective the 1st day of January, 2024 between **OPERATION OSWEGO COUNTY, INC.** (OOC) of 44 West Bridge Street, Oswego, New York 13126 (the "Landlord") and **COUNTY OF OSWEGO** of 46 East Bridge Street, Oswego, New York 13126 (the "Tenant").

NOW, THEREFORE, it is agreed hereto by and between the parties as follows:

1. **Lease Agreement.** Landlord and Tenant entered into a Lease Agreement commencing on January 1, 2021 and ending on December 31, 2021; a copy of the Lease Agreement is attached to and made part of this Agreement (the "Lease Agreement.")

2. **First Extension of Lease Agreement.** The Landlord and Tenant first extended this Agreement for a period of one year, running from the 1st day of January 2022 through the 31st day of December 2022.

3. **Second Extension of Lease Agreement.** Landlord and Tenant again extended the Lease Agreement for a period of one year, commencing January 1, 2023, and ending on December 31, 2023.

1. **Third Extension of Lease Agreement.** Landlord and Tenant desire to extend the Lease Agreement for a period of one year, commencing January 1, 2024, and ending on December 31, 2024, unless sooner terminated pursuant to the provisions of the Lease Agreement. The terms and conditions contained in the Lease Agreement shall be extended in full, unless otherwise stated herein.

2. **Entire Agreement.** This Lease contains the entire agreement of the parties.

3. **Modifications**. This Lease may not be modified except in writing executed by both parties.

4. **No Waiver.** No provision of this Lease shall be effectively waived unless in writing signed by Landlord. The failure of Landlord to seek redress for a violation of this Lease, or to insist upon the Tenant's performance of any provision of this

DRAFT

Lease, shall not preclude Landlord from seeking redress for a subsequent violation or from insisting upon Tenant's subsequent performance.

5. **Notices**. Any notice, demand, or request, required or agreed to be given hereunder by either party, shall be sufficiently given or served if in writing and signed by the party giving it, and mailed to the party to be notified as follows:

To Landlord: Operation Oswego County, Inc.
44 W. Bridge St.
Oswego, NY 13126
Attn: Executive Director

To Tenant: County of Oswego
46 East Bridge Street
Oswego, NY 13126
Attn: County Attorney

or to such other address as Landlord and Tenant, respectively may from time to time designate by giving notice thereof in writing. Service shall be complete upon mailing, except in the case of a notice to change an address in which case service shall be complete when notice is received by the addressee.

The parties have executed this Lease effective the date first above stated.

OPERATION OSWEGO COUNTY, INC.

By:_____
Ellen Holst, President

COUNTY OF OSWEGO

By:_____
James Weatherup, Chairman

DRAFT