9:30 a.m. - Employee Years of Service Award Ceremony

AGENDA-------------------------------------------------Wednesday, June 5, 2019 10:00 a.m.

Roll Call of Members

Pledge of Allegiance

Privilege of the Floor

Approving the Minutes of May 1, 2019 (which are on-line)

Presentation of Petitions, Communications and Notices

Special Presentations – Jordan Clements, Otsego Co. Soil and Water District
Leslie Orzetti - OCCA

Reports of Standing Committees

Reports of Special Committees

Special Reports – Mortgage Tax Report

Consent Agenda

Res. No. 166 - Amending Resolution No. 80-20190206 which authorized renewal of ARC Otsego Contract for Public Transportation to include authorization of the Board Chair to apply for funding for said contract pursuant to Section 18-B of the Transportation Law

Res. No. 167 - Amending Resolution No. 346-20181214 which authorized renewal of Birnie Bus contract for Public Transportation to include authorization of the Board Chair to apply for funding for said contract pursuant to Section 18-B of the Transportation Law

Res. No. 168 - Supporting an application by Otsego Land Trust to the New York State Agriculture and Markets Agriculture Farmland Protection Implementation Grant Program-Dairy

Res. No. 169 - Appointing Members to the Alternatives to Incarceration Advisory Board

Res. No. 170 - Appointing Members to Otsego County Youth Advisory Board
Res. No. 171 - Creating a position in the District Attorney’s Office (FT Assistant District Attorney #1)

Res. No. 172 - Approving consolidation of Vital Statistics Registration Districts of Town of Unadilla and Village of Unadilla

Res. No. 173 – Authorizing the implementation and funding in the first instance of the State-Aid program eligible costs of a Capital Project and appropriating funds therefore

Res. No. 174 – Authorizing the Director of Information Technologies to purchase computers and monitors

Res. No. 175 – Opposing Driver’s License Access and Privacy Act concerning undocumented individuals

Res. No. 176 – Proclaiming June 15, 2019 as Elder Abuse Awareness Day

Res. No. 177 - Establishing the standard work day and reporting days for the NYS and Local Employees retirement system for certain County Officials

Res. No. 178 – Unfunding a position in the Department of Social Services (Principal Account Clerk Typist #1)

Res. No. 179 - Accept New York State Energy Research and Development Authority (NYSERDA) Clean Energy Community Grant of $250,000 and enter into a contract

Res. No. 180 - Notifying the public of rights under Title VI and adopting the Otsego County Title VI Plan

Res. No. 181 - Transferring funds in various departments for 2018 and 2019

Res. No. 182 - Authorizing Chair of the Board to sign agreements regarding Bilderbeck County Forest guaranteeing public access for 25 years in connection with grant application by Otsego County Conservation Association for the Otsego County Trails Enhancement Project

Regular Agenda

Local Law B of 2019- A Local Law to establish a sustainable energy loan Program (Open C-Pace) in Otsego County and to abolish
Local Laws No. 4 and 5 of 2018 which previously established
The Energize NY Benefit financing program

Late Resolutions

Unfinished Business

Special Order of the Day

Adjournment
MORTGAGE TAX DISTRIBUTION - 2019

The Administration Committee presents the following report of Mortgage Tax Distribution made in accordance with reports of the County Clerk and County Treasurer and in compliance with the provisions of law. The committee has reconciled the distribution of Mortgage Tax from October 1, 2018 through March 31, 2019 as follows:

<table>
<thead>
<tr>
<th>Tax District</th>
<th>Amount Allocated To Tax District</th>
<th>Amount Apportioned To Villages</th>
<th>Amount Apportioned To City and Towns</th>
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</thead>
<tbody>
<tr>
<td>Oneonta City</td>
<td>63,091.35</td>
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<tr>
<td>Burlington</td>
<td>326.77</td>
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<td>Butternuts</td>
<td>10,345.02</td>
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<td>Cherry Valley</td>
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<td>Edmeston</td>
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<td>Exeter</td>
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<td>Hartwick</td>
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<td>Laurens</td>
<td>12,045.66</td>
<td>329.04</td>
<td>11,716.62</td>
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<td>Maryland</td>
<td>6,260.28</td>
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<td>Middlefield</td>
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<td>Milford</td>
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<td>Morris</td>
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<td>1,036.80</td>
<td>8,282.17</td>
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<td>New Lisbon</td>
<td>9,121.10</td>
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<td>Oneonta Town</td>
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<td>Otsego</td>
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<td>Otsego</td>
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<td>Pittsfield</td>
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<td>Springfield</td>
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<td>Worcester</td>
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<td><strong>Totals</strong></td>
<td><strong>494,522.77</strong></td>
<td><strong>22,803.49</strong></td>
<td><strong>471,719.28</strong></td>
</tr>
</tbody>
</table>

Dated: May 6, 2019

The Administration Committee offers the following resolution and moves its adoption:

RESOLVED, that this Board issues its warrant to the County Treasurer for the distribution of the amount in his hands in accordance with the foregoing report.
RESOLUTION NO. 166-20190605

RESOLUTION – AMENDING RESOLUTION NO. 80-20190206 WHICH AUTHORIZED RENEWAL OF ARC OTSEGO CONTRACT FOR PUBLIC TRANSPORTATION TO INCLUDE AUTHORIZATION OF THE BOARD CHAIR TO APPLY FOR FUNDING FOR SAID CONTRACT PURSUANT TO SECTION 18-B OF THE TRANSPORTATION LAW

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, General Municipal Law section 119-R authorizes a County to enter into contracts with private bus systems for the performance of certain transportation operations; and

WHEREAS, by Resolution No. 80-20190106, the Board of Representatives authorized a five year renewal contract with ARC Otsego to provide and coordinate public bus transportation services along three routes in Otsego County and to continue to open the routes to the general public in order to better serve these areas of the county; and

WHEREAS, the County is eligible to receive NYS funding under Sec. 18-b of the Transportation Law for an assistance program for passenger transportation to maintain existing bus transportation services and the County has determined to use said funds as described above to contract with ARC Otsego to maintain the existing bus service; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to apply to the Department of Transportation on behalf of the County of Otsego for Carrier Assistance Funds under Sec. 18-b of the Transportation Law as well as other State Operating Assistance Programs that may be enacted and to sign any required
documents in connection with said application.
RESOLUTION NO. 167-20190605

RESOLUTION – AMENDING RESOLUTION NO. 346-20181214 WHICH AUTHORIZED RENEWAL OF BIRNIE BUS CONTRACT FOR PUBLIC TRANSPORTATION TO INCLUDE AUTHORIZATION OF THE BOARD CHAIR TO APPLY FOR FUNDING FOR SAID CONTRACT PURSUANT TO SECTION 18-B OF THE TRANSPORTATION LAW

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, General Municipal Law section 119-R authorizes a County to enter into contracts with private bus systems for the performance of certain transportation operations; and

WHEREAS, by Resolution No. 346-20181214, the Board of Representatives authorized a five year contract with Birnie Bus Service, Inc., after receiving proposals through an RFP, to manage, operate, and maintain the County's public transportation service; and

WHEREAS, the County is eligible to receive NYS funding under Sec. 18-b of the Transportation Law for an assistance program for passenger transportation to maintain existing bus transportation services and the County has determined to use said funds as described above to contract with Birnie Bus Service, Inc. to manage, operate, and maintain the County's public transportation service; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to apply to the Department of Transportation on behalf of the County of Otsego for Carrier Assistance Funds under Sec. 18-b of the Transportation Law as well as other State Operating Assistance Programs that may be enacted and to sign any required
documents in connection with said application.
RESOLUTION NO. 168-20190605

RESOLUTION – SUPPORTING AN APPLICATION BY OTSEGO LAND TRUST TO THE NEW YORK STATE AGRICULTURE AND MARKETS AGRICULTURE FARMLAND PROTECTION IMPLEMENTATION GRANT PROGRAM - DAIRY

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, in July 2018, The New York State Department of Agriculture and Markets made available $30 million in funding to support farmland protection conservation easement projects on dairy farms; and

WHEREAS, the New York State Department of Agriculture and Markets will make additional farmland protection funds for conservation easements available in 2020 (Farmland Protection Implementation Grant 2020 also known as FPIG 2020); and

WHEREAS, the funding will be awarded to eligible dairy farms that are:

- Transitioning to the next ownership of a continuing dairy with modifications to ensure greater financial sustainability

- Continuing dairy, but diversifying the overall farm operation or

- Converting to a non-dairy farm operation; and

WHEREAS, Funding in FPIG 2020 Program will be awarded to eligible farms that are:

- A bonifide Farm Operation (as defined by NYS)
- In active production

- Meet other requirements of the program; and

WHEREAS, the Otsego Land Trust of Cooperstown, NY, is willing to submit an application to either the Dairy Transitions or FPIG 2020 programs for funding for Tim and Sue Cantwell’s Woodland Dairy Farm, located in Richfield Springs, NY; and

WHEREAS, the Woodland Dairy Farm consists of an 830 acre farm located in the Town of Richfield and Village of Richfield Springs and the Town of Warren and Town of Columbia in Herkimer County; and

WHEREAS, the conservation easement will result in the protection of 600-830 acres based upon project details; and

WHEREAS, the Woodland Dairy Farm qualifies as an applicant to the NYS Agriculture Farmland Protection Implementation Grant – Dairy Transitions Program and 2020 FPIG Program; and

WHEREAS, The Otsego County Agriculture Farmland Protection Plan (adopted 9/6/2017) states under policy recommendation #3, that the County will support ongoing Farmland conservation efforts by Otsego Land Trust by helping to identify additional sources of funding and to identify and preserve Otsego County’s most-at-risk farms; and
WHEREAS, Otsego County recognizes the New York State Agriculture and Farmland Implementation Dairy Transition Grant is competitive; and

WHEREAS, in the event, the application is not funded through this round of Farmland Implementation Grant Program – Dairy Transitions, the County supports and encourages Otsego Land Trust to apply for the New York State Agricultural Implementation FPIG 2020 Program fund for the Woodland Dairy Farm; now therefore, be it

RESOLVED, that the County Board of Representatives supports the efforts of the Otsego Land Trust of Cooperstown, NY to submit an application and seek funding through the New York State Agriculture and Markets Farmland Implementation Grant – Dairy and Farmland Protection Implementation Grant (FPIG 2020 Program) funding for the Woodland Dairy Farm in located in Otsego County.
RESOLUTION NO. 169-20190605

RESOLUTION - APPOINTING MEMBERS TO THE ALTERNATIVES TO INCARCERATION ADVISORY BOARD

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

RESOLVED, that the following individuals are hereby appointed to serve as members on the Alternatives to Incarceration Advisory Board effective immediately:

MICHAEL TROSSET
Otsego County Public Defender
6432 St Hwy 28
Fly Creek, NY  13337
(replaces Bruce Maxson)

SAMANTHA MANEE
Otsego County Drug Court
197 Main Street
Cooperstown, NY  13326
(replaces Leo Giovagnoli)

PAUL THOMAS
Otsego County ARS
242 Main Street
Oneonta, NY  13820
(replaces Samantha Manee)

CAM HAYES
Community Representative
2 East Street, Apt. 5
Oneonta, NY  13820
RESOLUTION NO. 170-20190605

RESOLUTION – APPOINTING MEMBERS TO OTSEGO COUNTY YOUTH ADVISORY BOARD

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, pursuant to resolution No. 237 of 1978, the Chair of the Board of Representatives was authorized to appoint members to the Otsego County Youth Advisory Board; now, therefore, be it

RESOLVED, that the following appointments be and the same are hereby approved:

DONALD MUNDY  
3 Richards Avenue  
Oneonta, New York 13820  
Term to expire December 31, 2019

VERA SOSNOWSKI  
677 County Highway 35  
Maryland, New York 12116  
Term to expire December 31, 2019

STEVEN ANDREWS  
Oneonta Recreation Dept.  
258 Main Street  
Oneonta, New York 13820  
Term to expire December 31, 2019

JACKIE HINCKLEY  
1020 County Highway 25  
Richfield Springs, New York 13439  
Term to expire December 31, 2019

JOAN VAN VALKENBURG  
26 Suncrest Terrace  
Oneonta, New York 13820  
Term to expire December 31, 2019
VICTOR RONOVECH
7 Mountainview Drive
Oneonta, New York 13820
Term to expire December 31, 2019

WILLIAM RIVERA
1 Blanchard Ave.
Oneonta, NY 13820
Term to expire December 31, 2019
RESOLUTION NO. 171-20190605

RESOLUTION – CREATING A POSITION IN
THE DISTRICT ATTORNEY’S OFFICE
(FT ASSISTANT DISTRICT ATTORNEY #1)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

RESOLVED, that the following position is created, funded and authorized to be filled in the District Attorney’s Office, effective October 1, 2019:

FT Assistant District Attorney (#1), Grade 23C, $80,000

and be it further

RESOLVED, that the funding for this position is included in the 2019 District Attorney Budget (1165-A) at line 1000 Personal Service; and be it further

RESOLVED, that the Clerk of the Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.
RESOLUTION NO. 172-20190605

RESOLUTION – APPROVING CONSOLIDATION OF VITAL STATISTICS REGISTRATION DISTRICTS OF TOWN OF UNADILLA AND VILLAGE OF UNADILLA

STAMMEL, CLARK, MARTINI, SHANNON, LAPIN

WHEREAS, currently both the Town of Unadilla and the Village of Unadilla are separate Vital Statistics Registration Districts; and

WHEREAS, both the Town Board of the Town of Unadilla by resolution dated January 8, 2019 and the Village Board of the Village of Unadilla by resolution dated January 15, 2019 have approved consolidation of the two separate districts into one registration district using the Town of Unadilla registration number (Vital Statistics Registration District 3871); and

WHEREAS, Public Health Law section 4120 requires the approval of the County of Otsego for such consolidation to occur and the County Department of Health supports such consolidation; now, therefore, be it

RESOLVED, that the Board of Representatives hereby approves the consolidation of the Town of Unadilla Vital Statistics Registration District 3871 and the Village of Unadilla Vital Statistics Registration District 3829 into one primary registration district – Vital Statistics Registration District 3871.
RESOLUTION NO. 173-20190605

RESOLUTION – AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF THE STATE-AID PROGRAM ELIGIBLE COSTS OF A CAPITAL PROJECT AND APPROPRIATING FUNDS THEREFORE

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, a Project for County Route 54 safety improvements, P.I.N. 9754.98 ("the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed $1,625,000 in Program Funding is available to fund the project; and

WHEREAS, the County of Otsego desires to advance the Project by making a commitment of 100% of the State share of the costs of the Construction and Construction Supervision and Inspection work; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives hereby approves the above subject project; and be it further

RESOLVED, that the County of Otsego is authorized to pay in the first instance 100% of the cost of the Construction and Construction Supervision and Inspection work for the project or portions thereof; and be it further

RESOLVED, that the sum of $1,625,000 is hereby appropriated from the CHIPS budget (5113-D) at line 2121 Capital Maint and made available to cover the cost of participation in the above phase of the Project; and be it further
RESOLVED, that in the event that the full State share costs of the project exceeds the amount appropriated above, the Board of Representatives shall convene as soon as possible to appropriate said excess amount immediately upon the notification of the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for State Aid on behalf of the County of Otsego with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality’s/Sponsor’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary agreement in connection with the project between the County of Otsego and the State of New York; and it is further

RESOLVED, this resolution shall take effect immediately.
RESOLUTION NO. 174-20190605

RESOLUTION – AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGIES TO PURCHASE COMPUTERS AND MONITORS

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the County is in need of computers and monitors; and

WHEREAS, the Purchasing Agent was consulted with and approved the vendor as part of a National IPA contract #2018011-01; now, therefore, be it

RESOLVED, that the Director of Information Technologies be and is hereby authorized to purchase the following:

ITEM: 60 Computers and 60 Monitors

COST: $39,600

VENDOR: CDW-G
200 N. Milwaukee Ave.
Vernon Hills, IL 60061

and be it further

RESOLVED, that the funding for this expenditure is included in the 2019 Information Technologies Budget (1680-A) at line 2335 IT Equipment/Hardware and consist of 100% local funds.
RESOLUTION NO. 175-20190605

RESOLUTION – OPPOSING DRIVER’S LICENSE ACCESS AND PRIVACY ACT CONCERNING UNDOCUMENTED INDIVIDUALS

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, holding a driver’s license in New York State is a privilege, not a right; and

WHEREAS, the Driver’s License Access and Privacy Act, if passed, would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, including non-payment of child support, delinquent taxes, and refusal to submit to a breath test, yet this Act would reward entry into the United States with a driver’s license; and

WHEREAS, New York REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, adoption of the Act would create unacceptable security risks because:

- There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act’s proposed privacy protections may frustrate federal immigration enforcement efforts.
- Local DMV offices do not have the considerable expertise needed to determine the authenticity of foreign birth certificates, foreign passports,
or consular cards, nor to verify evidence of undocumented individual’s residency in the state.

- Driver’s licenses can be used to obtain additional official identification documents intended only for United States citizens; and

WHEREAS, there is no guarantee that passage would make New York State roads safer; now, therefore, be it

RESOLVED, that upon recommendation of the Administration Committee, this Board of Representatives of Otsego County hereby opposes the adoption of the Driver’s License Access and Privacy Act as it concerns issuance of licenses to undocumented individuals because of security risks and because driving is a privilege, not a right; and be it further

RESOLVED, that the Clerk of the Board shall send a copy of this resolution to Governor Andrew M. Cuomo, Senator Charles Schumer, Senator Kirsten Gillibrand, Senator James L. Seward, Assemblyman Clifford Crouch, Assemblyman Christopher Tague, and Assemblyman John Salka.
RESOLUTION NO. 176-20190605

RESOLUTION – PROCLAIMING JUNE 15, 2019 AS ELDER ABUSE AWARENESS DAY

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER

WHEREAS, in many cultures, elders are revered and their experiences, memories and life perspectives are valued for the lessons that can be learned from them by others; and

WHEREAS, while it may seem difficult to imagine that anyone would deliberately want to cause harm to or exploit an elderly person, unfortunately, elder abuse does occur; and

WHEREAS, of paramount concern to all New Yorkers are the problems of elder abuse, neglect and exploitation, which endanger some of our most vulnerable population; and

WHEREAS, programs have been established to educate and prevent all forms of elder abuse and people in communities across Otsego County are encouraged to support efforts that promote a safe and respectful environment for our elderly; now, therefore, be it

RESOLVED, the Otsego County Board of Representatives proclaims June 15, 2019 as ELDER ABUSE AWARENESS DAY in Otsego County. We encourage citizens to be vigilant and fervent in their efforts to stop elder abuse and are asking that citizens call the Otsego County Department of Social Services, Adult Protective Services Unit at (607) 547-4355 to report suspected abuse, neglect or exploitation of elderly persons.
RESOLUTION NO. 177-20190605

RESOLUTION – ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR THE NYS AND LOCAL EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN COUNTY OFFICIALS

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

RESOLVED, that on behalf of the County of Otsego, Location code 10036, the Otsego County Board of Representatives hereby establishes the following as standard work days 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 legislative body:

<table>
<thead>
<tr>
<th>Title</th>
<th>Standard Work Day (Hrs/day)</th>
<th>Name (First/Last)</th>
<th>Tier 1 (check only if member is in Tier 1)</th>
<th>Current Term Begin and End Dates (mm/dd/yy-mm/dd/yy)</th>
<th>Record Of Activities Result</th>
<th>Not submitted (Check only if official did not submit their ROA)</th>
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</thead>
<tbody>
<tr>
<td>County Representative</td>
<td>6</td>
<td>Kathleen Clark</td>
<td></td>
<td>01/01/2018-12/31/2019</td>
<td>21.34</td>
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<td>County Representative</td>
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<td>David Bliss</td>
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<td>01/01/2018-12/31/2019</td>
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<td>County Representative</td>
<td>6</td>
<td>Margaret Kennedy</td>
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<td>01/01/2018-12/31/2019</td>
<td>8.71</td>
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<td>6</td>
<td>Andrew Marietta</td>
<td></td>
<td>01/01/2018-12/31/2019</td>
<td>5.92</td>
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<tr>
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<td>Peter Oberacker</td>
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<td>01/01/2018-12/31/2019</td>
<td>9.34</td>
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<tr>
<td>County Representative</td>
<td>6</td>
<td>Michele Farwell</td>
<td></td>
<td>01/01/2018-12/31/2019</td>
<td>10.61</td>
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<tr>
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<td>6</td>
<td>Danny Lapin</td>
<td></td>
<td>01/01/2018-12/31/2019</td>
<td>4.49</td>
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<td>6</td>
<td>Daniel Wilber</td>
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<td>Lizabeth Shannon</td>
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<td>01/01/2018-12/31/2019</td>
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<td>County Clerk</td>
<td>7 (Sept-June) 6 (July-August)</td>
<td>Kathleen Sinnott Gardner</td>
<td></td>
<td>01/01/2016-12/31/2019</td>
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<td>Employee Name</td>
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<td>End Date</td>
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<tr>
<td>District Attorney</td>
<td>07/01/2016 - 06/30/2019</td>
<td>John Muehl</td>
<td>01/01/2016</td>
<td>12/31/2019</td>
<td>24.78</td>
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<td>Sheriff</td>
<td>07/01/2016 - 06/30/2019</td>
<td>Richard Devlin Jr.</td>
<td>01/01/2019</td>
<td>12/31/2022</td>
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<td>Treasurer</td>
<td>07/01/2016 - 06/30/2019</td>
<td>Allen Ruffles</td>
<td>01/01/2018</td>
<td>12/31/2021</td>
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<tr>
<td>Assistant District Attorney</td>
<td>07/01/2016 - 06/30/2019</td>
<td>William Green</td>
<td>01/01/2016</td>
<td>12/31/2019</td>
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<td>Marvin Parshall Jr.</td>
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<td>Edward Gozigian</td>
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<td>07/01/2016 - 06/30/2019</td>
<td>Michael Getman</td>
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<tr>
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<td>Ellen Coccoma</td>
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<td>17.55</td>
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</tr>
</tbody>
</table>
RESOLUTION NO. 178-20190605

RESOLUTION – UNFUNDING A POSITION IN THE DEPARTMENT OF SOCIAL SERVICES (PRINCIPAL ACCOUNT CLERK TYPIST #1)

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER

WHEREAS, a certain position in the Department of Social Services is not being utilized and it is necessary to amend the budget to reflect same so that the funds still available for this position can be used for other purposes; now, therefore, be it

RESOLVED, that the following position in the Department of Social Services be unfunded effective June 5, 2019:

Principal Account Clerk Typist (#1), Grade 14M, $36,532 - $43,232 ($1,340)

and be it further

RESOLVED, that the Clerk of the Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.
RESOLUTION NO. 179-20190605

RESOLUTION – ACCEPT NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) CLEAN ENERGY COMMUNITY GRANT OF $250,000 AND ENTER INTO CONTRACT

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, Otsego County has been designated a Clean Energy Community by NYSERDA, resulting in an award of $250,000 for energy projects and upgrades; and

WHEREAS, NYSERDA has approved the following projects with estimated costs as follows:

1. Ground Source Heat Pump Installation - $78,533
2. Ground Mounted PV Array - $64,607
3. Tankless Hot Water Heaters - $4,134
4. LED Light Upgrades to County Facilities – All Remaining funds; and

WHEREAS, the County must enter into an agreement with NYSERDA to accept this funding and begin work on approved projects; now, therefore be it

RESOLVED, that the Chair of Board is hereby authorized to sign an agreement with NYSERDA for the Clean Energy Communities Grant Program in order to accept funds and commence work on approved projects.
RESOLUTION NO. 180-20190605

RESOLUTION – NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI AND ADOPTING THE OTSEGO COUNTY TITLE VI PLAN

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, Otsego County is required to prepare a plan pursuant to Title VI of the Civil Rights Act of 1964 in order to receive federal funding for its public transportation service Otsego Express; and

WHEREAS, Otsego County has completed the plan which details plan dissemination, complaint procedures, public participation, and language assistance for Limited English Proficiency persons; and

WHEREAS, the plan must be approved by the New York State Department of Transportation Office of Civil Rights following adoption; now, therefore, be it

RESOLVED, that the Otsego County Title VI plan is adopted and a formal notice to the public of their rights under Title VI of the Civil Rights Act of 1964 is made as follows:

Otsego Express Public Transit

Otsego County
197 Main St
Cooperstown, NY 13326

Notifying the Public of Rights under Title VI

Otsego County operates programs and services of Otsego Express without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.
To obtain additional information about your rights under Title VI, contact the Tammie Harris at the Otsego County Planning Department.

If you believe you have been discriminated against on the basis of race, color, or national origin by Otsego County you may file a Title VI complaint by completing, signing, and submitting the agency’s Title VI Complaint Form.

How to file a Title VI complaint with Otsego Express:

1. To obtain a Complaint Form from Otsego County contact Otsego County Planning Department, 197 Main Street, Cooperstown, NY 13326.

2. In addition to the complaint process at Otsego Express, complaints may be filed directly with the Federal Transit Administration, Office of Civil Rights, Region VII, 901 Locust Street, Suite 404, Kansas City, MO 64106.

3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.

4. The form must be signed and dated, and include your contact information.

If information is needed in another language, contact 607-547-4225.
RESOLUTION NO. 181-20190605

RESOLUTION – TRANSFERRING FUNDS IN VARIOUS DEPARTMENTS FOR 2018 AND 2019

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, it appears that it will require funds to complete the years 2018 and 2019 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2018 and 2019 budget years; now, therefore, be it

RESOLVED, that the following transfers and modifications be and the same are hereby authorized, and the 2018 and 2019 budget be and are hereby amended accordingly, pursuant to Section 363 of the County Law:

<table>
<thead>
<tr>
<th>2018 Budget Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A- GENERAL FUND</strong></td>
</tr>
<tr>
<td>FROM: Public Transportation Svcs</td>
</tr>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>TO: County Treasurer</td>
</tr>
<tr>
<td>TO: County Attorney</td>
</tr>
<tr>
<td>TO: Employee Benefits</td>
</tr>
<tr>
<td>FROM: Social Services</td>
</tr>
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<td>TO: Social Services</td>
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</table>

<table>
<thead>
<tr>
<th>CD- Community Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>FROM: Employee Benefits</td>
</tr>
<tr>
<td>TO: WIA Program</td>
</tr>
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</table>

| 2019 Budget Transfers |
### A- GENERAL FUND

<table>
<thead>
<tr>
<th>FROM:</th>
<th>TO:</th>
<th>Account No.</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Board of Elections</td>
<td>Materials &amp; Supplies</td>
<td>1450-4500-A</td>
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<tr>
<td>Board of Elections</td>
<td>Training</td>
<td>1450-4050-A</td>
<td>2,200.00</td>
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<tr>
<td>Mental Health</td>
<td>Contracts</td>
<td>4310-4900-A</td>
<td>21,430.28</td>
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<tr>
<td>Psychiatric Exp-State Charges</td>
<td>Criminal Actions</td>
<td>4390-4696-A</td>
<td>21,430.28</td>
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</table>

#### 2018 Budget Modifications

**A- GENERAL FUND**

<table>
<thead>
<tr>
<th>INCREASE:</th>
<th>Account No.</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Sales Tax</td>
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<tr>
<td>County Treasurer</td>
<td>Transfer to Enterprise Fund</td>
<td>9502-9000-A</td>
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<tr>
<td>Interfund Transfers</td>
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<td></td>
</tr>
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</table>

#### 2019 Budget Modifications

**A- GENERAL FUND**

<table>
<thead>
<tr>
<th>INCREASE:</th>
<th>Account No.</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Solid Waste &amp; Recycling Prgm</td>
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<td>Solid Waste &amp; Recycling Prgm</td>
<td>Contracts</td>
<td>8160-4900-A</td>
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</table>
RESOLUTION NO. 182-20190605

RESOLUTION – AUTHORIZING CHAIR TO SIGN AGREEMENTS REGARDING BILDERBECK COUNTY FOREST GUARANTEEING PUBLIC ACCESS FOR 25 YEARS IN CONNECTION WITH GRANT APPLICATION BY OTSEGO COUNTY CONSERVATION ASSOCIATION FOR THE OTSEGO COUNTY TRAILS ENHANCEMENT PROJECT

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the Otsego County Conservation Association (OCCA) has applied to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project known as “Otsego County Trail Enhancement Project: Enhancing Recreational Opportunities in Rural Otsego County” to be located in Harry Bilderbeck County Forest, a site located and managed within the territorial jurisdiction of this Board, and Arnold Lake State Forest, Basswood Pond State Forest, and Glimmerglass Swamp Sanctuary within the territorial jurisdiction of this Board; and

WHEREAS, by Resolution No. 211-20180801 this Board approved and endorsed the Trail Enhancement Project and supported the application of OCCA as part of a requirement under the rules of the program that not-for-profit corporations obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”; and

WHEREAS, the program also requires that the County sign a Master Agreement and Covenant and Restriction for Public Access; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized and directed to
agree to the terms and conditions of the Master Contract with OPRHP for such Otsego County Trail Enhancement Project which include guaranteeing public access to the Bilderbeck County Forest for 25 years upon approval of the County Attorney; and be it further

RESOLVED, that the Chair of the Board is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and be it further

RESOLVED, that the Chair of the Board is authorized to execute any other necessary documents required to further the purposes of the project.
LOCAL LAW NO. B OF 2019

COUNTY OF OTSEGO, NEW YORK

A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN OTSEGO COUNTY AND TO ABOLISH LOCAL LAWS NO. 4 AND 5 of 2018 WHICH PREVIOUSLY ESTABLISHED THE ENERGIZE NY BENEFIT FINANCING PROGRAM

Be it enacted by the Board of Representatives of the County of Otsego as follows:

Section 1. Legislative findings, intent and purpose, authority

It is the policy of both the County of Otsego (the “Municipality”) and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).

The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

Section 2. Definitions

Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.

For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Annual Installment Amount** – shall have the meaning assigned in Section 8, paragraph B.

**Annual Installment Lien** – shall have the meaning assigned in Section 8 paragraph B.

**Authority** – the New York State Energy Research and Development Authority.

**Benefit Assessment Lien** – shall have the meaning assigned in Section 3, paragraph A.

**Benefited Property** – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

**Benefited Property Owner** – the owner of record of a Benefited Property.

**EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified...
Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

**Eligible Costs** – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement.

**Enabling Act** – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

**Finance Agreement** – the finance agreement described in Section 6A of this local law.

**Financing Charges** – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.
Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – Otsego County, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or
pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

**Qualified Property** – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

**Qualified Property Owner** – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

**RPTL** – the Real Property Tax Law of the State, as amended from time to time.

**Secured Amount** – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

**State** – the State of New York.

**Section 3. Establishment of an Energize NY Open C-PACE Financing**
Program

An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

Section 4. Procedures for eligibility

Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.

Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 0 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.

If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 0 of this local law.
Section 5. Application criteria
Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;

The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;

Sufficient funds are available from Financing Parties to provide financing to the property owner;

The property owner is current in payments on any existing mortgage on the Qualified Property;

The property owner is current in payments on any real property taxes on the Qualified Property; and

Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

Section 6. Energize NY Finance Agreement
A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”.

Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the
Enabling Act, the Municipal Agreement and this local law have been met.

The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.

EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

Section 7. Terms and conditions of repayment
The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.

The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.

The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.
Section 8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.

The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien,
however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.

Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.

EIC shall act as the Municipality’s agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.

EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.
Section 9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

Section 10. Separability

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 11. Abolish previous Energy Programs established by Local Laws No. 4 and 5 of 2018

Local Law No. 4 and Local Law No. 5 of 2018 Establishing Energize NY Benefit Financing Program are hereby abolished.

Section 12. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Offered by the Solid Waste and Environmental Concerns Committee