

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MARCH 16, 2017**

The Legislature convened at 5:00 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin, read the fire exit announcement and called the Attendance Roll, Present-14, Absent-1 (Pasquale).

The Chairman, Mr. Reynolds led the members of the Legislature in the Pledge of Allegiance to the Flag. The Clerk, Aaron M. Martin offered the invocation followed by a moment of silence.

ANNOUNCEMENTS FROM THE CHAIR

Mr. Flagg and Mr. Weslar were designated with Chairman Reynolds as participants in the "Short Roll Call".

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

- A. Letters from the County Executive, Jason T. Garnar
 - 1 Appointments to Youth Bureau Advisory Board
 - 2 Appointments to Family Violence Prevention Council
 - 3 Appointments to Environmental Management Council
 - 4 Appointment of Acting Director of Public Health

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel J. Reynolds:
 - 1. Designation for Mr. Pasquale – March 6, 2017
- B. Mary Kaminsky and Assemblywomen Lupardo recognized Women's History Month with a Proclamation

Mr. Flagg made a motion, seconded by Mr. Baldwin that the Session minutes of February 16, 2017 be approved as prepared and presented by the Clerk.

Carried. Ayes-14, Nays-0, Absent-1 (Pasquale)

Mr. Reynolds noted that the committee minutes for February 16, 2017 through March 15, 2017 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Wildoner seconded by Mr. Sopchak.

Carried. Ayes-14, Nays-0, Absent-1 (Pasquale)

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

- 1. NYSAC- 2017 Legislative Resolutions
- 2. Health- Order of Succession
- 3. Library- 2016 Annual Report
- 4. Soil & Water- Director's Meeting Minutes 1/17/17
- 5. Discovery Center- Financial Statement 5/31/16
- 6. Land Bank- Bylaws
- 7. SUNY Broome- Board of Trustee Minutes 1/19/17
- 8. SUNY Broome- Budget Transfers
- 9. SUNY Broome- Above Minimum Hire Report 1/17
- 10. Bonadio- 2016 SUNY Broome Audit
- 11. DPW- 2016 Annual Report

RESOLUTIONS HELDOVER FROM A PREVIOUS SESSION

RESOLUTION NO. 70

By Economic Development, Education & Culture Committee Seconded by Mr. Keibel
RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY AGRICULTURAL DISTRICT NOS. 3, 4 AND 5 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO
Carried. Ayes-14, Nays-0, Absent-1 (Pasquale)

RESOLUTION NO. 71

By Economic Development, Education and Culture Committee Seconded by Mr. Pasquale
RESOLUTION ADOPTING A PLAN FOR THE MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICT NOS. 3, 4 AND 5 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW
Carried. Ayes-14, Nays-0, Absent-1 (Pasquale)

RESOLUTION NO. 77

By Public Safety & Emergency Services, Personnel and Finance Committees
Seconded by Mr. Flagg
RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS, ACCEPTANCE OF THE WELFARE FRAUD PROGRAM GRANT, ADOPTING A PROGRAM BUDGET, AND AUTHORIZING AN EMPLOYEE CHANGE IN STATUS FOR THE POSITION OF ASSISTANT DISTRICT ATTORNEY II FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2017-2018
Mr. D. D. Reynolds made a motion, seconded by Mrs. Kaminsky to amend the Resolution to delete the transfer of funds from the Health Department and reflect revenue in the amount of \$38,655 from the District Attorney's Restitution budget.
Amendment failed. Ayes-4, Nays- 10 (Keibel, Shaw, Baldwin, O'Brien, Heebner, Flagg, Sopchak, Wildoner, Baker, D. J. Reynolds), Absent-1 (Pasquale)
Resolution as presented carried. Ayes-10, Nays-4 (Weslar, D. D. Reynolds, Kaminsky, Whalen), Absent-1 (Pasquale)

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 80

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CST/YOUR LINK TO LIFE AND PROJECT H.E.A.R. FOR PERSONAL EMERGENCY RESPONSE SERVICES FOR THE OFFICE FOR AGING FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 55 of 2016, authorized renewal of the agreement with CST/Your Link to Life and Project H.E.A.R. for personal emergency response services for the Office for Aging at the current Medicaid rates for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said agreements are necessary to provide, as needed, installation and monitoring of personal emergency response units for the Expanded In-home Services for the Elderly Program clients, and

WHEREAS, said agreements expire by their terms on March 31, 2017 and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the rates according to Exhibit "A", for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with CST/Your Link to Life, 27475 Meadowbrook Road, Novi, Michigan 48377 and Project H.E.A.R., 4401 Vestal Parkway E., Vestal, New York 13850 for personal emergency response services for the Office for Aging for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the rates according to Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410607(Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 81

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH JEANNE STRACUZZI, R.D. FOR NUTRITION COUNSELING FOR THE OFFICE FOR AGING'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 105 of 2016, authorized renewal of the agreement with Jeanne Stracuzzi R.D. for nutrition counseling for the Office for Aging at the rate of \$50 per hour, total amount not to exceed \$39,000 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said agreement is necessary to provide professional nutritional counseling services required by the Supplemental Nutrition Assistance Program, and

WHEREAS, said agreement expires by its terms on March 31, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$50 per hour, total amount not to exceed \$39,000, for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Jeanne Stracuzzi, R.D., 93 Riley Road, Windsor, New York 13865 for nutrition counseling for the Office for Aging's Supplemental Nutrition Assistance Program for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$50 per hour, total amount not to exceed \$39,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004567.3410612 (Dietary Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 82

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER TO ACT AS FISCAL INTERMEDIARY FOR CONSUMER DIRECTED SERVICES FOR THE OFFICE FOR AGING'S EISEP GRANT FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 54 of 2016, authorized renewal of the agreement with Southern Tier Independence Center to act as fiscal intermediary for consumer directed services for the Office for Aging's EISEP Grant, at the Medicaid rate of \$15.33 per hour, for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said agreement is necessary to operate a Consumer Directed Personal Assistance Program that allows eligible consumers to hire, train, supervise and dismiss if necessary, their own Personal Assistants, and

WHEREAS, said agreement expires by its terms on March 31, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the current Medicaid

rate of \$17.16 per hour for the period April 1, 2017 through March 31, 2018, which will be replaced by the new Medicaid rate when approved retroactive to April 1, 2017, and

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Southern Tier Independence Center, 135 East Frederick Street, Binghamton, New York 13904 to act as fiscal intermediary for consumer directed services for the Office for Aging's EISEP Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the current Medicaid rate of \$17.16 per hour which will be replaced by the new Medicaid rate when approved retroactive to April 1, 2017, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410607 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 83

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE WELLNESS IN NUTRITION (WIN) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 106 of 2016, as amended by Resolution 217 of 2016 and Resolution 15 of 2017, authorized and approved renewal of the Wellness in Nutrition (WIN) Program Grant for the Office for Aging and adopted a program budget in the amount of \$405,579 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides supplemental funding for congregate meals and home delivered meals, as well as nutrition education and counseling, and

WHEREAS, it is desired to renew said grant program in the amount of \$394,634 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$265,301 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Wellness in Nutrition (WIN) Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$394,634, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Wellness in Nutrition (WIN) Program funds as may be allocated by New York State Office for Aging for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 84

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM GRANT, ADOPTING A PROGRAM BUDGET AND RENEWING AN AGREEMENT WITH ACTION FOR OLDER PERSONS INC., FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 103 of 2016, as amended by Resolution 506 of 2016, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program Grant, adopted a program budget in the amount of \$39,168 and authorized an agreement with Action for Older Persons, Inc., to administer said for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides for recruitment and training of volunteers for health insurance counseling, and

WHEREAS, it is desired to renew said grant program in the amount of \$37,677, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,677 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Health Insurance Information and Counseling Assistance Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$37,677, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$37,677 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410614 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Health Insurance Information and Counseling Assistance Program funds as may be allocated by New York State Office for Aging for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 85

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF CAREGIVER RESOURCE CENTER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 101 of 2016, authorized renewal of the Caregiver Resource Center Program Grant for the Office for Aging and adopted a program budget in the amount of \$19,611 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said grant program in the amount of \$19,611 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,611 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Caregiver Resource Center Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$19,611, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Caregiver Resource Center Program funds as may be allocated by New York State Office for Aging for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 86

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 100 of 2016, as amended by Resolution 14 of 2017, authorized and approved renewal of the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the amount of \$918,966 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides personal care and housekeeper/chore services and case management of clients, and

WHEREAS, it is desired to renew said grant program in the amount of \$972,416 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$609,440 from the New York State Office for Aging, Empire State Agency Building 2, Albany,

New York 12223-1251, for the Office for Aging's Expanded In-Home Services for the Elderly Program (EISEP) Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$972,416, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Expanded In-Home Services for the Elderly Program (EISEP) funds, for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 87

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 56 of 2016, authorized agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded In-Home Services for the Elderly Program at approved Medicaid rates, for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said agreements are necessary to provide personal care/homemaker services and nursing visits to EISEP clients, and

WHEREAS, said agreements expire by their terms on March 31, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the approved Medicaid rate for Nursing Supervisor and Personal Care/Homemaker Service, for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2017 through March 31, 2018, and

WHEREAS, because the Medicaid rate changes from time to time, Broome County will pay the contractor for the Personal Care/Homemaker Service the current Medicaid rate listed below, and the Nurse Supervisor will be paid at the current approved Medicaid rates listed below, unless the rates decrease or increase, they will be paid at the lower or higher amount, retroactive to April 1, 2017, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the vendors listed below at the current approved State Medicaid rates for Nursing Supervisor and the current Medicaid fixed rates stated below for the Personal Care/Homemaker Service, for the Office for Aging's Expanded In-Home Care for the Elderly Program for the period April 1, 2017 through March 31, 2018:

Contract # 292-158 Vendor ID# 0000000106 Family & Children's Society of Broome County 257 Main Street	CA# 292-156 Vendor ID#0000002048 Interim Healthcare Systems 38 Front Street, Suite D
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Binghamton, New York 13905 Hourly Rate-Personal Care: \$20.80 Hourly Rate-Nurse Supervisor: \$108.49	Binghamton, New York 13905 Hourly Rate-Personal Care: \$22.46 Hourly Rate-Nurse Supervisor: \$76.83
CA# 292-153 Vendor ID# 0000002768 Stafkings Healthcare Systems P.O. Box 1015 Binghamton, New York 13902-1015 Hourly Rate –Personal Care: \$22.27 Hourly Rate-Nurse Supervisor: \$153.70	CA# 292-154 Vendor ID# 0000001742 Homemakers of Broome County DBA Caregivers 700 Harry L. Drive, Suite 120 Johnson City, New York 13790 Hourly Rate–Personal Care: \$19.06 Hourly Rate-Nurse-Supervisor: \$81.18

and be it

FURTHER RESOLVED, that Broome County will pay the contractor for the Personal Care/Homemaker the current Medicaid rate listed, unless the Medicaid rate for the Personal Care/Homemaker Service decreases, then the County will pay the reduced rate, retroactive to April 1, 2017 should the Medicaid rates increase, the County will pay the higher rate retroactive to April 1, 2017, and be it

FURTHER RESOLVED, that Broome county will pay the contractor for the Nurse Supervisor at the current Medicaid rate listed, unless the Medicaid rate for the Nurse Supervisor decreases, then the County will pay the reduced rate, retroactive to April 1, 2017 should the Medicaid rate for the Nurse Supervisor increase, the County will pay the higher rate retroactive to April 1, 2017, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410607 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 88

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF CONGREGATE SERVICES INITIATIVE (CSI) PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 102 of 2016 authorized and approved renewal of the Congregate Services Initiative Program Grant for the Office for Aging and adopted a program budget in the amount of \$4,813 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides funding for transportation, equipment, recreation supplies, computer equipment, repairs and menu testing at various congregate center meal sites, and

WHEREAS, it is desired to renew said grant program in the amount of \$4,813 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,813 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Congregate Services Initiative Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$4,813, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Congregate Services Initiative Program funds for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 89

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 98 of 2016, as amended by Resolution 505 of 2016, authorized and approved renewal of the Community Services for the Elderly Program Grant for the Office for Aging and adopted a program budget in the amount of \$760,392 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant provides for a variety of services including social day care, transportation, "Senior Helpers", case management and information assistance, and

WHEREAS, it is desired to renew said grant program in the amount of \$761,164 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$364,586 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Community Services for the Elderly Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$761,164, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Community Services for the Elderly Program funds as may be allocated by New York State Office for Aging for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 90

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE ENHANCED WATER SUPPLY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 92 of 2016, authorized and approved renewal of the Enhanced Water Supply Program Grant for the Department of Health and adopted a program budget in the amount of \$133,097 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant enables the Department of Health to monitor the quality, quantity and regulatory compliance of public water supplies in Broome County, and

WHEREAS, it is desired to renew said program grant in the amount of \$133,097 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,097 from the New York State Department of Health, Bureau of Public Water Supply Protection, Corning Tower, Empire State Plaza Room 1110, Albany, New York 12237, for the Department of Health's Enhanced Water Supply Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$133,097, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Enhanced Water Supply Program funds as may be allocated by the New York State Department of Health for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 91

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 87 of 2016, as amended by Resolution 247 of 2016 authorized and approved renewal of the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$65,479, for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant supports the Department of Health's activities in youth tobacco use enforcement and prevention and enforcement of the Clean Indoor Act, and

WHEREAS, it is desired to renew said program grant for the Department of Health in the amount of \$64,065, for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$64,065 from New York State Department of Health, Bureau of Community Sanitation and Food Protection, Empire State Plaza, Corning Tower Room 1395, Albany, New York 12237 for the Department of Health's Youth Tobacco Enforcement and Prevention Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$64,065, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Youth Tobacco Enforcement and Prevention Program funds as may be allocated by New York State Department of Health for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 92

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF JOHNSON CITY FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017

WHEREAS, the Director of Public Health requests authorization for an agreement with the Village of Johnson City for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$2,638 for the period March 16, 2017 through September 30, 2017, and

WHEREAS, said agreement is necessary for the Village of Johnson City to perform duties associated with implementing its Complete Street policy via transportation infrastructure improvements; and mentoring other municipalities to encourage increased and sustained physical activity opportunities through the activities of the Creating Healthy Schools and Communities Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Johnson City, 243 Main Street, Johnson City, New York 13790 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period March 16, 2017 through September 30, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,638 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510531 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 93

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE FLEXIBLE FUNDS FOR FAMILY SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES AND RENEWING THE AGREEMENT WITH THE BROOME COUNTY URBAN LEAGUE AND RISE FOR 2017-2018

WHEREAS, this County Legislature by Resolution 85 of 2016, authorized and approved renewal of the Flexible Funds for Family Services Program Grant in the amount of \$8,363,149 for the period April 1, 2016 through March 31, 2017, and renewed the agreement with the Broome County Urban League in the amount of \$336,784 and RISE in the amount of \$25,000, for various services for the Department of Social Services Flexible Funds for Family Services Program, and

WHEREAS, said program provides services to meet the Child Welfare and TANF Employment objectives for the Department of Social Services by assisting low income families achieve self-sufficiency, and

WHEREAS, it is desired to renew said grant program in the amount of \$8,363,149, adopt a program budget and authorize an agreement with the Broome County Urban League at an amount not to exceed \$336,784 to operate a work experience location for the employable TANF recipients, authorize an agreement with RISE at an amount not to exceed \$25,000 to provide a non-residential domestic violence worker, and Broome County Council of Churches to provide a hands-on job skills training and work experience program at an amount not to exceed \$63,216, for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$8,363,149 from the Office of Temporary Disability Assistance, 40 N. Pearl Street, Albany, New York, for the Department of Social Services Flexible Funds for Family Services Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$8,363,149, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Urban League, 43-45 Carroll Street, Binghamton, New York 13901 to operate a work experience location for the employable TANF recipients for the Department of Social Services Flexible Funds for Family Services Program for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with RISE, P.O. Box 393, Endicott, New York 13761 to provide a non-residential domestic violence worker for the Department of Social Services Flexible Funds for Family Services Program for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County Council of Churches, 3 Otsenigo Street, Binghamton, New York 13903 to provide a hands-on job skills training and work experience program for the Department of Social Services Flexible Funds for Family Services Program for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Broome County Urban League an amount not to exceed \$336,784, RISE an amount not to exceed \$25,000 and Broome County Council of Churches an amount not to exceed \$63,216 for the term of its agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510359 (Other Fees for Services), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Department of Social Services to accept and allocate final funding without further Legislative approval provided

there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 94

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

RESOLUTION AUTHORIZING RENEWAL OF SAFE HARBOR PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER TO ADMINISTER SAID PROGRAM FOR 2017

WHEREAS, this County Legislature, by Resolution 292 of 2015, authorized and approved acceptance of the Safe Harbor Program Grant for the Department of Social Services, adopted a program budget in the amount of \$100,000 and authorized an agreement with Crime Victims Assistance Center to administer said program for the period January 1, 2015 through December 31, 2015, with the option for one one-year renewal at an amount not to exceed the NYS Office of Children and Family Services award amount, and

WHEREAS, said program is designed for local youth under 18 who are victims of human trafficking, growing community awareness and providing treatment and professional education, and

WHEREAS, it is desired to renew said grant program in the amount of \$120,000, adopt a program budget and renew the agreement with Crime Victims Assistance Center to continue to administer said program for the period January 1, 2017 through December 31, 2017, with the option for one one-year renewal at an amount not to exceed the NYS Office of Children and Family Services award amount, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$120,000 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Social Services Safe Harbor Program Grant for the period January 1, 2017 through December 31, 2017, with the option for one one-year renewal at an amount not to exceed the NYS Office of Children and Family Services award amount, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$120,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Crime Victims Assistance Center, 377 Robinson Street, Binghamton, New York 13904 to administer said program grant for the period for the period January 1, 2017 through December 31, 2017, with the option for one one-year renewal at an amount not to exceed the NYS Office of Children and Family Services award amount and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$120,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510360 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Abstain-1 (Kaminsky), Absent-1 (Pasquale)

RESOLUTION NO. 95

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING ACCEPTANCE OF THE HOMELESS CODE BLUE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE VOLUNTEERS OF AMERICA, THE YWCA AND THE YMCA TO ADMINISTER SAID PROGRAM FOR 2017

WHEREAS, the Commissioner of Social Services requests authorization to accept a Code Blue Program Grant, adopt a program budget in the amount of \$143,440, and enter into an agreement with the Volunteers of America, the YWCA, and the YMCA to administer said program for the period December 16, 2016 through March 16, 2017, and

WHEREAS, said program will take all reasonable steps to identify the homeless in Broome County, ensure they are sheltered, and provide all necessary services as well as plan for security upgrades in our shelters, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$143,440 from the New York State Office of Temporary and Disability Assistance, Bureau of Housing and Support Services, 40 North Pearl Street, Binghamton, New York 12243 for the Department of Social Services' Code Blue Program Grant for the period December 16, 2016 through March 16, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$143,440, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Volunteers of America, 320 Chenango Street, Binghamton, New York 13901, the YWCA, 80 Hawley Street, Binghamton, New York, 13901 and the YMCA, 61 Susquehanna Street, Binghamton, New York 13901 to administer said program for the period December 16, 2016 through March 16, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed \$143,440 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 35030006.6004614.3510361 (Other Chargeback Expenses), 35030006.6004573.3510361 (Other Fees for Services), and 35030006.6004147.3510361 (Other Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 96

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING ACCEPTANCE OF CAPITAL ABATEMENT PROJECT FUNDING FOR THE WILLOW POINT NURSING HOME'S PORTABLE OXYGEN PROJECT FOR 2016-2017

WHEREAS, the Administration of the Willow Point Nursing Home requests authorization to accept Capital Abatement Project funding in the amount of \$68,625 for the Willow Point Nursing Homes' Portable Oxygen Project, and

WHEREAS, said funding will be used to purchase 58 portable oxygen concentrators and supplies and replace all liquid oxygen, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$68,625 from the New York State Occupational Safety and Health Hazard Abatement Board, State Campus, Building 12, Room 436, Albany, New York 12240 for the Willow Point Nursing Home's Portable Oxygen Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 27060304.5000808.2720038 (Other State Aid), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 97

By Public Works & Transportation and Finance Committees

Seconded by Mr. Baker

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KEYSTONE ASSOCIATES, ENGINEERS, ARCHITECTS AND SURVEYORS FOR PROFESSIONAL BUILDING ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2014-2016

WHEREAS, this County Legislature, by Resolution 402 of 203, authorized an agreement with Keystone Associates, Architects, Engineers & Surveyors, for professional building engineering services for the Department of Public Works, Parks, Recreation & Youth Services at rates previously approved, total amount not to exceed \$450,000, for the period January 1, 2014 through December 31, 2016, and

WHEREAS, said agreement is necessary to provide professional building (architectural, site and MEP) engineering services on an "as needed" basis for the Department of Public Works, Parks, Recreation & Youth Services, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement to April 30, 2017 at no additional cost in order to complete contracted close-out work associated with the Regional Farmer's Market, and

WHEREAS, the Acting Commissioner of Public Works, Parks, Recreation & Youth Services has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Keystone Associates, Engineers, Architects and Surveyors, 58 Exchange Street, Binghamton, New York 13901, to extend the term of the agreement at no additional cost in order to complete contracted close-out work associated with the Regional Farmer's Market, for professional building engineering services for the Department of Public Works, Parks, Recreation & Youth Services for the period January 1, 2014 through April 30, 2017, and be it

FURTHER RESOLVED, that Resolution 402 of 2013, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Abstain-1 (D.J. Reynolds), Absent-1 (Pasquale)

RESOLUTION NO. 98

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING AN AGREEMENT WITH ROSANNE SALL ADVERTISING, INC., FOR PROFESSIONAL ADVERTISING MARKETING SERVICES AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2017-2018

WHEREAS, RFP 2017-013 Airport Advertising Concession for the Greater Binghamton Airport was issued, and

WHEREAS, as a result of said RFP the Commissioner of Aviation requests authorization for an agreement with Rosanne Sall Advertising, Inc. for professional advertising marketing services at the Greater Binghamton Airport for the Department of Aviation for the period April 1, 2017 through March 31, 2018, with the option for three one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary for Airport Advertising Concession for the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Rosanne Sall Advertising, Inc., 88 Main Street, Binghamton, New York 13905, for professional advertising services at the Greater Binghamton Airport for the Department of Aviation for the period April 1, 2017 through March 31, 2018, with the option for three one-year renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive 60% of net billings for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 210070.0103.207000 (Advertising Fees), and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 99

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE JOB ACCESS REVERSE COMMUTE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION AND ADOPTING A PROGRAM BUDGET FOR 2017

WHEREAS, this County Legislature, by Resolution 61 of 2016, authorized and approved renewal of the Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the Department of Public Transportation and adopted a program budget in the amount of \$482,434 for the period January 1, 2016 through December 31, 2016, and

WHEREAS, said program grant provides funding for BC Transit services, and
WHEREAS, it is desired to renew said grant program in the amount of \$451,767 for the period January 1, 2017 through December 31, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$451,767, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 100

By Public Works & Transportation and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF AVIATION'S NORTH APRON GLYCOL TANK CONNECTION TO SANITARY SEWER PROJECT FOR 2017

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc., for professional services for the Department of Aviation at a cost not to exceed \$36,541 for the period March 20, 2017 through June 20, 2017, and

WHEREAS, this County Legislature, by Resolution 535 of 2016, approved McFarland Johnson, Inc. for professional engineering services for the Department of Aviation for the period of January 1, 2017 through December 31, 2022, and

WHEREAS, said agreement is necessary for design and construction services for the Greater Binghamton Airport North Apron Glycol Tank Connection to Sanitary Sewer Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland Johnson Inc., P.O. Box 1980, Binghamton, New York 13902 for professional engineering services outlined on Exhibit "A" for the Department of Aviation for the period March 20, 2017 through June 20, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates listed on Exhibit "B" total amount not to exceed \$36,541 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 28010005.6002207.2820008 (Improvements Other than Building), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 101

By County Administration and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH CCSI FOR WEBSITE DEVELOPMENT AND MAINTENANCE SERVICES PROVIDED BY THE BROOME COUNTY DIVISION OF INFORMATION TECHNOLOGY FOR 2017-2018

WHEREAS, the Director of Information Technology requests authorization for an agreement with CCSI for website development and maintenance services provided by the Division of Information Technology at the base rate of \$250 per year plus \$81 per hour for any additional customizations or development work that is requested for the period January 1, 2017 through December 31, 2018, and

WHEREAS, said agreement is necessary for promisezone.zone, BCPromiseZone.com, BCPromiseZone.org website and development provided by the Division of Information Technology, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CCSI, 1099 Jay Street, Building J. Rochester, New York 14611-1153 for website development and maintenance services provided by the Division of Information Technology for the period January 1, 2017 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County the base rate of \$250 per year plus \$81 per hour for any additional customizations or development work that is requested for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 10000002.5000426 (Miscellaneous), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 102

By Finance Committee

Seconded by Mr. Baldwin

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY

WHEREAS, the County of Broome now owns real property as listed on Exhibit "A", and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property as indicated on Exhibit "A", now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as indicated on Exhibit "A" attached herewith, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 17000001.50000002.1010 (Gain on Sale), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the new owners, together with other such documents as may be necessary to implement the intent of this Resolution.

Heldover by Mr. Sopchak

RESOLUTION NO. 103

By Finance and Public Works & Transportation Committees

Seconded by Mr. Flagg

RESOLUTION AMENDING THE 2017 CAPITAL IMPROVEMENT PROGRAM OREGON HILL ROAD BRIDGE PROJECT

RESOLVED, that the 2017 Capital Improvement Program is hereby amended to create a new project for the Oregon Hill Road Bridge (BIN 3349520) over Big Brook Construction and Construction Inspection as follows:

Code	Project Name	Total	Estimated Construction Cost:		
			State	Federal	County
2920084	Oregon Hill Rd Bridge	\$1,400,000	\$0	\$1,330,000	\$70,000

(BIN 3349520)
Construction

Local Finance Law Section 11				How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2017	20	10	\$1,400,000	\$0	

and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and Comptroller are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 104

By Finance and Public Works & Transportation Committees Seconded by Mrs. Kaminsky
RESOLUTION AMENDING THE 2013 CAPITAL IMPROVEMENT PROGRAM FINAL PLANS & BID DOCUMENTS FOR SEC. IV PROJECT

RESOLVED, that the 2013 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:			<u>County</u>
			<u>State</u>	<u>Other</u>		
3820045	Final Plans & Bid Documents for Sec. IV Cell III	\$200,000	\$0	\$200,000	\$0	

Local Finance Law Section 11				How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2013	25	6	\$0	\$200,000	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:			<u>County</u>
			<u>State</u>	<u>Other</u>		
3820045	Final Plans & Bid Documents for Sec. IV Cell III & Cell IV	\$200,000	\$0	\$200,000	\$0	

Local Finance Law Section 11				How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2013	25	6	\$0	\$200,000	

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and Comptroller are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 105

By Finance and Public Works & Transportation Committees Seconded by Mrs. Kaminsky
RESOLUTION AMENDING THE 2016 CAPITAL IMPROVEMENT PROGRAM ARENA SECURITY UPGRADE PROJECT

RESOLVED, that the 2016 Capital Improvement Program is hereby amended as follows:
FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Other</u>		
3920018	Arena Security Upgrade	\$75,000	\$0	\$0		\$75,000

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
			<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
			2016	32	5	\$75,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Other</u>	<u>County</u>
3920018	Arena Security Upgrade	\$75,000	\$0	\$0	\$75,000

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
			<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
			2016	<u>5</u>	<u>32</u>	\$75,000	\$0

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and Comptroller are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 106

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING AN AGREEMENT WITH ROSANNE SALL ADVERTISING, INC. FOR ADVERTISING MARKETING SERVICES FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2017-2018

WHEREAS, RFP 2017-003 Advertising on Broome County Department of Transportation Buses and Other Inventory was issued, and

WHEREAS, as a result of said RFP the Commissioner of Public Transportation requests authorization for an agreement with Rosanne Sall Advertising, Inc. for advertising marketing services for the Department of Public Transportation for the period February 1, 2017 through December 31, 2018, and

WHEREAS, said services are necessary for advertising on all buses, bus shelters, map system guides and paper schedules owned and/or operated by BC Transit, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Rosanne Sall Advertising, Inc., 88 Main Street, Binghamton, New York 13905, for advertising marketing services for the Department of Public Transportation for the period February 1, 2017 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive 60% of net billings for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.5000128 (Advertising Revenue), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 107

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE IN RELATION TO THE OREGON HILL ROAD BRIDGE OVER BIG BROOK PROJECT

WHEREAS, a Project for the replacement of the Oregon Hill Road Bridge over Big Brook, P.I.N. 9754.45 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of costs for such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby approves the above-subject project, and be it

FURTHER RESOLVED, that the Broome County Legislature hereby authorizes the County of Broome to pay in the first instance 100% of the Federal and non-Federal share 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 \$1,400,000 is hereby appropriated pursuant to the 2017 Capital Improvement Program, to cover the cost of the additional project phases, and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Broome County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it

FURTHER RESOLVED, that the County of Broome hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction, and be it

FURTHER RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-Aid and/or State-Aid on behalf of the County of Broome 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 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 be it

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 108

By Public Works and Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND-JOHNSON, INC., FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2011-2015

WHEREAS, this County Legislature, by Resolution 362 of 2011, as amended by Resolutions 477 of 2013 and 501 of 2014 authorized an agreement with McFarland-Johnson, Inc., for professional engineering services for the Department of Public Works at a cost not to exceed \$253,609 for the period October 1, 2011 through December 31, 2015, and

WHEREAS, said agreement is necessary for design work associated with Oregon Hill Road Over Big Brook Bridge Replacement (BIN 3349520) Project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount and extend the period through December 31, 2018 for the bidding and construction phase of said project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland-Johnson, Inc., P.O. Box 1980, Binghamton, New York 13902 to increase the not to exceed amount by \$221,420 and extend the period through December 31, 2018 for the bidding and construction phase of said project, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$475,029, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 29010105.6002205.2920084 (Bridges), and be it

FURTHER RESOLVED, that Resolutions 362 of 2011, 477 of 2013 and 501 of 2014, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 109

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE OFFICE OF THE SHERIFF

RESOLVED, that in accordance with a request contained in PCR# 17-19 from the Broome County Sheriff, this County Legislature hereby upgrades the position of Deputy Sheriff Civil, Grade 19, Union Code 09 Admin, minimum annual salary \$43,085, 37.5 hours weekly, budget line 23020103.6001000.1010 to Deputy Sheriff, Grade DS2, Union Code 26, Law Enforcement Local 8500, minimum annual salary \$50,658, 40 hours weekly, budget line 23020103.6001000.1010 effective March 17, 2017.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 110

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 90 of 2016, authorized and approved renewal of the Immunization Action Plan Program Grant for the Department of Health and adopted a program budget in the amount of \$99,880 and authorized the Department of Health to accept and allocate additional grant funds in the amount of \$8,230 for a cost of living adjustment for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant monitors and improves immunization rates for children through 24 months of age and supports educational activities and clinics, and

WHEREAS, it is desired to renew said program grant in the amount of \$99,880 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$99,880 from the New York State Department of Health, Corning Tower, Nelson A. Rockefeller Center, Empire State Plaza, Albany, New York 12237 for the Department of Health's Immunization Action Plan Program Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$99,880, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Immunization Action Plan Program funds as may be allocated by New York State Department of Health for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 111

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE CANCER SERVICES PROGRAM OF THE SOUTHERN TIER GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 52 of 2016 authorized and approved renewal of the Cancer Services Program of the Southern Tier for the Department of Health and adopted a program budget in the amount of \$310,000 and authorized the Department of Health to accept and allocate additional grant funds in the amount of \$25,544 for a cost of living adjustment for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program offers breast, cervical and colorectal cancer screening services to uninsured individuals in Broome, Chenango, Chemung, Schuyler and Tioga counties, and

WHEREAS, it is desired to renew said program grant in the amount of \$310,000 for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$310,000 from the New York State Department of Health, Bureau of Chronic Disease, Corning Tower, Empire State Plaza, Albany, New York 12237, for the Department of Health's Cancer Services Program of the Southern Tier Grant for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$310,000, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Cancer Services Program of the Southern Tier Grant funds as may be allocated by New York State for the period April 1, 2017 through March 31, 2018, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 112

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CHEMUNG COUNTY HEALTH DEPARTMENT FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S CANCER SERVICES PROGRAM OF THE SOUTHERN TIER FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 89 of 2016, authorized renewal of an agreement with the Chemung County Health Department for professional services for the Department of Health's Cancer Services Program of the Southern Tier at an amount not to exceed \$38,000 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said agreement is necessary for outreach, education, case management, data collection and input services, and

WHEREAS, said agreement expires by its terms on March 31, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$42,000, for the period April 1, 2017 through March 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chemung County Health Department, 103 Washington Avenue, Elmira, New York 14902 for professional services for the Department of Health's Cancer Services Program of the Southern Tier for the period April 1, 2017 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$42,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510545 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 113

By Public Works & Transportation and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2017-2019

WHEREAS, the Acting Commissioner of Public Works requests authorization for an agreement with O'Brien & Gere, Inc., for professional engineering services for the Department of Public Works at a cost not to exceed \$249,500, for the period April 1, 2017 through December 31, 2019, and

WHEREAS, said agreement is necessary for remediation design of Watershed Site 9A, Project 1520069, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, Inc., P.O. Box 8000, Binghamton, New York 13902 for professional engineering services for the Department of Public Works for the period April 1, 2017 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$249,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 15010001.6002204.1502069 (Other Improvements), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 114

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AMENDING BOND RESOLUTION 13-570 DATED DECEMBER 19, 2013 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME NEW YORK AS AMENDED BY BOND RESOLUTION 2014-45, BOND RESOLUTION 2015-73, BOND RESOLUTION 2015-119 AND BOND RESOLUTION 2016-75 WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to incorporate the following additions and changes:

<u>Project Name</u>	<u>PPU/LFL</u> <u>Section 11.00</u>	<u>Maximum Estimated Cost</u>
Farmers Market Construction	15/11(2c)	\$1,982,340

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$75,000 for the Farmers Market Construction with the amount of serial bonds to be issued increased by \$75,000 to \$47,888,993 and the amount of State funds being increased \$300,000 being allocated \$300,000 to the Farmers Market Construction Project, and the amount of Federal funds remaining unchanged.

Section 3. The validity of such bond and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting said validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution

Section 4. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 115

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AMENDING BOND RESOLUTION 14-558 DATED DECEMBER 19, 2014 AS AMENDED BY BOND RESOLUTION 15-74 DATED FEBRUARY 19, 2015 AND BOND RESOLUTION 16-76 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME NEW YORK

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to incorporate the following additions and changes:

<u>Project Name</u>	<u>PPU/LFL</u> <u>Section 11.00</u>	<u>Maximum Estimated Cost</u>
Runway 16/34 Rehab Design	30/15	\$518,294

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$18,294 for Design Rehab Runway 16/34 with the amount of serial bonds to be issued increased by \$18,294 to \$29,725,294 and the amount of Federal funds being increased \$16,000 being allocated to the Design Rehab Runway 16/34 Project, and the amount of State funds being increased by \$889 being allocated \$889 to the Design Rehab Runway 16/34 Project.

Section 3. The validity of such bond and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting said validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution

Section 4. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 116

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AMENDING BOND RESOLUTION 15-403 DATED NOVEMBER 5, 2015 AS AMENDED BY BOND RESOLUTION 2016-77 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME NEW YORK

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to incorporate the following additions and changes:

<u>Project Name</u>	<u>PPU/LFL</u> <u>Section 11.00</u>	<u>Maximum Estimated Cost</u>
DPW Skid Steer Loader	15/28	\$45,000
Runway 16/34 Rehab Construction	30/15	\$11,388,054
Core Building Rehab Phase I	15/91	\$7,300,000
Demolish Building	10/12-a	\$300,000
Parking Lot Expansion	10/20(f)	\$355,000

Public Safety Electric	10/13	\$200,000
Systematic Roof Repairs	15/12(a)(2)	\$450,000
Arena Security Upgrades	5/32	\$75,000
Purchase Three Clean Diesel Buses 1	0/29(a)	\$1,314,000
Highway Reconstruction/Rehabilitation	15/20(c)	\$3,323,000
Public Safety Communications Upgrade	10/98	\$2,000,000

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$45,000 for the Skid Steer Loader project, increased by \$11,388,054 for the Runway 16/34 Rehab Construction Project,, increased by \$7,300,000 for the Core Building Rehab Phase I project, increased by \$300,000 for the Demolish Building Project, increased by \$105,000 for the Parking Lot Expansion Project, increased by \$200,000 for the Public Safety Electric Project, increased by \$100,000 for the Systematic Roof Repairs Project, increased by \$75,000 for the Arena Security Upgrades Project, increased by \$438,000 for the Purchase Three Clean Diesel Fuel Buses Project, increased \$823,000 for the Highway Reconstruction/Rehabilitation Project and increased by \$2,000,000 for the Public Safety Communications System Upgrade Project with the amount of serial bonds to be issued increased by \$22,774,054 to \$50,915,554 and the amount of Federal funds increased \$10,301,432 being allocated \$62,397 to the Purchase Three Clean Diesel Buses Project and \$10,239,035 to the Runway 16/34 Rehab Construction Project and the amount of State Funds increased by \$6,045,574 being allocated \$823,000 to the Highway Reconstruction/Rehabilitation Project, \$603,739 to the Purchase Three Clean Diesel Buses Project, \$568,835 to the Runway 16/34 Rehab Construction Project, \$3,900,000 to the Core Building Rehab Phase I Project and \$150,000 to the Demolish Building Project

Section 3. The validity of such bond and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting said validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution

Section 4. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 117

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AMENDING BOND RESOLUTION 16-425 DATED NOVEMBER 10, 2016 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME NEW YORK ON SAID DATE WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to incorporate the following additions and changes:

<u>Project Name</u>	<u>PPU/LFL Section 11.00</u>	<u>Maximum Estimated Cost</u>
Oregon Hill Road Bridge	20/10	\$ 1,400,000

Construction

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$1,400,000 for the Oregon Hill Road Bridge Construction project, with the amount of serial bonds to be issued increased by \$1,400,000 to \$15,742,875 and the amount of Federal funds increased \$1,330,000 being allocated \$1,330,000 to the Oregon Hill Road Bridge Construction project

Section 3. The validity of such bond and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting said validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution

Section 4. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 118

By Economic Development, Education and Culture Committee Seconded by Mr. Flagg
RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

WHEREAS, Jason T. Garnar, County Executive, pursuant to the authority vested in him by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980 has duly designated and appointed the following named individuals to membership on the Broome County Environmental Management Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Anthony (Tony) Lubzanski 1403 Oakdale Road Johnson City, New York 13790	12/31/18 Reappointment
Jo Render 23 Clarendon Drive Binghamton, New York 13901	12/31/18 Reappointment
Dylan Horvath 71 Bernice Street Johnson City, New York 13790	12/31/17
Karen Ciatyk 147 Glenwood Avenue Binghamton, New York 13790	12/31/17
Chris W. Burger 110 Walters Road Whitney Point, New York 13862	12/31/17
Lawrence (Larry) Lepak 1023 Gabriella Avenue	12/31/17

Endicott, New York 13790

Ian Jensen 12/31/17
5 Pine Street
Binghamton, New York 13901

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, hereby confirms the appointment of the above-named individuals to membership on the Broome County Environmental Management Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 119

By Personnel, Public Safety & Emergency Services and Finance Committees
Seconded by Mr. Flagg

RESOLUTION AUTHORIZING THE HIRING OF TORRANCE L. SCHMITZ AS SENIOR ASSISTANT DISTRICT ATTORNEY ABOVE THE MINIMUM SALARY

WHEREAS, the District Attorney has recommended the hiring of Torrance L. Schmitz as Senior Assistant District Attorney, AT 3, at the annual salary of \$83,265, which is above the minimum salary of \$79,662, and

WHEREAS, Torrance L. Schmitz is qualified for said position and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Torrance L. Schmitz as Senior Assistant District Attorney, AT 3, at the annual salary of \$83,265, effective March 13, 2017.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 120

By Health and Human Services Committee Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, as amended by Resolutions 277 of 1990 and 171 of 1999, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Susan Link	12/31/2019
147 E. Frederick Street	New Appointment
Binghamton, NY 13904	

Cheryl Sullivan	12/31/2017
1933 Cole Place	New Appointment
Vestal, NY 13850	(Filling unexpired term of Arthur Garrison)

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions by Resolution 477 of 1985, as amended by Resolutions 277 of 1990 and 171 of 1999, confirms the appointments of the above-named individuals to membership on the Broome County Family Violence Prevention Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 121

By County Administration Committee

Seconded by Mr. Flagg

RESOLUTION URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO RESCIND OR REDUCE UNFUNDED MANDATES IMPOSED ON COUNTIES, MUNICIPALITIES, SCHOOL DISTRICTS AND BUSINESSES AND SUPPORTING THE ADOPTION OF SENATE BILL S.2323 (GRIFFO) AND ASSEMBLY BILL A.2922 (BRINDISI)

WHEREAS, counties, municipalities, school districts and businesses are burdened by unfunded mandates imposed upon them by New York State and the cost of these unfunded mandates is passed on to the local taxpayer, and

WHEREAS, several of the many unfunded mandates include, Medicaid, Public assistance for adults and families, Indigent criminal defense legal services, Child welfare, Preschool special education, and

WHEREAS, according to the New York State Association of Counties (NYSAC) Medicaid costs all New York State Counties and New York City \$7.4 billion each year, while all other state mandates consume an additional \$5 billion, and

WHEREAS, in Broome County alone, Medicaid will cost the County \$36,683,504 in 2017, and

WHEREAS, property taxes in New York State are 71.5% above the national average and New York is the 10th highest state for property taxes, largely due to unfunded mandates imposed on local counties, municipalities and school districts, and

WHEREAS, legislation has been introduced by Senator Joseph A. Griffo and Assemblyman Anthony J. Brindisi, and is co-sponsored by Senator Frederick J. Akshar II, Assemblymembers Clifford W. Crouch, Donna A. Lupardo, and Christopher S. Friend, which would require any state mandated program imposed on municipalities and school districts to be funded by the state if there is a net additional cost, now, therefore be it

RESOLVED, that this County Legislature encourages local municipalities, school districts and businesses to call upon Governor Cuomo and the New York State Legislature to rescind or reduce unfunded mandates, and be it

FURTHER RESOLVED, this County Legislature urges Governor Cuomo and the New York State Legislature to rescind or reduce unfunded mandates or provide the funds to implement the requirements of said mandates to counties, local municipalities, school districts and businesses, and be it

FUTHER RESOLVED, that this County Legislature commends the introduction and urges the passage of Senate Bill S.2323 and companion Assembly Bill A.2922, which has been passed by the New York State Senate the last two years in a row but stalled in the New York State Assembly, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, and the New York State Association of Counties (NYSAC).

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 122

By County Administration and Public Safety & Emergency Services Committees

Seconded by Mr. Flagg

RESOLUTION URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO FULLY FUND INDIGENT LEGAL SERVICES ACROSS NEW YORK STATE

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of Gideon vs. Wainwright, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties and that decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with most costs for this state responsibility, to which the shift of costs for this mandated service has become so imbalanced that the counties of New York now cover more than 80% of the cost, and

WHEREAS, last year, the New York State Senate and Assembly passed historic legislation entitled the Public Defense Mandate Relief Act (S.8114/A.10706) which would have required New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing incrementally in 2017 and reaching 100% in 2023 and thereafter, and

WHEREAS, on December 31, 2016 Governor Cuomo vetoed said legislation and stated in his veto message that the legislation would unfairly shift this tax burden from the counties to the state, of which the opposite is true since the state has been shifting these federally-mandated costs to the counties since 1965, and

WHEREAS, requiring counties to continue financing the State's obligation to provide public defense services imposes a significant uncontrollable financial burden on counties dependent on real property taxes to fund needed services and subject to a State-imposed tax cap that would have been remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly last year, and

WHEREAS, Governor Cuomo has proposed as part of the 2017 New York State Budget that the State will fund one hundred percent of the costs necessary for indigent legal services to all of the counties in New York State and the City of New York, with fiscal oversight through the Division of Budget, which would save the taxpayers of Broome County approximately \$5,000,000 annually, now, therefore, be it

RESOLVED, that this County Legislature hereby strongly urges Governor Cuomo and the New York State Legislature to enact provisions in the 2017 New York State Budget similar to those in the Public Defense Mandate Relief Act (S.8114/A.10706) of 2016, fulfilling the State's obligation under Gideon vs. Wainwright, 372 U.S. 335, relieving the taxpayers of Broome County and the other counties of the State and New York City to fund this State mandate, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of the resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, and the New York State Association of Counties (NYSAC).

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 123

By County Administration Committee

Seconded by Mr. Flagg

RESOLUTION URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO INCREASE THE COUNTIES' SHARE OF DEPARTMENT OF MOTOR VEHICLES REVENUE TO PROVIDE A MORE EQUITABLE SHARE FOR COUNTIES OPERATING LOCAL DMV OFFICES AND SUPPORTING THE ADOPTION OF SENATE BILL S.1908 (RITCHIE) AND ASSEMBLY BILL A.3397 (BRINDISI)

WHEREAS, in New York State 51 of 62 counties are mandated to operate a local DMV Office, and

WHEREAS, local DMV Offices provide customer service and process many no-fee transactions on behalf of New York State, and

WHEREAS, under current law, the New York State share of all fees collected from the work performed by the county operated DMV's is 87.3%, and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the local DMV has increased in that same time period, and

WHEREAS, state officials have repeatedly stated that lowering the property tax burden on local residents is a high priority, and

WHEREAS, increasing the county DMV revenue sharing rate with the State will not result in any increased cost or fees to local residents or taxpayers but will provide counties with the needed revenue necessary to continue to provide necessary local government services, and

WHEREAS, there is a clear inequity present when a County DMV provides all the services, including overhead and staffing to fulfill DMV needs for state residents, yet the State is paid 87.3% of the revenues generated from said services, and

WHEREAS, legislation has been introduced by Senator Patricia A. Ritchie and Assemblyman Anthony J. Brindisi, and is co-sponsored by Senator Frederick J. Akshar II, Assemblymembers Clifford W. Crouch and Donna A. Lupardo, which would increase the counties' share of DMV revenue to 25%, providing a more equitable share for counties, now therefore, be it

RESOLVED, this County Legislature and County Clerk Richard R. Blythe urge Governor Cuomo and the New York State Legislature to increase the counties' share of DMV Revenue, which will provide for a more equitable share for counties, and be it

FURTHER RESOLVED, that this County Legislature and County Clerk Richard R. Blythe commend the introduction and urge the passage of Senate Bill S.1908 and companion Assembly Bill A.3397, which has been passed in the New York State Senate the last two years in a row but stalled in the New York State Assembly, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, and the New York State Association of Counties (NYSAC).

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 124

By County Administration, Public Safety & Emergency Services and Personnel Committees

Seconded by Mr. Flagg

RESOLUTION URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018, and

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law, and

WHEREAS the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary, and

WHEREAS, on April 1st the state approved the Commission's recommendation, and

WHEREAS, State Judiciary Law 183-a establishes that county district attorneys' (DAs) salaries, in a county such as Broome, are to be equal to or higher than the County Court Judge in the county, and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties, and

WHEREAS, DAs are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

WHEREAS, the State Legislature enacted a \$150 billion State Budget in 2016 that did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries, and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, now, therefore, be it

RESOLVED, that this County Legislature urges Governor Cuomo and the New York State Legislature to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of the resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, and the New York State Association of Counties (NYSAC).

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 125

By Economic Development, Education & Culture Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY LAND BANK BOARD OF DIRECTORS

WHEREAS, this Broome County Legislature, pursuant to the authority vested in them by Resolution 374 of 2011 and the by-laws of the Broome County Land Bank on file with the Broome County Legislature, has duly designated and appointed the following named individuals to membership on the Broome County Land Bank Board of Directors, for the term indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Thomas R. Augostini 70 Martin Avenue Johnson City, NY 13790	December 31, 2017 New Appointment
Jennifer Gregory, Executive Director STERPDB 49 Court Street, Suite 222 Binghamton, NY 13901	December 31, 2017 New Appointment (Filling unexpired term of Erik Miller)
Daniel D. Reynolds 2404 Charleston Avenue Vestal, NY 13850	December 31, 2017 New Appointment (Filling unexpired term of Jason T. Garnar)
Linda Shumaker 37 Coventry Lane Binghamton, New York 13903	December 31, 2017 New Appointment

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 374 of 2011 and the by-laws of the Broome County Land Bank on file with the Broome County Legislature, confirms the appointment of the above-named individuals to membership on the Broome County Land Bank Board of Directors for the term indicated.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 126

By County Administration Committee

Seconded by Mrs. Kaminsky

RESOLUTION AFFIRMING BROOME COUNTY'S SUPPORT OF LEGAL IMMIGRANTS AND REFUGEES AND ENCOURAGING PROGRAMS TO FOSTER INCLUSION, EQUALITY, AND CULTURAL DEVELOPMENT

WHEREAS, Broome County fosters a culture and environment that makes it a vibrant county where our immigrant and refugee residents can fully participate in and be integrated into the social, civic, and economic fabrics of Broome County, and

WHEREAS, Broome County benefits tremendously from the large number of diverse immigrants, refugees, and foreign students who greatly contribute to the development of a culturally and economically diverse and enriched community, and

WHEREAS, throughout the history of Broome County, it has always been and will continue to be a welcoming community. Scores of elected officials and County employees have been sons and daughters of immigrants, and elected leaders have been foreign born or first generation immigrants themselves, and

WHEREAS, Broome County serves all residents and makes county services accessible to all who are eligible, and

WHEREAS, Broome County is committed to continue building a welcoming and safe environment where all legal immigrants and refugees are welcomed, accepted, and integrated; and to encourage business leaders, civic groups, community institutions, and residents to join in a community-wide effort to advance practices that promote inclusion and equity, and

WHEREAS, since 1939, the American Civic Association of Binghamton ("ACA"), has been committed to helping immigrants and refugees start a new life in our community, while preserving their cultural ethnic diversity, and

WHEREAS, for more than 75 years, the ACA has provided immigration and refugee resettlement services, language and general education classes, as well as cultural and ethnic preservation, and

WHEREAS, the ACA continually provides critical support throughout the difficult process of legal immigration and resettlement, despite extraordinary and calamitous events in its own history, thus, serving as a model for Broome County residents and all Americans in this effort, and

WHEREAS, this Resolution is a collaborative effort, now speaking with one voice in support of legal immigrants and refugees, now, therefore, be it

RESOLVED, that Broome County will celebrate its diversity by continuing to welcome and support legal immigrants and refugees from all nationalities, religions, and backgrounds, fostering inclusion for all, and be it

FURTHER RESOLVED, that Broome County's elected officials and employees support the efforts of local immigration services, such as the American Civic Association of Binghamton, in developing educational, public outreach, and cultural awareness programs regarding legal immigration and refugee policies.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

RESOLUTION NO. 127

By County Administration and Finance Committees

Seconded by Mr. Sopchak

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING AGREEMENTS WITH THE SCHOOL DISTRICTS IN BROOME COUNTY FOR ELECTION SERVICES PROVIDED BY THE BROOME COUNTY BOARD OF ELECTIONS FOR 2017

WHEREAS, the Commissioners of the Board of Elections requests authorization for Memorandum of Understanding agreements, annexed hereto as Exhibit "A", with the school districts in Broome County for election services provided by the Broome County Board of Elections at a revenue to the County at rates as shown in Exhibit "A", for the period March 1, 2017 through May 31, 2017, and

WHEREAS, said agreements are necessary for the Broome County Board of Elections to provide school districts in Broome County with election services consisting of the provision and usage of voting machines, all equipment and supplies necessary to conduct voting operations, as well as training and assistance concerning voting operations for school district budget votes and school board elections, which are slated to be held on May 16, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Memorandum of Understanding agreements, annexed hereto as Exhibit "A", with the school districts in Broome County for election services provided by the Broome County Board of Elections for the period March 1, 2017 through May 31, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractors shall pay the County at rates shown in Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 07000001.5000179 (Charges for Services), and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1, (Pasquale)

Mrs. O'Brien and Mr. Flagg commended county workers from the Office of Emergency Services, Department of Public Works and Highway Division for and outstanding job during the recent snow storm.

Mr. Flagg made a motion to adjourn, seconded by Mr. Shaw. **Motion to adjourn Carried. Ayes-14, Nays-0, Absent-1, (Pasquale).** The meeting was adjourned at 6:23 p.m.

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