

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
AUGUST 17, 2017**

The Legislature convened at 4:30 p.m. at the Broome County Regional Farmers Market, 840 Upper Front Street, Binghamton 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 (Keibel).

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. Baldwin and Mrs. Kaminsky were designated with Chairman Reynolds as participants in the "Short Roll Call".

The Chairman announced the Seventh Annual Fresh from the Farm Maple Throwdown. Chairmen Reynolds introduced the event judges Kristen Cox Roby, Peter Gilligan, Nancy Hauptfleisch and Bob Joseph. Guest Speakers were Vicki Giarratano, Executive Director of Cornell Cooperative Extension of Broome County, and Melody Bush, a local maple producer. Girl Scout Troop 30967 made *Maple Ribbon Breakfast Cups* with maple syrup provided by Molyneaux Plantation & Tree Farm and won "Most Creative". Cornell Cooperative Extension CITIZEN U made *Par-Tay Maple Parfaits, Maple with a Chance of Meatballs, Banana Bread with Maple you crumble and Whose "Cider" you on?* with maple syrup provided by Split Maple Farm and won "Best Taste". Milk Duds made *Maple-Nut Wafflewiches* with maple syrup provided by Bush's Syrup House and won "Most Local" and "People's Choice". Teen Action Group made *Maple Bacon Crackle* with maple syrup provided by Coles Turnpike Tree Farm and won "Best Story". VINES Grow Binghamton Program made *Maple Mille-Crepe Cake* with maple syrup provided by River's Edge and won "Best Taste". Boys & Girls Club of Western made *Canadian Maple Pie with Maple Candied Walnuts* with maple syrup provided by Sugar Creek Maple Farm and won "Best Presentation".

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE**

- A. Letters from the County Executive, Jason T. Garnar
  - 1. State of Emergency Order/Cancellation July 24 – August 7, 2017
  - 2. Emergency Order- Tipping Fee Waiver July 24 – August 7, 2017
  - 3. Shared Services Initiative Plan – July 27, 2017

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

- A. Letters from the Chair, Daniel J. Reynolds:
  - 1. Drug Treatment RFP Letter – August 4, 2017
  - 2. Designation for Mr. Baldwin – August 8, 2017
  - 3. Designation for Mr. Wildoner – August 8, 2017

Mr. Weslar made a motion, seconded by Mr. Pasquale that the Session minutes of July 20, 2017 be approved as prepared and presented by the Clerk.

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

Mr. Reynolds noted that the committee minutes for July 20, 2017 through August 16, 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. Baldwin seconded by Mr. Baker.

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

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS**

1. SUNY Broome- Adopted Budget Fiscal Year 2017-18
2. Assemblyman Crouch – Receipt of Consolidation Lisle Vital Records
3. Bonadio – Single Audit Reports
4. Audit & Control – County Annual Financial Report
5. Audit & Control – Accounts Payable Documentation Audit Q1 2017
6. Audit & Control – Quarterly Report Q2 2017
7. Audit & Control – Quarterly Sales Tax Report Q2 2017
8. Soil & Water – Directors' Meeting Minutes – June 20, 2017
9. Historical Society – Annual Report of County Funds Usage
10. NYS Dept. of Tax & Finance – 2017 State Equalization Rates
11. NYS Dept. of State – Local Law 2 2017 Filed
12. NYS Dept. of Health – Consolidation Order Village & Town of Lisle – July 18, 2017
13. Legislature – Board of Ethics Meeting Notice – July 27, 2017
14. Legislature – Affidavit of Posting & Resolution 2017-185
15. Legislature – August Session Change Notice
16. Town of Vestal – State of Emergency Declaration July 24, 2017
17. Town of Vestal – State of Emergency Cancellation August 1, 2017
18. Town of Vestal – Emergency Order June 9, 2017
19. Health Dept. – 2016 Annual Report
20. District Attorney – Traffic Diversion Report – July 28, 2017

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 276**

By Public Safety & Emergency Services and Finance Committees   Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH WATCH SYSTEMS FOR A CENTRAL SEX OFFENDERS REGISTRY FOR THE OFFICE OF THE SHERIFF FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 227 of 2016, authorized renewal of the agreement with Watch Systems for a Central Sex Offender Registry for the Office of the Sheriff at a cost of a license fee of \$9,000 and a fee of \$21,000 for postage, total amount not to exceed \$30,000, for the period September 1, 2016 through August 31, 2017, and

WHEREAS, said agreement is necessary to provide for the registration, verification and community notification tool for sex offenders in Broome County, and

WHEREAS, Watch Systems is a single source provider as justified in the Affidavit of Single Source provided by the Office of the Sheriff, and

WHEREAS, said agreement expires by its terms on August 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 \$30,000, for the period September 1, 2017 through August 31, 2018 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Watch Systems, 516 E. Rutland Street, Covington, LA 70433, for a Central Sex Offender Registry for the Office of the Sheriff for the period September 1, 2017 through August 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the cost of a license fee of \$9,000, and a fee of \$21,000 for postage, total amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 1002001.6004194.1010 (Software Rental) and 23020403.6004100 (Postage), 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 (Keibel)

**RESOLUTION NO. 277**

By Public Works & Transportation and Finance Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH LYFT, INC FOR RIDE SHARING SERVICES TO AND FROM THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2017-2018**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Lyft, Inc. for ride sharing services to and from the Greater Binghamton Airport for the Department of Aviation with revenue to the County of \$1.00 per pick up or drop off conducted at the Airport for the period July 20, 2017 through July 19, 2018, and

WHEREAS, said agreement promotes safe, responsible and cost-effective ride sharing for County residents and visitors alike and encourages both to take advantage of the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Lyft, Inc., 185 Berry Street, Suite 5000, San Francisco, California 94107 for ride sharing services to and from the Greater Binghamton Airport for the Department of Aviation for the period July 20, 2017 through July 19, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$1.00 per pick up or drop off conducted at the Airport for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28010005.5000126 (Fares & Fees), 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 (Keibel)

**RESOLUTION NO. 278**

By Finance and Public Works and Transportation Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AMENDING THE 2017 CAPITAL IMPROVEMENT PROGRAM AIRPORT DRAINAGE IMPROVEMENTS PROJECT**

RESOLVED, that the 2017 Capital Improvement Program is hereby amended to create a new project for Aviation as follows:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>Federal</u>	<u>State</u>	<u>Other*</u>
2820064	Airport Drainage Improvements	\$150,000	\$135,000	\$7,500	\$7,500
			0		

<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>
2017	10	23	\$150,000	\$0

\*PFC Funding

Description: To create a project for the Airport Drainage Improvements for the glycol distribution system. The Airport deicing facility collects the fluid (glycol) and holds it in a containment system. This project will allow for the safe metered distribution into the newly constructed sewer system to be sent to the treatment facility.

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 (Keibel)

**RESOLUTION NO. 279**

By Finance Committee Seconded by Mr. Pasquale  
**RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2018**

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2018 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2018, as apportioned to the County and the towns and villages participating in the fund are hereby approved, and be it

FURTHER RESOLVED, that the apportioned amounts as to the Towns and County shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Director of the Office of Management and Budget, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to bill the Village of Lisle for the amount apportioned to it, and be it

FURTHER RESOLVED, that when said amounts are collected, they shall be deposited to the Workers' Compensation account as follows:

<b>Municipalities</b>	<b>2018 Total Premium</b>
Broome County	2,912,424
Barker	46,950
Binghamton (T)	58,325
Chenango	112,449
Colesville	69,194
Conklin	49,768
Lisle (T)	36,564
Lisle (V)	9,369
Maine	47,434
Nanticoke	16,817
Port Dickinson	15,056
Sanford	63,456
Triangle	18,119
Whitney Point	8,433
Windsor (T)	71,617
Total	\$3,535,977

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

**RESOLUTION NO. 280**

By Health & Human Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH DEPOSIT CENTRAL SCHOOL DISTRICT FOR PROFESSIONAL SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S PRESCHOOL SPECIAL EDUCATION PROGRAM FOR 2017-2018**

WHEREAS, the Director of Public Health requests authorization for an agreement with Deposit Central School District for professional services related to the Department of Health's Preschool Special Education Program at rates set by the New York State Department of Education, attached as Exhibit "A", for the period September 1, 2017 through June 30, 2018 and

WHEREAS, said agreement is necessary to provide various professional services including therapies and 1:1 aides for children enrolled in the Preschool Special Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Deposit Central School District, 171 Second Street, Deposit, NY 13754 for professional services for the Department of Health's Preschool Special Education Program for the period September 1, 2017 through June 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set by the New York State Department of Education, attached as Exhibit "A", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25060004.6004405.HPSEDP (Rehabilitation and Therapy 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 (Keibel)

### **RESOLUTION NO. 281**

By Health & Human Services, Personnel and Finance Committees   Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 299 of 2014, authorized and approved renewal of the Children with Special Health Care Needs Program Grant for the Department of Health and adopted a program budget in the amount of \$78,810 for the period October 1, 2014 through September 30, 2017, and

WHEREAS, as authorized by Resolution 299 of 2014, the Department of Health accepted and allocated additional Children with Special Health Care Needs Program funding in the amount of \$5,516 for the period October 1, 2014 through September 30, 2017, and

WHEREAS, said program grant provides aid for children with developmental delays and disabilities whose families meet income criteria based upon Federal poverty guidelines, refers families without health insurance to public health insurance programs, and provides information regarding available services for children with special needs, and

WHEREAS, it is desired to renew said program grant in the amount of \$30,595 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,595 from New York State Department of Health, Bureau of Maternal and Children Health, Empire State Plaza, Corning Tower, Room 859, Albany, New York 12237-0657, for the Department of Health's Children with Special Health Care Needs Program Grant for the period October 1, 2017 through September 30, 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 \$30,595, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Early Intervention Administration Program funds for the period October 1, 2017 through September 30, 2018, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, 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 (Keibel)

**RESOLUTION NO. 282**

By Health & Human Services and Finance Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE WOMEN, INFANTS AND CHILDREN (WIC) SUPPLEMENTAL FOOD PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 339 of 2016, as amended, authorized and approved renewal of the Women, Infants, and Children’s Supplemental Food Program Grant for the Department of Health and adopted a program budget in the amount of \$1,317,651, for the period October 1, 2016 through September 30, 2017, and

WHEREAS, as authorized by Resolution 339 of 2016, the Department of Health accepted and allocated additional Women, Infants and Children’s Supplemental Food Program funding in the amount of \$6,694 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said program provides quality nutrition education and services, child growth monitoring, breastfeeding promotion and education, substance abuse screening and referral, smoking cessation counseling, access to maternal prenatal and pediatric health-care services and a monthly nutritious food package, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,316,387 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,316,387 from New York State Department of Health, 217 South Salina Street, Syracuse, New York 13201 for the Department of Health’s Women, Infants, and Children’s Supplemental Food Program Grant for the period October 1, 2017 through September 30, 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 \$1,316,387, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Department of Health to accept and allocate additional Women, Infants, and Children’s Supplemental Food Program funding for the period October 1, 2017 through September 30, 2018 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 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 (Keibel)

**RESOLUTION NO. 283**

By Health & Human Services, Personnel and Finance Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE CREATING HEALTHY SCHOOLS AND COMMUNITIES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 335 of 2016, as amended by Resolution 243 of 2017, authorized and approved the Creating Healthy Schools and

Communities Program Grant for the Department of Health and adopted a program budget in the amount of \$236,812 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said program grant aims to implement sustainable policy, system and environmental changes in several Broome County school districts to address access to healthy affordable foods and physical activity opportunities, and

WHEREAS, it is desired to renew said program grant in the amount of \$213,780 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$213,780 from the New York State Department of Health Bureau of Community Chronic Disease Prevention, Health Research Inc., River View Center, 150 Broadway, Suite 560, Albany, New York 12204 for the Department of Health's Creating Healthy Schools and Communities Program Grant for the period October 1, 2017 through September 30, 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 \$213,780, and be it

FURTHER RESOLVED, that the Department of Health is authorized to accept and allocate additional Creating Healthy Schools and Communities Program funds, for the period October 1, 2017 through September 30, 2018, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, 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 (Keibel)

#### **RESOLUTION NO. 284**

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 343 of 2016, as amended by Resolution 239 of 2017, authorized an agreement with the Binghamton City School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at an amount not to exceed \$9,273 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said services are necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers, staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, said agreement expires by its terms on September 30, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,325 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Binghamton City School District, 98 Oak Street, Binghamton, New York 13905 for services

related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2017 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,325 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.1011.2510555 (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 (Keibel)

#### **RESOLUTION NO. 285**

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE HARPURSVILLE CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 331 of 2016, as amended by Resolution 237 of 2017, authorized an agreement with the Harpursville Central School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$9,273 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said services are necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers, staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, said agreement expires by its terms on September 30, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,325, for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Harpursville Central School District, P.O. Box 147, 54 Main Street, Harpursville, New York 13787 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2017 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,325 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.1011.2510555 (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 (Keibel)

#### **RESOLUTION NO. 286**

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE DEPOSIT CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 344 of 2016, as amended by Resolution 238 of 2017, authorized an agreement with the Deposit Central School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at an amount not to exceed \$9,273 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said services are necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers,



staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, said agreement expires by its terms on September 30, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,325 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Deposit Central School District, 171 Second Street, Deposit, New York 13754 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2017 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,325 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.1011.2510555 (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 (Keibel)

### **RESOLUTION NO. 287**

By Health & Human Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE JOHNSON CITY CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 360 of 2016, as amended by Resolution 236 of 2017, authorized an agreement with the Johnson City Central School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$9,273 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said services are necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers, staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, said agreement expires by its terms on September 30, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,325, for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Johnson City Central School District, 666 Reynolds Road, Johnson City, New York 13790, for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2017 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,325 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.1011.2510555 (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 (Keibel)

### **RESOLUTION NO. 288**

By Health & Human Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF DEPOSIT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018**

WHEREAS, the Director of Public Health requests authorization for an agreement with the Village of Deposit 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 August 17, 2017 through September 30, 2017, and

WHEREAS, said services are necessary for the development and adoption of a Complete Street policy which will be used to enhance streets, making them more walkable, bikeable and usable for people of all ages and abilities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Deposit, 146 Front Street, Deposit, New York 13754 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period August 17, 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 25010004.6004146.2510555 (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 (Keibel)

### **RESOLUTION NO. 289**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF THE POLICE TRAFFIC SERVICES PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 400 of 2016, authorized and approved the Police Traffic Services Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$18,553 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said program grant provides funding for programs to increase seat belt and child safety seat usage and curb dangerous driving behaviors to reduce injuries and deaths from traffic accidents, and

WHEREAS, it is desired to renew said program grant in the amount of \$16,000 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,000 from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Police Traffic Services Program Grant for the period October 1, 2017 through September 30, 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 \$16,000, 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 (Keibel)

**RESOLUTION NO. 290**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE MOTORCYCLE SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 399 of 2016, authorized and approved the Motorcycle Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$2,000 for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said program grant promotes safe motorcycle riding practices and increases motorcycle safety awareness to the general public, and

WHEREAS, it is desired to renew said program grant in the amount of \$2,000 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,000 from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Motorcycle Safety Program Grant for the period October 1, 2017 through September 30, 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 \$2,000, 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 (Keibel)

**RESOLUTION NO. 291**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE AGENCY BROOME COUNTY (IDA/LDC) FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2017-2018**

WHEREAS, the Director of Planning requests authorization for an agreement with The Agency Broome County (IDA/LDC) for funding in the amount not to exceed \$50,000 from the Marketing and Economic Development allocation of the occupancy tax for the period August 1, 2017 through December 31, 2018, and

WHEREAS, said funding will be used to support the "Broome County... A Good Life" Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Agency Broome County (IDA/LDC), 60 Hawley Street, 5<sup>th</sup> Floor, Binghamton, New York 13901

for funding from the Marketing and Economic Development allocation of the occupancy tax for the period August 1, 2017 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026 (Marketing & Economic Development), 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 (Keibel)

### **RESOLUTION NO. 292**

By Economic Development, Education and Culture and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BROOME COUNTY COMMUNITY CHARITIES FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2017**

WHEREAS, this County Legislature, by Resolution 179 of 2017, authorized an agreement with Broome County Community Charities for funding from the marketing and economic development allocation of the occupancy tax in the amount not to exceed \$32,500 for the period June 1, 2017 through December 31, 2017, and

WHEREAS, said funding will be used to assist with expenses associated with the 2017 Dick's Sporting Goods Open, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$10,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Broome County Community Charities, P.O. Box 5571, Endicott, New York 13760-5571 to increase the not to exceed amount by \$10,000 in funding from the marketing and economic development allocation of the occupancy tax for the period June 1, 2017 through December 31, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$42,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026 (Marketing & Economic Development), and be it

FURTHER RESOLVED, that Resolution 179 of 2017, 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 (Keibel)

### **RESOLUTION NO. 293**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR ADMINISTRATION OF THE ARC FARMER'S MARKET ADMINISTRATION PROGRAM GRANT FOR 2014-2017**

WHEREAS, this County Legislature, by Resolution 307 of 2016 authorized an agreement with Cornell Cooperative Extension of Broome County for administration of the ARC Farmer's Market Administration Program Grant for the Department of Planning at a cost not to exceed \$137,183 for the period January 1, 2014 through June 31, 2017, and

WHEREAS, said agreement provides funds for the operation of the Regional Farmer's Market, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through December 31, 2017 at no additional cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Cornell Cooperative Extension of Broome County, 840 Upper Front Street, Binghamton, New York 13905 to extend the period through December 31, 2017 for administration of the ARC Farmer's market Administration Program Grant for the Department of Planning, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 307 of 2016, 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 (Keibel)

#### **RESOLUTION NO. 294**

By Public Works & Transportation and Finance Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION FUNDING FOR THE DEPARTMENT OF AVIATION'S WEST APRON REHABILITATION CONSTRUCTION PROJECT**

WHEREAS, the Commissioner of Aviation requests authorization to accept New York State Department of Transportation funding in the amount of \$2,940 for the West Apron Rehabilitation Construction Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of additional funding in the amount of \$2,940 from the New York State Department of Transportation for the Department of Aviation's West Apron Rehabilitation Construction Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 28020005.5000851.2010.2820044 (Airport State Aid-Capital Project), 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 (Keibel)

#### **RESOLUTION NO. 295**

By Finance and Personnel Committees                      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 78 OF 2017 AUTHORIZING AN AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS FOR FINANCIAL AND TRUSTEE SERVICES FOR THE OFFICE OF RISK AND INSURANCE'S DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 78 of 2017, authorized an agreement with Nationwide Retirement Solutions c/o the New York State Deferred Compensation Plan

(NYSDCP) for financial and trustee services for the Office of Risk and Insurance's Deferred Compensation Plan at no cost to the County for the period January 1, 2017 through December 31, 2021, and

WHEREAS, said agreement provides eligible employees with a convenient way to provide for a long-term retirement program and to encourage broad-based participation of employees in the plan, and

WHEREAS, it is necessary to authorize the amendment of said Resolution to remove Reliance Trust Company and appoint State Street Bank and Trust Company as successor Trustee of the Broome County Deferred Compensation Plan, effective July 25, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 78 of 2017 to remove Reliance Trust Company as Trustee of the Broome County Deferred Compensation Plan, effective July 25, 2017, appoint State Street Bank and Trust Company as Successor Trustee of the Broome County Deferred Compensation Plan, effective July 25, 2017 and remove Mass Mutual Financial Group as Service Provider and appoint New York State Deferred Compensation Plan as successor Service provider, and be it

FURTHER RESOLVED, that Resolution 78 of 12017, 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 (Keibel)

**RESOLUTION NO. 296**

By Finance Committee

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTIES FROM THE 2017 TAX SALE AUCTION**

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2017 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders from the 2017 Broome County tax sale auction as indicated on the attached Exhibit "A", 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 successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

**RESOLUTION NO. 297**

By Finance and Public Works & Transportation Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF PUBLIC WORKS.**

RESOLVED, that in accordance with a request from the Department of Public Works, in order to provide funds to contract for a part-time temporary engineer, this County Legislature hereby authorizes the Director of the Office of Management and Budget to make the following transfer of funds:

	Department ID	Account	Title	Amount
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FROM:	15030001	6001000	Salaries Full-time	\$50,000
TO:	15030001	6004138	Other Operational Expenses	\$50,000

Heldover by Mr. Pasquale

### RESOLUTION NO. 298

By County Administration and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CITIBANK (SOUTH DAKOTA) NA FOR PROCUREMENT AND TRAVEL CARD SERVICES FOR THE DIVISION OF PURCHASING FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 120 of 2016, authorized an agreement with CitiBank (South Dakota) NA for procurement and travel card services for the Division of Purchasing, at no cost to the County, for the period April 7, 2016 through April 6, 2017, and

WHEREAS, said agreement allows all Broome County Departments to utilize a procurement and travel card according to New York State Contract Group Number 79008, Award Number 022712 and Broome County's Procurement Card Program, and

WHEREAS, said agreement expired by its terms on April 6, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period April 7, 2017 through April 6, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with CitiBank (South Dakota) NA, 701 E 60th Street N, Sioux Falls, South Dakota 57117 for procurement and travel card services for the Division of Purchasing, at no cost to the County, for the period April 7, 2017 through April 6, 2018, 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 (Keibel)

### RESOLUTION NO. 299

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE LEAD POISONING PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 338 of 2016, authorized and approved renewal of the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$74,925, for the period October 1, 2016 through September 30, 2017, and

WHEREAS, said program grant provides for the screening and follow up required of Primary Care Providers, coordinates remediation activities with property owners and is responsible for community awareness and promotion, and

WHEREAS, it is desired to renew said program grant in the amount of \$74,925 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$74,925 from the New York State Department of Health, Center for Environmental Health, Empire State Plaza, Corning Tower, Room 1619, Albany, New York 12237 for the Department of Health's Lead Poisoning Prevention Program Grant for the period October 1, 2017 through September 30, 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 \$74,925, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Childhood Lead Poisoning Prevention Program funds for the period October 1, 2017 through September 30, 2018, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, 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 (Keibel)

### **RESOLUTION NO. 300**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE KOPERNIK OBSERVATORY AND SCIENCE CENTER FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2017-2019**

WHEREAS, the Director of Planning requests authorization for an agreement with the Kopernik Observatory and Science Center for funding in the amount not to exceed \$30,000 from the Marketing and Economic Development allocation of the occupancy tax for the period July 1, 2017 through June 30, 2019, and

WHEREAS, said funding will be used to support the Kopernik Science Park Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Kopernik Observatory and Science Center, 698 Underwood Road, Vestal, New York 13850 for funding from the Marketing and Economic Development allocation of the occupancy tax for the period July 1, 2017 through June 30, 2019, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026 (Marketing & Economic Development), 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 (Keibel)

### **RESOLUTION NO. 301**

By Public Works & Transportation and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH SKYWEST AIRLINES FOR TERMINAL SPACE RENTAL AT THE GREATER BINGHAMTON AIRPORT FOR 2017-2022**

WHEREAS, the Commissioner of Aviation requests authorization for a lease agreement with SkyWest Airlines for terminal space rental at the Greater Binghamton Airport with revenue to the County in the amount of \$307,050, for the period August 24, 2017 through August 23, 2022, and

WHEREAS, said agreement is necessary for terminal space rental or ticket counters, office shared space and boarding gates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with SkyWest Airlines, 444 South River Road, St. George, Utah 84790 for terminal space rental at



the Greater Binghamton Airport for the period August 24, 2017 through August 23, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$307,050 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 28150005.5000136 (Space Rental-Airlines), 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 (Keibel)

### **RESOLUTION NO. 302**

By Public Works & Transportation, Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN BROOME COUNTY, SUNY BROOME COMMUNITY COLLEGE AND THE TOWN OF DICKINSON FOR A WATER MAIN COST SHARING AGREEMENT**

WHEREAS, the Commissioner of Public Works requests authorization for a Memorandum of Understanding between Broome County, SUNY Broome Community College and the Town of Dickinson for a water main cost sharing agreement, and

WHEREAS, said agreement is necessary to share the cost of relocating the section of water line between the new IDA building up Van Winkle Drive to the existing metering pit, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Memorandum of Understanding, attached as Exhibit "A", between Broome County, SUNY Broome Community College and the Town of Dickinson for a water main cost sharing agreement, and be it

FURTHER RESOLVED, that the payment of \$25,300 shall be made from budget line 15020501.6004048.1010 (Miscellaneous Operational Supplies), 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 (Keibel)

### **RESOLUTION NO. 303**

By Finance Committee

Seconded by Mr. Pasquale

#### **RESOLUTION INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

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

SECTION 1. The first sentence of Section Two of Resolution No 180 of 1965, as amended, is amended to read as follows:

Section 2. Imposition of sales tax.

On and after June 1, 1974, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March 1, 1994, and ending November 30, 2020, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (e) of Section Three of Resolution No. 180 of 1965, as amended, is amended to read as follows:

(e) With respect to the additional tax of one percent imposed for the period commencing March 1, 1994, and ending November 30, 2020, the provisions of

subdivision, (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to March 1, 1994, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1994. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1994, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section Four of Resolution No. 180 of 1965, as amended, is amended to read as follows:

Section 4. Imposition of compensating use tax.

- (a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1994, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.
- (b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.
- (c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994 and ending November 30, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.
- (d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for

the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

- (e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an additional or capital improvement to such real property, property or land.
- (f) For purposes of clauses (C), (D), and (E) of subdivision (a) of this section, for the period March 1, 1994, and ending November 30, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance for the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.
- (g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of Section Six of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections two and four, respectively, of this resolution for the period commencing March 1, 1994, and ending November 30, 2020.

SECTION 5. Paragraph (B) of subdivision One of Section Eleven of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (B) With respect to the additional tax of one percent imposed for the period beginning March 1, 1994 and ending November 30, 2020, in respect to the use of property used by the purchaser in this County prior to March 1, 1994.

SECTION 6. Subdivision (e) of Section 14 of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (e) Notwithstanding any other provision of this section to the contrary, one hundred percent of the net collections from the additional one percent rate of sales and

compensating use taxes imposed for the period December 1, 2007 through November 30, 2020, is hereby set aside for county purposes and shall be available for any county purpose.

SECTION 7. This enactment shall take effect December 1, 2017.

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

**RESOLUTION NO. 304**

By Public Works & Transportation and Finance Committees                   Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH EVOLUTION JETS FOR A CONVENTIONAL HANGAR LEASE AT THE GREATER BINGHAMTON AIRPORT FOR 2018-2023**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Evolution Jets for a conventional hangar lease at the Greater Binghamton Airport with revenue to the County in the amount of \$84,000 per year for the period January 1, 2018 through December 31, 2023, with the option for three five-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary for the Department of Aviation to lease 28,000 square feet in a conventional hanger at the rate of \$3 per square foot to Evolution Jets, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Evolution Jets, 311 Airline Drive, Waco, Texas 76705 for a conventional hangar lease at the Greater Binghamton Airport for the period January 1, 2018 through December 31, 2023, with the option for three five-year renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$84,000 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28030005.5000144 (Conventional Hangar Rental), 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 (Keibel)

**RESOLUTION NO. 305**

By County Administration and Finance Committees                   Seconded by Mr. Flagg  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3 OF 2017, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE SECTION C606 PUBLIC HEARINGS"**

RESOLVED, that Local Law Intro. No. 3 of 2017, entitled: "A Local Law Amending the Broome County Charter and Code Section C606 Public Hearings" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 3 of 2017**

"A Local Law Amending the Broome County Charter and Code  
Section C606 Public Hearings"

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

**Section 1 § C606. Public hearings**

(A) The Clerk of the County Legislature shall cause to be published in the official newspapers and such other newspapers as may be designated by the County Legislature a notice of the place and time, not less than seven (7) days after such publication nor later than the 31st day of October, at which time the County Legislature will hold an initial public hearing on the proposed budget, the capital program, the budget message submitted by the County Executive and any report, if submitted, by the County Legislature or a committee designated by that body.

(B) The **County Executive [Clerk of the County Legislature]** shall cause to be published in the official newspapers and such other newspapers as may be designated by the County Legislature a notice of the place and time, not less than seven (7) days after such publication nor later than the 14th day of November, at which time the **County Executive [County Legislature]** will hold a second public hearing on any items in the proposed budget that the County Legislature **struck, reduced or increased [intends to strike, reduce or increase]** pursuant to § C607 of this article.

Section 2. This Local Law shall take effect upon filing with the Secretary of State.

**Carried.** Ayes-11, Nays-3 (Weslar, Kaminsky, Whalen), Absent-1 (Keibel)

### **RESOLUTION NO. 306**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING REVISION OF THE TRAFFIC DIVERSION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017**

WHEREAS, this County Legislature, by Resolution 523 of 2016, authorized and approved renewal of the Traffic Diversion Program Grant for the Office of the District Attorney and adopted a program budget in the amount of \$97,178 for the period January 1, 2017 through December 31, 2017, and

WHEREAS, said program grant funds an Assistant District Attorney I to handle cases in Binghamton City Court, and an Investigator District Attorney (part time) to be funded by the District Attorney Traffic Diversion Program Trust Account, contingent upon the availability of said funds, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$59,078 in grant appropriations for a Traffic Diversion Coordinator, a Traffic Diversion Assistant and a Criminal Law Associate now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Traffic Diversion Program Grant to reflect an increase of \$59,078 for the period January 1, 2017 through December 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$156,256, and be it

FURTHER RESOLVED, that Resolution 523 of 2016, 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 authorized 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 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 (Keibel)

### **RESOLUTION NO. 307**

By County Administration Committee

Seconded by Mr. Pasquale

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4 OF 2017, ENTITLED: "A LOCAL LAW AMENDING ARTICLE XXIV OF THE BROOME COUNTY CHARTER AND CODE REGARDING OTHER COUNTY BOARDS, OFFICES, INSTITUTIONS AND FUNCTIONS"**

WHEREAS, the Broome County Legislature, pursuant to Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, Resolution No. 388, adopted November 20, 2014 and Article 18-A of the New York State General Municipal Law, has the authority to duly designate and appoint, pending confirmation by the County Legislature, individuals to membership on the Broome County Industrial Development Agency Board of Directors (BCIDA), and

WHEREAS, this County Legislature, pursuant to Resolution No. 388, adopted November 20, 2014, accepted the amended bylaws of the BCIDA, which established that members appointed to the BCIDA Board of Directors shall be "Independent", and

WHEREAS, under Article II, Section 2 of said BCIDA bylaws a Director who is Independent is one, who at the time of their appointment:

- A. is not, and in the past one (1) year has not been, employed by the Agency or the County Legislature, or served as an elected official in Broome County;
- B. is not a parent, spouse, sibling or child of a current Employee of the Agency or the County Legislature, or a current elected official in Broome County;
- C. is not, and in the past one (1) year has not been, employed by a vendor that received more than fifty thousand dollars (\$50,000) in payment for goods or services provided to the Agency during the most recent fiscal year, or employed by an applicant that received financial assistance or bonding valued at more than fifty thousand dollars (\$50,000) from action taken by the Agency during the most recent fiscal year; and
- D. is not, and in the past one (1) year has not been, a lobbyist registered under a State or local law, or an attorney, paid by a client to influence the decisions, contracts, investments, applications for financial assistance or bonding or other similar actions of the Agency.

and

WHEREAS, said bylaw amendments were developed and approved by the BCIDA Board of Directors prior to being forwarded to the Broome County Legislature for consideration, and

WHEREAS, this County Legislature believes that in order to strengthen the independence of the BCIDA Board of Directors it is critical to prohibit anyone who is also employed by any current elected official in Broome County from service on the BCIDA Board of Directors and to set forth all prohibitions into the Broome County Charter and Code, and

WHEREAS, ensuring that BCIDA Directors are free from conflicts and undue influence is critical to maintaining public trust of the organization, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4 of 2017, entitled: "A Local Law Amending Article XXIV of The Broome County Charter and Code Regarding Other County Boards, Offices, Institutions and Functions," be and the same hereby is adopted and approved in accordance with the Broome County Charter & Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 4 Of 2017**

**A LOCAL LAW AMENDING ARTICLE XXIV OF THE BROOME COUNTY CHARTER AND CODE REGARDING OTHER COUNTY BOARDS, OFFICES, INSTITUTIONS AND FUNCTIONS**

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

Section 1. ARTICLE XXIV §A2410 and §C2411 Industrial Development Agency Board.

There shall be a Broome County Industrial Development Agency, which has been established pursuant to Article 18-A of the New York State General Municipal Law. Said Board of the Broome County Industrial Development Agency shall be made up of nine (9) Directors, and the Broome County Legislature shall have the authority to duly designate and appoint individuals to membership on said Board. The County Legislature shall appoint three (3) Directors per year each for three (3) year terms.

Members appointed to the Broome County Industrial Development Agency Board of Directors shall be "Independent". A Director who is Independent is one, who at the time of their appointment:

1. is not, and in the past one (1) year has not been, employed by the Broome County Industrial Development Agency or the County Legislature, or served as an elected official in Broome County;
2. is not a parent, spouse, sibling or child of a current Employee of the Broome County Industrial Development Agency or the County Legislature, or a current elected official in Broome County;
3. is not, and in the past one (1) year has not been, employed by a vendor that received more than fifty thousand dollars (\$50,000) in payment for goods or services provided to the Broome County Industrial Development Agency during the most recent fiscal year, or employed by an applicant that received financial assistance or bonding valued at more than fifty thousand dollars (\$50,000) from action taken by the Broome County Industrial Development Agency during the most recent fiscal year;
4. is not, and in the past one (1) year has not been, a lobbyist registered under a State or local law, or an attorney, paid by a client to influence the decisions, contracts, investments, applications for financial assistance or bonding or other similar actions of the Broome County Industrial Development Agency; and
5. is not employed by any current elected official in Broome County.

Section 2. This Local Law shall become effective upon filing with the Secretary of State.

Mr. D. D. Reynolds made a motion, seconded by Mr. Whalen to amend the third Whereas paragraph to read "WHEREAS, under Article II, Section 2 of said BCIDA bylaws a Director who is Independent is one, who at the time of their appointment: A. is not, and in the past two (2) years has not been, employed by the Agency or the County Legislature, or served as an elected official in Broome County..." and amend Section 1 of the Local Law to read "1. is not, and in the past two (2) years has not been, employed by the Broome County Industrial Development Agency...."

**Amendment failed.** Ayes-6, Nays-8 (Shaw, Baldwin, O'Brien, Heebner, Pasquale, Sopchak, Wildoner, Baker), Absent-1 (Keibel)

**Heldover** by Mr. Whalen

### RESOLUTION NO. 308

By Public Safety & Emergency Services Committee

Seconded by Mr. Weslar

#### **RESOLUTION SUPPORTING THE APPROVAL OF THE "BROOME COUNTY STAKEHOLDER'S PLAN FOR AN OFF-HOURS CENTRALIZED ARRAIGNMENT PART"**

WHEREAS, pursuant to settlement in Hurrell-Harring, et al. v. New York which, *inter alia*, requires defense counsel to be present at all arraignments of arrested persons, and

WHEREAS, Stakeholders representing the County Executive's Office, the Broome County Sheriff's Department, the New York State Police, the Endicott Police Department, the District Attorney's Office, The Public Defender's Office, The County Attorney's Office, The Broome County Magistrate's Association and the 6<sup>th</sup> Judicial District Administrative office created and unanimously approved the "BROOME COUNTY STAKEHOLDER'S PLAN FOR A OFF-HOURS CENTRALIZED ARRAIGNMENT PART" (hereinafter referred to as "The Plan") to meet the requirements of the aforementioned settlement, a copy of which is annexed hereto and made a part hereof, and

WHEREAS, in addition to providing counsel at first arraignment to the best extent possible, The Plan is also intended to prevent further strain on the limited resources of the county and the listed law enforcement entities, and

WHEREAS, The Plan is in accordance with the Broome County Executive's initiative for a "Shared Services Property Tax Savings Plan", and

WHEREAS, The Plan has been submitted to the New York Office of Court Administration for its approval, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the Phase 1 of The Plan for a centralized arraignment system for the reason set forth herein.

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

### RESOLUTION NO. 309

By Finance Committee

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING ACCEPTANCE OF MASS TRANSPORTATION CAPITAL PROJECT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION**

WHEREAS, the Commissioner of Public Transportation requests authorization to accept and allocate Mass Transportation Capital Project Funds from the New York State Department of Transportation (NYSDOT) for the Broome County Department of Public Transportation in the amount of \$1,277,123, and

WHEREAS, said funding will be used towards the purchase of seven Gillig diesel buses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the acceptance and allocation of \$1,277,123 from New York State Department of Transportation, 50 Wolf Road, POD 54, Albany, New York 12232, for the Broome County Department of Public Transportation, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.5000849.2040, 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 to 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 execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to furnish such additional information as the New York State Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to execute any agreements on behalf of Broome County with the New York State States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

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

### RESOLUTION NO. 310

By Finance Committee

Seconded by Mr. Weslar

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ABC CREATIVE GROUP FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2016-2018**

WHEREAS, this County Legislature, by Resolution 211 of 2016, authorized an agreement with ABC Creative Group for funding in the amount not to exceed \$30,700 from the Marketing and Economic Development allocation of the occupancy tax for the period July 1, 2016 through June 30, 2017, and



WHEREAS, said agreement provides funding to develop a Strategic Branding & Marketing Plan and create a web presence for the County's Outdoor Recreational Mapping and Promotional Strategy, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$15,000, and extend the period through December 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with ABC Creative Group, 430 Genesee Street, Suite 401, Syracuse, New York 13202 to increase the not to exceed amount by \$15,000 from the Marketing and Economic Development allocation of the occupancy tax and extend the period through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$45,700, for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 211 of 2016, 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-13, Nays-1 (Weslar), Absent-1 (Keibel)

Mr. Whalen made a motion, seconded by Mr. Weslar, to suspend the Rules to consider Resolution Intro. 37.

**Motion carried.** Ayes-14, Nays-0, Absent-1 (Keibel)

### RESOLUTION NO. 311

By All Members

Seconded by Mr. D. D. Reynolds

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VESTAL CENTRAL SCHOOL DISTRICT FOR THE COLLECTION AND ENFORCEMENT OF SCHOOL DISTRICT TAXES FOR 2017-2018**

WHEREAS, the school district taxes for the Vestal Central School District are currently collected by the Tax Collector for that school district, and

WHEREAS, a study performed by Broome County and School Districts indicates that there are savings and economies to be gained by having the tax collection performed by Broome County Real Property Tax Service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Vestal Central School District for the Broome County Real Property Tax Service to perform those functions necessary to collect school district taxes within the School District for the 2017-2018 fiscal year, and be it

FURTHER RESOLVED, that in addition to an administrative fee of \$1 per parcel, the school district is responsible for any fees associated with the collection of school district taxes, including postage, publication of the legal ad and bill maintenance and printing, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 17000001.5000441 (Tax Collection Fees), 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 (Keibel)

#### **LEGISLATORS COMMENTS**

Mrs. O'Brien thanked the staff of Cornell Cooperative Extension for hosting the Fresh From the Farm Maple Throwdown and the Legislative Session.

Mr. Pasquale made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn Carried.** Ayes-14, Nays-0, Absent -1 (Keibel). The meeting was adjourned at 6:15 p.m.

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