

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
APRIL 19, 2018**

The Legislature convened at 5:11 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. Whalen 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. Public Defender merit Selection Committee – 4/5/18

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

- A. Letters from the Chair, Daniel J. Reynolds
1. Designation for Mr. Pasquale – 4/12/18
  2. Public Defender Merit Selection Committee Appointee 4/12/18

Certificates of Achievement were presented to the winners of the Emerging Artist Competition.

Mr. Weslar made a motion, seconded by Mr. Baldwin that the Session minutes of March 15, 2018 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 March 15, 2018 through April 18, 2018 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. Kaminsky seconded by Mr. Heebner.

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

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

1. County Clerk – Ramp Building Letter 4/11/18
2. Town of Union – NYS CL 500-C Amendment Notification Confirmation
3. Town of Sanford – NYS CL 500-C Amendment Notification Confirmation
4. Village of Lisle – NYS CL 500-C Amendment Notification Confirmation
5. Town of Vestal – NYS CL 500-C Amendment Notification Confirmation
6. Village of Deposit – NYS CL 500-C Amendment Notification Confirmation
7. Town of Colesville – NYS CL 500-C Amendment Notification Confirmation
8. Town of Nanticoke – NYS CL 500-C Amendment Notification Confirmation
9. Town of Triangle – NYS CL 500-C Amendment Notification Confirmation
10. Village of Endicott – NYS CL 500-C Amendment Notification Confirmation
11. Village of Johnson City – NYS CL 500-C Amendment Notification Confirmation
12. Town of Windsor – NYS CL 500-C Amendment Notification Confirmation
13. Village of Windsor – NYS CL 500-C Amendment Notification Confirmation
14. Village of Port Dickinson – NYS CL 500-C Amendment Notification Confirmation
15. Town of Kirkwood – NYS CL 500-C Amendment Notification Confirmation
16. Town of Maine – NYS CL 500-C Amendment Notification Confirmation



WHEREAS, pursuant to the Broome County Charter and Code, the County Legislature shall be the governing body of the County and shall be the legislative, appropriating and policy-determining body of the County, and

WHEREAS, said duties include a fiduciary responsibility to the taxpayers of Broome County that proper fiscal oversight is administered and that tax dollars are spent wisely and within the parameters of the annual County Budget, and

WHEREAS, the Broome County Charter and Code requires that the Director of the Office of Management and Budget provide the County Legislature with an annual statement of financial condition, and

WHEREAS, the Comptroller of the state of New York issued an audit of Broome County's financial condition and cited "that more financial information would provide more opportunity for oversight", and

WHEREAS, this County Legislature deems that accurate, regular and complete up-to-date financial information is critical in its role of providing fiscal oversight and in determining the County's financial condition, and

WHEREAS, this Local Law directs the Director of the Office of Management and Budget (OMB) to provide quarterly Fiscal Status Reports to the County Legislature, which shall be made available to the public, to allow for proper fiscal oversight, now, therefore, be it

RESOLVED, that Local Law Intro. No. 2 of 2018, entitled: "A Local Law Amending Sections C502 and A503 of the Broome County Charter and Code Regarding the Office of Management and Budget," 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. 2 of 2018**

**A LOCAL LAW AMENDING SECTIONS C502 AND A503 OF  
THE BROOME COUNTY CHARTER AND CODE REGARDING  
THE OFFICE OF MANAGEMENT AND BUDGET**

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

**SECTION 1.** Section C502 of the Broome County Charter is amended as follows:

§ C502. Powers and duties.

The Director of Management and Budget shall:

- (A) Be the chief fiscal officer of the County and have charge of the administration of all its financial affairs.
- (B) Collect, receive, have custody of, deposit, invest and disburse all fees, revenues and other funds of the County or for which the County is responsible.
- (C) Submit to the County Legislature annually on or before the **[first] last** day of April, and at such other times as such Legislature may require, a complete financial statement containing a general balance sheet for the County. **In addition to the annual requirement of this section, the Director shall also submit reports required under §A503 of Article V of the Administrative Code.**
- [(D)] [Audit and certify for payment all lawful claims or charges against the County or against funds for which the County is responsible.]**
- [(E)] [Annually, and at such times as he may deem appropriate, and at such other times as directed by the County Executive or County Legislature, audit the financial records and accounts of all officers and employees charged with any duty relating to County funds or funds for which the County is responsible.]**
- [(F)] [Procure statements from all depositaries of County funds and funds for which the County is responsible and reconcile such statements with the County accounts.]**
- D[(G)]** Submit to the County Legislature and County Executive reports in such form and detail and at such time as may be prescribed by the County Legislature or County Executive.
- E [(H)]** Perform such other and related duties as shall be required or delegated to him

by the County Executive or County Legislature.

**SECTION 2.** Section A503 of the Broome County Administrative Code is amended as follows:

§ A503. Statement of financial condition.

- (A) In addition to the annual report required by § C502(C) of Article V of the Charter, the Director of Management and Budget shall **during the months of January, April, July and October** and at such other times as the County Executive or the County Legislature may by resolution direct, submit to the County Executive, the Comptroller and the County Legislature a **[statement of the financial condition of the County] Fiscal Status Report. Said Fiscal Status Report shall be presented to the Finance Committee and an electronic version of the material presented shall be provided to the Clerk of the Legislature, in a format approved by the County Comptroller. Upon receipt of said Fiscal Status Report(s), the Clerk of the County Legislature shall post them in a conspicuous location on the official Broome County website in order for the information to be accessible to the general public.**
- (B) In addition to the foregoing, the **[statement of financial condition] quarterly Fiscal Status Report shall[:]** **present a comparison of year-to-date actual versus budgeted versus prior year performance including, but not limited to, each of the following:**

**[(1)] [Set forth all revenues received by the County.]**

**[(2)] [Set forth for each appropriation account the amount appropriated, the amount encumbered but remaining unexpended, the aggregate expenditures and the unencumbered balance.]**

**(1) Current year Property Tax collections**

**(2) Prior year Property Tax collections**

**(3) Sales Tax collections**

**(4) Hotel/Motel Tax collections (total)**

**(5) Casino Tax revenues**

**(6) Mortgage Tax revenue (total County share)**

**(7) County Clerk and Motor Vehicle Fees**

**(8) Other fees imposed by County Departments**

**(9) Real Property Tax Interest and Penalties Collected**

**(10) Safety Net caseload**

**(11) Dollar value of Health Plan claims paid**

**(12) Employee headcount by type (FT, PT, Temporary)**

**(13) Total cash held across all accounts (most recently available reconciled amount)**

**(14) Total revenues and expenses by fund for all fund types**

**(15) A list of all open capital projects, including total budget, total expenditures, outstanding encumbrances and remaining appropriations**

**(16) A list of all Trust Accounts, including prior quarter ending balance, increases to, uses of and ending balance**

**(17) [(3)]** Include such other information as the County Executive may order or the County Legislature by resolution may direct.

**SECTION 3.** Effective Date: This Local Law shall take effect upon filing with the Secretary of State.

Bold **[bracketed]** deleted. Bold **underlined** added

**Amendment carried.** Ayes-14, Nays-0, Absent-1 (Pasquale)

Mr. Whalen made a motion, seconded by Mr. Weslar to amend the Resolution to add under 2B "18. An accounting or estimate from The Agency regarding sales tax revenue foregone in the granting of payment in lieu of taxes agreements for the previous quarter and for the most recent four quarters."

**Amendment failed.** Ayes-3 (Weslar, Kaminsky, Whalen), Nays-11 (Keibel, Shaw, D.D. Reynolds, Baldwin, O'Brien, Heebner, Flagg, Sopchak, Wildoner, Baker, D.J. Reynolds), Absent-1 (Pasquale)

**Amended Resolution Heldover under the Rules.**

#### RESOLUTIONS INTRODUCED AT THIS SESSION

##### RESOLUTION NO. 100

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

##### **RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT ADULT PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017-2019**

WHEREAS, this County Legislature, by Resolution 222 of 2017, authorized and approved renewal of the Workforce Innovation and Opportunity Act Adult Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$492,790 for the period July 1, 2017 through June 30, 2019, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$14,715 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Adult Program Grant to reflect an increase of \$14,715 for the period July 1, 2017 through June 30, 2019, 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 \$507,505, and be it

FURTHER RESOLVED, that Resolution 222 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 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 (Pasquale)

##### RESOLUTION NO. 101

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

##### **RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT DISLOCATED WORKER PROGRAM GRANT FOR THE OFFICE OF**

**EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017-2019**

WHEREAS, this County Legislature, by Resolution 223 of 2017, authorized and approved renewal of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$430,888 for the period July 1, 2017 through June 30, 2019, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$14,507 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant to reflect a decrease of \$14,507 for the period July 1, 2017 through June 30, 2019, 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 \$416,391, and be it

FURTHER RESOLVED, that Resolution 223 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 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 (Pasquale)

**RESOLUTION NO. 102**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017-2019**

WHEREAS, this County Legislature, by Resolution 224 of 2017, authorized and approved renewal of the Workforce Innovation and Opportunity Act Youth Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$536,787 for the period July 1, 2017 through June 30, 2019, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$1,676 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Youth Program Grant to reflect a decrease of \$1,676 for the period July 1, 2017 through June 30, 2019, 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 \$535,111, and be it

FURTHER RESOLVED, that Resolution 224 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 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 (Pasquale)

### **RESOLUTION NO. 103**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT ADMINISTRATION PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017-2019**

WHEREAS, this County Legislature, by Resolution 221 of 2017, authorized and approved renewal of the Workforce Innovation and Opportunity Act Administration Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$162,274 for the period July 1, 2017 through June 30, 2019, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$11,274 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Administration Program Grant to reflect a decrease of \$11,274 for the period July 1, 2017 through June 30, 2019, 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 \$151,000, and be it

FURTHER RESOLVED, that Resolution 221 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 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 (Pasquale)

**RESOLUTION NO. 104**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS, RECREATION AND YOUTH SERVICES TO ACCEPT A COURSE DESIGN AND BASKET DONATION FROM THE GREATER BINGHAMTON DISC GOLF CLUB**

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization to accept a course design and basket donation from the Greater Binghamton Disc Golf Club, and

WHEREAS, said donation will be used to assist the Department of Parks, Recreation and Youth Services with the construction of an 18-hole disc golf course at Greenwood Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Parks, Recreation and Youth Services to accept a course design and basket donation from the Greater Binghamton Golf Club, for the Department of Parks Recreation and Youth Services, and be it

FURTHER RESOLVED, that in the event the course is decommissioned, the course design and baskets will be returned to the Greater Binghamton Disc Golf Club, 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. 105**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING ACCEPTANCE OF DORMITORY AUTHORITY STATE OF NEW YORK (DASNY) SAM GRANT FUNDING FOR BROOME COUNTY FORUM THEATRE FOR 2018**

WHEREAS, the Forum Theatre Manager requests authorization to accept Dormitory Authority State of New York (DASNY) SAM Grant funding in the amount of \$125,000 for the Broome County Forum Theatre for the period January 1, 2018 through December 31, 2018, and

WHEREAS, DASNY SAM grant funding will be used for the purchase and installation of marquee panels at the Broome County Forum Theatre, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby authorizes and approves acceptance and expenditure of \$125,000 from the Dormitory Authority State of New York (DASNY), 515 Broadway, Albany, New York 12207 for the Broome County Forum Theatre period January 1, 2018 through December 1, 2018, and be it

FURTHER RESOLVED, that the revenue herein above authorized shall be credited to various revenue lines in the Broome County Forum Capital Budget, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any 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. 106**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING ACCEPTANCE OF DORMITORY AUTHORITY STATE OF NEW YORK (DASNY) SAM GRANT FUNDING FOR THE FLOYD L. MAINES VETERANS MEMORIAL ARENA FOR 2018**

WHEREAS, the Arena Manager requests authorization to accept Dormitory Authority State of New York (DASNY) SAM Grant funding in the amount of \$100,000 for improvements at the Floyd L. Maines Veterans Memorial Arena, for the period January 1, 2018 through December 31, 2018, and

WHEREAS, DASNY SAM grant funding will be used to make improvements to the Floyd L. Maines Memorial Arena, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes and approves acceptance and expenditure of \$100,000 from the Dormitory Authority State of New York (DASNY), 515 Broadway, Albany, New York 12207 for the Floyd L. Maines Veterans Memorial Arena period January 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that the revenue herein above authorized shall be credited to various revenue lines in the Broome County Arena Capital Budget, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any 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 Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING AN AGREEMENT WITH TETRA TECH, INC FOR CONSULTATION SERVICES FOR THE DEPARTMENT OF PLANNING FOR 2018**

WHEREAS, a Request for Qualifications was advertised and as a result of the responses received the Director of Planning requests authorization for an agreement with Tetra Tech, Inc. for consultation services for the Department of Planning at a cost not to exceed \$149,921, for the period April 2, 2018 through August 31, 2018, and

WHEREAS, said services are necessary to update the current Broome County Hazard Mitigation Plan in accordance with the Federal Emergency Management Agency's current standards and requirements for multi-jurisdictional hazard mitigation plans, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tetra Tech, Inc., 6 Century Drive, Parsippany, New Jersey 07054 for consultation services for the Department of Planning and Economic Development for the period April 2, 2018 through August 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$149,921 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.6004255.3710090 (Contracted 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. 108**

By Economic Development, Education and Culture Committee      Seconded by Mrs. Kaminsky

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE GOVERNMENT PLAZA GREEN INFRASTRUCTURE PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, the County desires to advance the Government Plaza Green Infrastructure Project, and

WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, it has been determined that the Broome County Legislature is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, said Project may have an impact on the environment, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the Government Plaza Green infrastructure Project, and be it

FURTHER RESOLVED, that based on the Environmental Assessment Form annexed hereto as Exhibit "A", the Broome County Legislature hereby determines and declares that the Government Plaza Green Infrastructure Project will not have a significant effect on the environment and issues a Negative Declaration.

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

### **RESOLUTION NO. 109**

By Public Safety & Emergency Services and Finance Committees   Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDING FOR STOP-DWI'S STATE FARM TEEN TRAFFIC SAFETY DAY FOR 2018**

WHEREAS, the Coordinator of STOP-DWI requests authorization to accept funding in the amount of \$14,000 for STOP-DWI's State Farm Teen Traffic Safety Day for the period October 1, 2018 through October 31, 2018, and

WHEREAS, said funding will be used to support a Teen Traffic Safety Day, aimed at reducing the number of teens injured or killed in motor vehicle accidents by addressing areas of concern such as impaired driving, distracted driving, seat belt use and consequences of unsafe driving behaviors, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$14,000 from State Farm Insurance Co., Charlottesville Operations Center, 1500 State Farm Boulevard, Charlottesville, VA, 22909-0001 for STOP-DWI's State Farm Teen Traffic Safety Day for the period October 1, 2018 through October 31, 2018, and be it

FURTHER RESOLVED, that the funding hereinabove authorized shall be credited to the Holiday Classic Trust Account 4660014, 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. 110**

By Public Safety & Emergency Services and Finance Committees   Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE 2018 STATEWIDE INTEROPERABLE COMMUNICATIONS PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2018-2019**

WHEREAS, the Director of Emergency Services requests authorization to accept a Statewide Interoperable Communications Grant for the Office of Emergency Services and adopt a program budget in the amount of \$718,401 for the period January 1, 2018 through December 31, 2019, and

WHEREAS, said program grant provides aid to public safety organizations in enhancing emergency response, improving capability, improvements to governance structures, operating

procedures, infrastructure development, and addressing SAFECOM guidance from the U.S. Department of Homeland Security Office of Emergency Communications, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$718,401 from New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Building 7A, Suite 710, Albany, New York 12242 for the Office of Emergency Services' Statewide Interoperable Communications Grant for the period January 1, 2018 through December 31, 2019, 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 \$718,401, 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. 111**

By Public Safety & Emergency Services and Finance Committees Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A PUBLIC SAFETY ANSWERING POINTS PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2018**

WHEREAS, the Director of Emergency Services requests authorization to accept a Public Safety Answering Points Program Grant for the Office of Emergency Services and adopt a program budget in the amount of \$200,949 for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said program grant supports costs associated with public safety call-taking and dispatching expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,949 from the New York State Division of Homeland Security, 1220 Washington Avenue, State Office Campus-Building 7A, Albany, New York 12242 for the Office of Emergency Services' Public Safety Answering Points Program Grant for the period January 1, 2018 through December 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 \$200,949, 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. 112**

By Public Works & Transportation and Finance Committees                      Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH GHD CONSULTING ENGINEERS FOR A FEASIBILITY STUDY AT THE BROOME COUNTY (NANTICOKE) LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2012-2018**

WHEREAS, this County Legislature, by Resolution 165 of 2012, as amended by Resolutions 324 of 2013 and 67 of 2017, authorized an agreement with GHD Consulting Engineers for a feasibility study at the Broome County (Nanticoke) Landfill for the Department of Public Works-Division of Solid Waste Management at a cost not to exceed \$640,800 for the period May 1, 2012 through April 30, 2018, and

WHEREAS, said agreement is necessary for a feasibility study for options related to leachate control and air space redevelopment in the closed portion of the Broome County (Nanticoke) Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through April 30, 2019 at no additional cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with GHD Consulting Engineers, LLC, One Remington Park Drive, Cazenovia, New York 13035 to extend the period through April 30, 2019 at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolutions 165 of 2012, 324 of 2013 and 67 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 (Pasquale)

**RESOLUTION NO. 113**

By Public Works & Transportation Committee    Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING AN EASEMENT AGREEMENT WITH THE TOWN OF DICKINSON**

WHEREAS, the Commissioner of Public Works has requested a maintenance easement through land owned by Broome County for a newly constructed watermain along Lt. Van Winkle Drive in the Town of Dickinson, and

WHEREAS, the Department of Public Works has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

RESOLVED, that this County Legislature hereby grants a maintenance easement through land owned by Broome County for a newly constructed watermain along Lt. Van Winkle Drive in the Town of Dickinson, as more fully described in a map and property description referred to as Exhibit "A," 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 Public Works & Transportation and Finance Committees                      Seconded by Mrs. Kaminsky

**RESOLUTION ESTABLISHING ADMISSION AND PARKING FEES FOR THE 2018 GREATER BINGHAMTON AIRSHOW AT THE GREATER BINGHAMTON AIRPORT**

WHEREAS, the Commissioner of Aviation proposes to conduct an Airshow at the Greater Binghamton Airport on June 23, 2018, and

WHEREAS, this event provides the community with affordable family entertainment at the Greater Binghamton Airport, and

WHEREAS, to offset, in part, the costs associated with the 2018 Airshow, the Commissioner of Aviation proposes an entrance fee schedule and parking fee, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an admission and parking fee schedule for the Airshow at the Greater Binghamton Airport to be held on June 23, 2018 as follows:

**Greater Binghamton Airshow 2018**

**Admission Fee Schedule**

**Admission Tickets Purchased at the gate on June 23, 2018**

Adults (17 years and older)	\$15.00
Children (8 to 16 years of age)	\$10.00
Kids (7 years and younger)	Free

**Admission Tickets Purchased prior to June 23, 2018**

Adults (17 years and older)	\$12.00
Children (8 to 16 years of age)	\$ 7.00
Kids (7 years and younger)	Free

**Parking Fee**

All Vehicles (On-site)	\$ 5.00
------------------------	---------

and be it

FURTHER RESOLVED, that the entrance fees authorized herein shall be deposited in the Aviation Day Trust Account to be used to defray expenses in connection with the Airshow, and be it

FURTHER RESOLVED, 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. 115**

By: Public Works & Transportation and Finance Committees      Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING A NEW YORK STATE DEPARTMENT OF TRANSPORTATION MASS TRANSPORTATION CAPITAL PROJECT SUPPLEMENTAL AGREEMENT #1 FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION'S PREVENTIVE MAINTENANCE PROJECT**

WHEREAS, the Commissioner of Public Transportation requests authorization to enter into a New York State Department of Transportation Mass Transportation Capital Project Supplemental Agreement #1 for the Department of Public Transportation's Preventive Maintenance Project as listed on Exhibit "A", and

WHEREAS, these projects are eligible for funding under Title 23, United States Code, as amended, that calls for the apportionment of the costs thereof to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, State Mass Transportation Capital Aid is available to fund the non-federal aid-eligible portion of projects approved by the Commissioner of Transportation, provided such state funds shall not be used in substitution for the non-federal share of the federally funded portion thereof, and

WHEREAS, this County Legislature desires to advance said Project by making a commitment of 100% of the Federal and Non-Federal share of the Project costs, now, therefore, be it

RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement request for Federal Aid and/or State Mass Transit Capital Aid on behalf of Broome County with the New York State Department of Transportation in connection with the advancement or approval of the Projects and providing for the administration of the Projects 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.

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

### **RESOLUTION NO. 116**

By County Administration and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE PORT DICKINSON POLICE DEPARTMENT FOR A COMPUTER MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2018-2019**

WHEREAS, the Director of Information Technology requests authorization for an agreement with the Port Dickinson Police Department for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology at the rate of \$50 per hour for the period January 1, 2018 through December 31, 2019, and

WHEREAS, said agreement is necessary to define the service expectations for computer maintenance and support for the Port Dickinson Police Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Port Dickinson Police Department, 786 Chenango Street, Binghamton, New York 13901 for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2018 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County the rate of \$50 per hour for the term of the agreement, 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. 117**

By County Administration Committee

Seconded by Mr. Weslar

#### **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3 OF 2018, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE CHAPTER 257-40 - FEE SCHEDULE - DOGS AND ANIMALS"**

RESOLVED, that Local Law Intro. No. 3 of 2018, entitled: "A Local Law Amending the Broome County Charter and Code Chapter 257-40 - Fee Schedule – Dogs and Animals," 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 2018**

#### **A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE CHAPTER 257-40 - FEE SCHEDULE - DOGS AND ANIMALS"**

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

Section 1 Chapter 257-40 Fee Schedule Dogs and Animals is hereby amended as follows:

Dogs and Animals (see Chapter 243, Article I)



WHEREAS, said agreement is necessary for Air Meet, Weather and Volunteer Accident Insurance coverage at the 2018 Greater Binghamton Air Show, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Haylor, Freyer & Coon, Inc., 231 Salina Meadows Parkway, Syracuse, New York 13212 for event insurance for the Greater Binghamton Airport for the period June 22, 2018 through June 24, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,825 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from 28010005.466022.6170 (Aviation Open House), 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. 119**

By Finance and Public Works & Transportation Committees Seconded by Mr. Flagg

**RESOLUTION AMENDING THE 2018 CAPITAL IMPROVEMENT PROGRAM TWO CUTAWAY BUSES PROJECT**

RESOLVED, that the 2018 Capital Improvement Program is hereby amended to create a new project for 2018 as follows:

		Estimated Construction Cost:				
<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>	
3120027	2 Cutaway Buses	\$367,304	\$0	\$367,304	\$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>
		2018	10	29-a	\$367,304	\$0

Description: To create a project for the purchase of two cutaway buses.

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. 120**

By Finance and Public Works & Transportation and Economic Development, Education & Culture Committees Seconded by Mr. Wildoner

**RESOLUTION AMENDING THE 2018 CAPITAL IMPROVEMENT PROGRAM FORUM MARQUEE REPLACEMENT AND ARENA IMPROVEMENTS INFRASTRUCTURE PROJECTS**

RESOLVED, that the 2018 Capital Improvement Program is hereby amended to create a new project for the purchase and installation of marquee panels at the Broome County Forum Theatre as follows:

		Estimated Construction Cost:				
<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>	
220009	Forum Marquee Replacement	\$125,000	\$0	\$125,000	\$0	

2018 Journal of Proceedings

Local Finance Law Section 11				How Financed:
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2018	10	13	\$125,000	\$0

Description: To create a project for the purchase of and installation of marquee panels at the Broome County Forum Theatre.  
and be it

FURTHER RESOLVED, that the 2018 Capital Improvement Program is hereby amended to create a new project for improvements to the Floyd L. Maines Veterans Memorial Arena as follows:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>Federal</u>	<u>State</u>	<u>County</u>
3920021	Arena Improvements Infrastructure	\$100,000	\$0	\$100,000	\$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>
2018	10	13	\$100,000	\$0

Description: To create a project for improvements to the Floyd L. Maines Veterans Memorial Arena.

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. 121**

By Public Works & Transportation and Finance Committees      Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SCS ENGINEERS, PC FOR CONSTRUCTION REVIEW SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003-2018**

WHEREAS, this County Legislature, by Resolution 374 of 2003, as amended by Resolution 402 of 2005, 348 and 739 of 2006, 407 of 2007, 665 of 2008, 636 of 2009, 302 of 2010, 246 of 2011, 166 of 2012, 123 of 2013, 80 of 2014, 109 of 2015, 117 of 2016 and 25 of 2017, authorized an agreement with SCS Engineers for construction review services for the Division of Solid Waste Management at a cost not to exceed \$309,619 for the period October 6, 2003 through March 31, 2018, and

WHEREAS, said agreement is necessary to provide landfill gas engineering services including EPA mandated greenhouse gas reporting, and

WHEREAS, it is necessary to increase the not to exceed amount by \$15,000 and extend the term of said agreement through March 31, 2019, and

WHEREAS, the Commissioner of Public Works 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 SCS Engineers, PC, 4 Executive Boulevard, Suite 303, Suffern, New York 10901 to increase the not to exceed amount by \$15,000 and extend the term of the agreement through March 31, 2019 for additional landfill gas engineering services for the Division of Solid Waste Management, and be it



the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$35,000 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 (Pasquale)

#### **RESOLUTION NO. 124**

By Public Safety & Emergency Services and Finance Committees                      Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM FUNDING FOR THE DIVISION OF SECURITY FOR 2016-2018**

WHEREAS, the Director of Security requests authorization for an agreement with the Transportation Security Administration for Law Enforcement Officer Reimbursement Program Funding in the amount of \$73,000 for the Division of Security for the period April 1, 2016 through December 31, 2018, and

WHEREAS, said agreement provides reimbursement for Broome County Security Officers assigned at the Greater Binghamton Airport to provide a law enforcement presence and capability that adequately insures the safety of passengers and national security, pursuant to 49 U.S.C. s/s 44903c and 49 C.F.R. Part 1542, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Transportation Security Administration, 701 S. 12<sup>th</sup> Street, Arlington, Virginia 20598-6025 for Law Enforcement Officer Reimbursement Program Funding in the amount of \$73,000 for the period April 1, 2016 through December 31, 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.

Mr. Baker made a motion, seconded by Mr. Weslar to amend the amount in the First Whereas paragraph and the first Resolved paragraph to \$100,093.

**Amendment carried.** Ayes-14, Nays-0, Absent-1 (Pasquale)

**Resolution as amended carried.** Ayes-14, Nays-0, Absent-1 (Pasquale)

#### **RESOLUTION NO. 125**

By Public Works & Transportation and Finance Committees                      Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH GHD CONSULTING ENGINEERS FOR PROFESSIONAL SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2010-2018**

WHEREAS, this County Legislature, by Resolution 353 of 2004, last amended by Resolution 68 of 2017, authorized renewal of the agreement with GHD Consulting Engineers for professional engineering services for the Division of Solid Waste Management at an amount not to exceed \$206,300 for the period September 1, 2010 through April 30, 2018, and

WHEREAS, said agreement is necessary to assist the leachate treatment plant operations staff by including analysis review and report preparation for a leachate treatment pilot study, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$10,000 and extend the period through April 30, 2019, for additional operational services described in the Scope of Services, Amendment No. 20, attached as Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with GHD Consulting Engineers, One Remington Park Drive, Cazenovia, New York, 13035, to increase the not to exceed amount by \$10,000 and extend the period through April 30, 2019, for additional operational services described in the Scope of Services, Amendment No. 20, attached as Exhibit "A", and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$216,300 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6004146.2020 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolutions 353 of 2004, 400 of 2005, 738 of 2006, 524 of 2007, 458 of 2008, 395 of 2009, 591 and 337 of 2010, 306 and 154 of 2011, 168 of 2012, 253 of 2013, 165 of 2014, 110 of 2015, 153 of 2016 and 68 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 (Pasquale)

### RESOLUTION NO. 126

By Finance Committee

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING AN AGREEMENT WITH CUSHMAN & WAKEFIELD/PYRAMID BROKERAGE COMPANY AND THE AGENCY - BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY/BROOME COUNTY LOCAL DEVELOPMENT CORPORATION FOR PROFESSIONAL REAL ESTATE SERVICES FOR THE OFFICE OF REAL PROPERTY TAX SERVICES FOR 2018-2019**

WHEREAS, Request for Proposal 2017-100 Sale of Property by the County Department of Real Property was advertised, and

WHEREAS, the Director of Real Property Tax Services requests authorization for an agreement with Cushman & Wakefield/Pyramid Brokerage Company and the Agency – Broome County Industrial Development Agency/Broome County Local Development Corporation for professional real estate services for the period May 1, 2018 through April 30, 2019, and

WHEREAS, said agreements are necessary for the disposition of unique County-owned properties, as directed by the Office of Real Property Tax Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cushman & Wakefield/Pyramid Brokerage Company, 84 Court Street, Suite 300, Binghamton, New York 13901 for professional real estate services for the Office of Real Property Tax Services for the period May 1, 2018 through April 30, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a commission of six percent (6%), payable upon the closing transaction, for the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with The Agency – Broome County Industrial Development Agency/Broome County Local Development Corporation 5 South College Drive, Suite 201, Binghamton, New York 13905 for professional real estate services for the Office of Real Property Tax Services for the period May 1, 2018 through April 30, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a commission of four percent (4%), payable upon the closing transaction, for the agreement, 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. 127**

By Public Works & Transportation and Finance Committees                      Seconded by Mrs. Kaminsky  
**RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE**

WHEREAS, a Project for the Upper Lisle Road Bridge (BIN 3349680) – Maintenance and Bridge Painting, P.I.N. 9754.05 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% 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 for the Preliminary Engineering and Design and Construction and Construction Supervision and Inspection work, now, therefore, be it

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 Construction and Construction Supervision and Inspection work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the sum of \$1,083,000 is hereby approved pursuant to the 2018 Capital Improvement Program Project #2920093, and made available to cover the cost of participation in the above phase of the Project, and be it

FURTHER RESOLVED, that in the event 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 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 Marchiselli 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.

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

**RESOLUTION NO. 128**

By Finance and Public Works & Transportation Committees                      Seconded by Mr. Baker  
**RESOLUTION AMENDING THE 2018 CAPITAL IMPROVEMENT PROGRAM UPPER LISLE ROAD BRIDGE DESIGN CONSTRUCTION PROJECT**

RESOLVED, that the 2018 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
2920093	Upper Lisle Road Bridge Design (BIN 3349680)- Construction	\$955,000	\$0	\$764,000	\$191,000

Local Finance Law Section 11                      How Financed:

2018 Journal of Proceedings

	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
TO:	2018	20	10	\$955,000	\$0

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Final Construction Cost:		<u>County</u>
			<u>State</u>	<u>Federal</u>	
2920093	Upper Lisle Road Bridge Design (BIN 3349680) - Construction	\$1,083,000	\$216,600	\$866,400	\$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>	
2018	20	10	\$1,083,000	\$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. 129**

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

Seconded by Mr. Heebner

**RESOLUTION AMENDING THE 2017 CAPITAL IMPROVEMENT PROGRAM BCC GEOTHERMAL HEATING AND COOLING PROJECT**

RESOLVED, that the 2017 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>Federal</u>	
1920045	Geothermal Heating and Cooling	\$780,875	\$780,875	\$0	\$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>	
2017	5	62a	\$780,875	\$0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Final Construction Cost:		<u>County</u>
			<u>State</u>	<u>Federal</u>	
1920045	Geothermal Heating and Cooling	\$905,688	\$905,688	\$0	\$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>	
2017	5	62a	\$905,688	\$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. 130**

By Finance Committee

Seconded by Mr. Weslar

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FREEWHEELIN ANSCO, LLC FOR LEASE OF REAL PROPERTY AT 9 AND 16 EMMA STREET**

WHEREAS, this County Legislature, by Resolution 555 of 2017, authorized an agreement with Freewheelin Ansko LLC for a ground lease for 9 and 16 Emma Street, Binghamton, New York 13905 with revenue to the County in the amount of \$18,859 per month for the period December 28, 2017 through May 31, 2018, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through June 30, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Freewheelin Ansko, LLC, 225 Wilkinson Street, Syracuse, New York 13204 to extend the period through June 30, 2018, and be it

FURTHER RESOLVED, that Resolution 555 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.

Mr. Weslar made a motion, seconded by Mrs. Kaminsky to amend the Resolution to add a Whereas paragraph to read "WHEREAS, it is further necessary to authorize the amendment of the agreement to authorize Freewheelin Ansko, LLC to manage said properties, including but not limited to, collecting the rents, maintaining the building, paying the utilities incurred from April 1, 2018 until the official closing, and paying the County, after expenses, any remaining balance of the collected rents, now, therefore, be it" and add a Further Resolved paragraph to read: "FURTHER RESOLVED, that this County Legislature hereby authorizes Freewheelin Ansko, LLC to manage said properties, including but not limited to, collecting the rents, maintaining the building, paying the utilities incurred from April 1, 2018 until the official closing, and paying the County, after expenses, any remaining balance of the collected rents, and be it"

**Amendment carried.** Ayes-14, Nays-0, Absent-1 (Pasquale)

**Resolution as amended carried.** Ayes-14, Nays-0, Absent-1 (Pasquale)

**RESOLUTION NO. 131**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SPIEDIE FEST & BALLOON RALLY EXPO, INC. FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2018**

WHEREAS, the Director of Planning requests authorization for an agreement with Spiedie Fest & Balloon Rally, Expo, Inc. for funding in the amount not to exceed \$35,000 from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said funding will be used to assist with expenses associated with the Spiedie Fest & Balloon Rally Expo., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Spiedie Fest & Balloon Rally Expo, Inc., PO Box 275 Westview Station, Binghamton, New York 13905, for funding from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$35,000 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 (Pasquale)

### **RESOLUTION NO. 132**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE GOVERNMENT PLAZA GREEN INFRASTRUCTURE PROJECT PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ADOPTING A PROGRAM BUDGET FOR 2018-2020**

WHEREAS, the Director of Planning requests authorization to accept a Government Plaza Green Infrastructure Project Program Grant for the Department of Planning and adopting a program budget in the amount of \$1,752,000 for the period May 1, 2018 through May 31, 2020, and

WHEREAS, said program grant provides funding for green roofs, stormwater planters, stormwater harvest and reuse system, porous pavers, bioretention, downspout disconnection and stormwater trees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,700,000 the New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, for the Department of Planning's Governmental Plaza Green Infrastructure Project for the period May 1, 2018 through May 31, 2020, 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 \$1,752,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the required local match of at least 10%, not to exceed \$189,000; said local match shall consist of in-kind administrative, legal and technical services, in-kind materials and budgeted general fund appropriations, 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. 133**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT WITH COURTERBACK DEVELOPMENT COMPANY, LLC TO SD BINGHAMTON REALTY, LLC FOR LEASE OF SPACE AT 171-175 FRONT STREET AND EXTENDING THE AGREEMENT THROUGH DECEMBER 31, 2019**

WHEREAS, this County Legislature pursuant to Resolutions 278 of 2001 and 39 of 2004 authorized an agreement with Courterback Development Company, LLC for the lease of space at 171-175 Front Street, Binghamton for use by the Office of Employment and Training and the Department of Social Services for the period January 1, 2004 through December 31, 2018, and

WHEREAS, ownership of the building has been transferred from Courterback Development Company, LLC to SD Binghamton Realty, LLC and SD Binghamton Realty, LLC wishes to assume the existing Courterback Development Company, LLC lease under the same terms and conditions, and

WHEREAS, the Director of Employment and Training requests authorization to extend the period of the lease agreement through December 31, 2019 under the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the assignment of an agreement with Courterback Development Company LLC to SD Binghamton Realty, LLC, 53-23 211<sup>th</sup> Street, Oakland Gardens, New York 11364 according to the agreement entered into by and between Courterback Development Company, LLC, subject to the same terms and conditions set forth in said agreement by and between Broome County and Courterback Development Company, LLC, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement to extend the period through December 31, 2019, under the same terms and conditions, and be it

FURTHER RESOLVED, that the payments for the rent and utility adjustments be made from various Building and Ground and Building and Land Rental budget lines 3310120.6004111.3131 and 33020006.6004117.3131, 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. 134**

By County Administration and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH POSTAGE PROS PLUS INC. FOR LEASE OF A FOLDING AND INSERTING MACHINE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR 2018-2022**

WHEREAS, Request for Bid 2018-12 Leasing of a Folding and Inserting Machine was advertised and as a result of the responses received the Director of Information Technology requests authorization for an agreement with Postage Pros Plus Inc., for the lease of a folding and inserting machine for the Department of Information Technology at a cost not to exceed \$19,198.08, for the period June 1, 2018 through May 31, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Postage Pros Plus, Inc., 110 Saginaw Street, Scranton, Pennsylvania 18505 for the lease of a folding and inserting machine for the Department of Information Technology for the period June 1, 2018 through May 31, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,198.08 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 17000001.6004106 (General Office 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. 135**

By County Administration and Economic Development, Education & Culture Committees  
Seconded by Mr. Baker

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4 OF 2018, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE CHAPTER 281 PARKS AND RECREATION AREAS"**

RESOLVED, that Local Law Intro. No.4 of 2018, entitled: "A Local Law Amending the Broome County Charter and Code Chapter 281 Parks and Recreation Areas" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Administrative Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 4 OF 2018**

"A Local Law Amending the Broome County Charter and Code  
Chapter 281 Parks and Recreation Areas"

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

Section 1. § 281-3. Rules, regulations and prohibitions shall be amended as follows:

A. Preservation of property, natural resources.

(1) No person shall injure, deface, destroy, disturb, remove or misuse any part of the park nor any building, sign, equipment or other property.

(2) No person shall operate a chain saw within the park except law enforcement officers, emergency first responders, or persons duly authorized by the department.

P. -Dogs and other animals shall be amended as follows:

(1) Dogs, cats and other domesticated pets are permitted, except on beaches and in buildings only if they are controlled at all times by a leash not more than eight feet. No animals may be left unattended in the park without the express written permission of the Commissioner.

This paragraph shall not apply to dogs assigned to a law enforcement K-9 Unit, service animals or when specifically authorized by the Commissioner.

(2) Proof of currently effective rabies inoculation is required.

(3) Horseback riding, farm animals and petting zoos are not allowed on park property unless deemed appropriate by the Commissioner of Public Works, Parks, Recreation and Youth Services in extenuating circumstances.

(4) Individuals bringing dogs or other animals into the parks or leisure facility shall be required to pick up and deposit in proper receptacles all solid waste from said animals.

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

**The Resolution was amended in committee and is Heldover under the Rules**

**RESOLUTION NO. 136**

By Finance Committee

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING CANCELLATION OF TAXES PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN THE CITY OF BINGHAMTON**

WHEREAS, the Director of Real Property Tax Service is requesting authorization to cancel 2018 taxes plus accrued interest and penalties on parcels in the City of Binghamton, attached as Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of taxes plus accrued interest and penalties on parcels in the City of Binghamton, attached as Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Real Property Tax Service and the Director of the Office of Management and Budget are hereby authorized to execute any and all adjustments to tax bills, tax records and property tax records as may be necessary to implement the intent of this Resolution.

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

**RESOLUTION NO. 137**

By Finance Committee

Seconded by Mrs. Kaminsky

**RESOLUTION APPROVING THE SALE OF COUNTY-OWNED REAL PROPERTY IN THE TOWN OF VESTAL**

WHEREAS, the County of Broome now owns real property parcel number 157.52-1-8, 1625 Pearl Street in the Town of Vestal, 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 to the Broome County Land Bank for the purchase price of \$1, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of real property parcel number 157.52-1-8, 1625 Pearl Street in the Town of Vestal to the Broome County Land Bank, 60 Hawley Street, Binghamton, New York 13901 for the purchase price of \$1 for the purpose of demolition, and be it

FURTHER RESOLVED, that the payment hereinabove referenced shall be credited to budget line 17000001.5000517.1010 (Sale of Real Property), 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.

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

**RESOLUTION NO. 138**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING RENEWAL OF THE INDIGENT LEGAL SERVICES PROGRAM GRANT FOR THE PUBLIC DEFENDER AND ADOPTING A PROGRAM BUDGET FOR 2017-2019**

WHEREAS, this County Legislature, by Resolution 415 of 2015, authorized and approved renewal of the Indigent Legal Services Program Grant for the Office of the Public Defender and adopted a program budget in the amount of \$652,767 for the period January 1, 2014 through December 31, 2016, and

WHEREAS, said program grant provides resources for representation in Broome County Family Court as well as resources for additional personnel to handle the increasing number of indigent clients requesting services, client mitigation in sentencing and additional support personnel, and

WHEREAS, it is desired to renew said program grant in the amount of \$652,767 for the period January 1, 2017 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$652,767 from the New York State Office of Indigent Legal Services, State Capitol, Room 128, State Street, Albany, New York 12224 for the Office of the Public Defender's Indigent Legal Services Program Grant for the period January 1, 2017 through December 31, 2019, 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 \$652,767, 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. 139**

By Public Safety & Emergency Services Committee

Seconded by Mrs. Kaminsky

#### **RESOLUTION DESIGNATING COUNTY PROPERTY LOCATED AT 3006 WAYNE STREET, ENDWELL AS "THE MICHAEL F. ASWAD EMERGENCY SERVICES SPECIAL OPERATIONS AND TRAINING FACILITY"**

WHEREAS, Michael F. Aswad served with distinction as the Broome County Fire Coordinator from 1981 until 2006, and Broome County Director of Emergency Services from 1989 until 2006, and

WHEREAS, during his tenure, Mr. Aswad provided indispensable and highly-effective leadership on Broome County's fire and other emergency services on both a day-to-day basis and during major crises, including the floods in 2006, and

WHEREAS, Mr. Aswad set an example and laid a solid foundation for the continued progress of Emergency Services in Broome County, which has yielded countless benefits for the County's residents, and

WHEREAS, the Emergency Medical Services Advisory Board and the Fire Advisory Board endorses and recommends designating the newly opened facility located at 3006 Wayne Street in Endwell as the "Michael F. Aswad Emergency Services Special Operations and Training Facility", now, therefore, be it

RESOLVED, in order to assure that Mr. Aswad's name, legacy and service continue to be held in high esteem for many years to come, this County Legislature hereby designates the facility located at 3006 Wayne Street in Endwell as the "Michael F. Aswad Emergency Services Special Operations and Training Facility", 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. 140**

By County Administration & Public Safety & Emergency Services Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING A HOME RULE REQUEST FOR AMENDMENT OF NEW YORK STATE CORRECTIONS LAW § 500-A AND § 500-C TO AUTHORIZE THE BROOME COUNTY CORRECTIONAL FACILITY TO HOLD PERSONS UNDER ARREST FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF BROOME**

WHEREAS, pursuant to New York Corrections Law § 500-A and § 500-C, the Broome County Sheriff may not house persons arrested and detained prior to arraignment, and

WHEREAS, the Broome County Sheriff has adequate facilities and procedures to house said persons prior to arraignment, and

WHEREAS, detention of said persons prior to arraignment is in the best interest of promoting public safety and efficient use of law enforcement resources, and

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

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purposes of said legislation, and

WHEREAS, it is understood that by passing this Resolution the Broome County Legislature will still be required to consider any implementation and execution plan for Phase II of the Centralized Arraignment Part ("CAP"), now, therefore, be it

RESOLVED, that this County Legislature hereby requests Senator Fred J. Akshar, Assemblywoman Donna A. Lupardo, Assemblyman Clifford W. Crouch and Assemblyman Christopher S. Friend introduce Home Rule Legislation amending Section 500-a and Section 500-c of the New York Corrections Law as follows:

Section 1. Section 500-a of the correction law is amended by adding a new subdivision 2-S to read as follows:

2-S. THE BROOME COUNTY CORRECTIONAL FACILITY MAY ALSO BE USED FOR THE DETENTION OF PERSONS UNDER ARREST BEING HELD FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF BROOME.

Section 2. Section 500-c of the Correction Law is amended by adding a new subdivision 25 to read as follows:

25. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE COUNTY OF BROOME, ALL THE PROVISIONS OF THIS SECTION SHALL EQUALLY APPLY IN ANY CASE WHERE THE SHERIFF IS HOLDING A PERSON UNDER ARREST FOR ARRAIGNMENT PRIOR TO COMMITMENT, AS IF SUCH PERSON HAS BEEN JUDICIALLY COMMITTED TO THE CUSTODY OF THE SHERIFF AND SUCH PERSON MAY BE HELD IN THE BROOME COUNTY CORRECTIONAL FACILITY.

Section 3. This act shall take effect immediately, provided, however, that the amendments to section 500-c of the correction law, made by section two of this act, shall not affect the repeal of such section and shall be deemed repealed therewith.  
and be it

FURTHER RESOLVED, that a Home Rule request indicating the necessity exists for the enactment of said legislation shall be submitted to Senator Fred J. Akshar, Assemblywoman Donna A. Lupardo, Assemblyman Clifford W. Crouch and Assemblyman Christopher S. Friend.

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

#### **RESOLUTION NO. 141**

By Economic Development, Education and Culture Committee      Seconded by Mrs. Kaminsky  
**RESOLUTION CONFIRMING REAPPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

WHEREAS, the Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution 27 of 1972, the Broome County Charter and Administrative Code, and Section 6 of the Soil and Water Conservation Districts Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individual to membership on the Broome County Soil and Water Conservation District Board of Directors for the terms indicated:

<u>Name</u>	<u>Term Expiring</u>
Lester Price 6178 State Route 26 Whitney Point, NY 13862	December 31, 2021 Farm Bureau Representative Reappointment

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 27 of 1972, the Broome County Charter and Administrative Code and Section 6 of the Soil and Water Conservation Districts Law, does hereby confirm the reappointment of the above-named individual to membership on the Soil and Water Conservation District Board of Directors in accordance with his appointment by the Legislative Chair.

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

#### **RESOLUTION NO. 142**

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Kaminsky

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DISTRICT ATTORNEY'S OFFICE**

RESOLVED, that in accordance with a request contained in PCR# 18-72 from the District Attorney, this County Legislature hereby abolishes the position of Secretary, Grade 13, Union Code 04 CSEA, minimum annual salary \$31,938, 37.5 hours weekly, budget line 06000001.6001000.1010 effective April 9, 2018, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 18-71 from the District Attorney, this County Legislature hereby creates the position of Secretary to District Attorney, Grade 14, Union Code 09 Admin I, minimum annual rate \$33,712 37.5 hours weekly, budget line 06000001.6001000.1010 effective May 1, 2018.

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

### RESOLUTION NO. 143

By Economic Development, Education & Culture and Finance Committees

Seconded by Mrs. Kaminsky

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2018**

WHEREAS, the Commissioner of Planning & Economic Development requests authorization for an agreement with Cornell Cooperative Extension of Broome County for funding in the amount not to exceed \$25,000 from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said funding will be used for operations designed to promote tourism with programs designed to encourage the community to visit local farms, purchase locally produced farm products and raise awareness of the importance of agriculture in the local economy, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension of Broome County, 840 Upper Front Street, Binghamton, New York 13905, for funding from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026.1010 (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 (Pasquale)

### RESOLUTION NO. 144

By Economic Development, Education & Culture Committee

Seconded by Mrs. Kaminsky

#### **RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS**

WHEREAS, Daniel J. Reynolds, Chairman, pursuant to the authority vested in him by Resolution 78 of 2018, has duly designated and appointed the following named individual to membership on the Broome County Veterans Memorial Arena Board of Directors, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Matthew Wallen 123 N. Jackson Avenue Endicott, NY 13760	12/31/2018

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 78 of 2018, confirms the appointment of the above-named individual to membership on the Broome County Veterans Memorial Arena Board of Directors for the term indicated, in accordance with this appointment by the County Legislature.

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

Mr. Flagg made a motion to adjourn, seconded by Mrs. O'Brien. **Motion to adjourn carried.** Ayes-14, Nays-0, Absent-1 (Pasquale). The meeting was adjourned at 5:59 p.m.

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