

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
DECEMBER 27, 2018**

The Legislature convened at 5:29 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-13, Absent-2 (Baldwin, Heebner).

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

ANNOUNCEMENTS FROM THE CHAIR

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

Mr. D. J. Reynolds presented plaques to outgoing Legislators Keibel and Sopchak and thanked them for their service.

Mr. Pasquale made a motion, seconded by Mrs. Kaminsky that the Session minutes of November 20, 2018 and December 20, 2018 be approved as prepared and presented by the Clerk.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

Mr. Reynolds noted that the committee minutes for December 20, 2018 through December 26, 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. Keibel, seconded by Mr. Sopchak.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner).

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

1. Office of Management & Budget – 2019 Adopted Broome County Budget
2. SUNY Broome – Board of Trustees Minutes
3. SUNY Broome – Budget Transfers Letter
4. Broome County Soil & Water Conservation District – Director's Meeting Minutes
5. Audit and Control – Accounts Payable Documentation Audit
6. Legislature – Vacation Carryover Memo

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 527

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 2018

RESOLVED, that the Certificate of Returned School Taxes as reported by the Director of the Office of Management and Budget, as set forth in Exhibit "A" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Director of the Office of Management and Budget to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of returned Village Taxes, as reported by the Director of the Office of Management and Budget, as set forth in Exhibit "B" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed,

and when collected, the same be returned to the Director of the Office of Management and Budget to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

EXHIBIT A

2018 RETURNED SCHOOL TAXES - BY SCHOOL DISTRICT - TOTAL RELEVY

SCHOOL DISTRICT	TOTAL UNPAID TAX ON ROLL	7% COUNTY PENALTY	TOTAL RELEVIED TAX
Afton	\$114,429.42	\$8,010.05	\$122,439.47
Bainbridge-Guilford	8,483.32	593.83	9,077.15
Binghamton (Dickinson)	26,451.40	1,851.60	28,303.00
Chenango Forks	468,493.04	32,794.59	501,287.63
Chenango Valley	831,877.66	58,231.33	890,108.99
Cincinnatus	586.71	41.08	627.79
Deposit	297,904.80	20,853.29	318,758.09
Greene	690.33	48.32	738.65
Harpursville	379,984.47	26,598.89	406,583.36
Johnson City	1,594,146.51	111,589.85	1,705,736.36
Maine-Endwell	1,016,541.68	71,157.99	1,087,699.67
Marathon	20,381.87	1,426.72	21,808.59
Newark Valley	0.00	0.00	0.00
Susquehanna Valley	873,314.95	61,132.09	934,447.04
Union-Endicott	1,701,558.35	119,109.26	1,820,667.61
Vestal	1,145,279.33	80,169.57	1,225,448.90
Whitney Point	593,934.63	41,575.35	635,509.98
Windsor	863,950.73	60,476.58	924,427.31
Binghamton (Town)	9,943.17	696.02	10,639.19
Grand Totals	\$9,947,952.37	696,356.41	\$10,644,308.78

TOWN	VILLAGE	TOTAL UNPAID TAX ON ROLL	7% COUNTY PENALTY	TOTAL RELEVIED TAX
Dickinson	Port Dickinson	\$20,479.28	\$1,433.55	\$21,912.83
Lisle	Lisle	1,926.21	134.85	2,061.06
Sanford	Deposit	40,757.88	2,853.06	43,610.94
Triangle	Whitney Point	32,405.07	2,268.35	34,673.42
Union	Endicott	479,300.07	33,550.94	512,851.01
	Johnson City	688,465.87	48,192.58	736,658.45
Union Total		1,167,765.94	81,743.52	1,249,509.46
Windsor	Windsor	29,617.93	2,073.28	31,691.21

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 528

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER, ON THE CITY OF BINGHAMTON FOR 2019

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax - \$10,844,414.39 and be it

FURTHER RESOLVED, that the payment to the Director of the Office of Management and Budget of Broome County be made pursuant to the City's Charter, one-half on March 1, 2019, and one-half on September 1, 2019 up to the amount collected.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 529

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION APPOINTING MEMBERS TO THE BROOME COUNTY LOCAL DEVELOPMENT CORPORATION PURSUANT TO THE NOT-FOR-PROFIT CORPORATION LAW OF THE STATE OF NEW YORK

WHEREAS, this County Legislature, by Resolution 463 of 2010 authorized the formation of the Broome County Local Development Corporation (LDC), pursuant to the Not-For-Profit Corporation Law of the State of New York, to promote and conduct economic development activities in the County, and

WHEREAS, according to the Certificate of Incorporation and the By-laws, the Legislature is authorized to nominate the members of the LDC's Board of Directors to serve with term indicated below or until their successor is elected and has been qualified, and

WHEREAS, this County Legislature desires to nominate and elect the members of the LDC's Board of Directors as follows:

<u>NAMES</u>	<u>TERM EXPIRING</u>
John Bernardo 69 Gouverneurs Lane Endicott, NY 13760	December 31, 2020 Reappointment
Richard Bucci 204 Leroy Street Binghamton, NY 13905	December 31, 2020 Reappointment
Daniel E. Crocker 312 Leroy Avenue Vestal, NY 13850	December 31, 2020 Reappointment
Wayne Howard P.O. Box 9 Port Crane, NY 13833	December 31, 2020 Reappointment
James Peduto 1505 Buffalo Street Endicott, NY 13760	December 31, 2020 Reappointment
John Stevens 808 Vestal Lane Vestal, NY 13850	December 31, 2020 Reappointment

Cheryl Sacco
3261 Cynthia Drive
Binghamton, NY 13903
December 31, 2020
New Appointment
(Replacing Diane Marusich)

Brian Rose
432 Country Knoll Drive
Endwell, NY 13760
December 31, 2020
New Appointment
(Replacing Stephen Feehan)

Joseph Mirabito
57 Timber Bluff Court
Binghamton, NY 13903
December 31, 2020
New Appointment
(Replacing Lamont Pinker)

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore be it
RESOLVED, that the above-named individuals are duly nominated and elected as
member of the LDC's Board of Directors, with terms as indicated or to serve until their successor
is elected by the Broome County Legislature and has been qualified.
Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 530

By Finance Committee
**RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS
AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE
COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE
REAL PROPERTY TAX LAW**

Seconded by Mr. Flagg

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have
been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and
by the several resolutions of the County Legislature, and the same completed Tax Rolls have
been laid down before this County Legislature for its approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and that the tax is so
extended upon the Tax Rolls and the several amounts extended against each parcel of property
upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and
be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the
form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as
provided by Section 904 of the Real Property Tax Law; that such Warrants be signed by the
County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants
annexed therefore be forthwith delivered to the respective Collectors of the several tax districts
in the County, and be it

FURTHER RESOLVED, that upon the effective date of this resolution or any thereafter,
on or before January 1, 2019, be and hereby is designated as the date upon which the County
Executive and the Clerk of this County Legislature are authorized to sign the Warrants and
attach the seal of this County Legislature to the Tax Rolls of the several towns.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 531

By Finance Committee
**RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN
BROOME COUNTY**

Seconded by Mr. Flagg

WHEREAS, the budget for fiscal year commencing January 1, 2019 in which the County
taxes are to be levied is \$73,262,512 and

WHEREAS, the County Legislature must certify to each municipality the contribution of
such municipality to the taxes of the County based upon the full valuation of taxable real

property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 2018, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 2019, based upon a total tax levy of \$73,262,512 as follows:

Municipality	Tax Contribution	Rate per \$1,000
City of Binghamton	\$ 10,823,164	\$ 8.904269
Town of Barker	1,055,101	7.479462
Town of Binghamton	2,447,823	11.180281
Town of Chenango	5,232,608	10.685248
Town of Colesville	1,837,524	92.355672
Town of Conklin	2,035,356	11.705322
Town of Dickinson	1,564,462	10.022597
Town of Fenton	2,266,559	11.507130
Town of Kirkwood	2,814,729	10.460740
Town of Lisle	773,860	7.479406
Town of Maine	1,863,758	11.507951
Town of Nanticoke	539,121	13.121766
Town of Sanford	2,117,524	12.896290
Town of Triangle	1,003,145	7.479490
Town of Union	20,089,308	174.081970
Town of Vestal	13,917,750	7.479509
Town of Windsor	2,880,720	10.762007
TOTAL:	<u>\$73,262,512</u>	

and be it

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment role, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 2018 the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 532

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Daniel J. Reynolds, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, Resolution No. 388, adopted November 20, 2014 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated:

<u>Names</u>	<u>Term Expires</u>
Cheryl Sacco 3261 Cynthia Drive	December 31, 2021 New Appointment

Binghamton, NY 13903 (Replacing Diane Marusich)

Brian Rose December 31,2021
 432 Country Knoll Drive New Appointment
 Endwell, NY 13760 (Replacing Stephen Feehan)

Joseph Mirabito December 31,2021
 57 Timber Bluff Court New Appointment
 Binghamton, NY 13903 (Replacing Lamont Pinker)

and

WHEREAS, it is desired at this time to confirm said appointments, and

WHEREAS, these appointments, upon an affirmative vote by the full Legislature, shall become effective January 1, 2019 and continue through the terms indicated or until such time as the person is replaced, now, therefore be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, Resolution No. 388, adopted November 20, 2014 and Article 18-A of the New York State General Municipal Law, confirms the appointments of the above-named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated, in accordance with their appointment by the Legislative Chairman.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 533

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION ESTABLISHING EQUALIZATION RATE FOR THE 2019 COUNTY TAX LEVY

RESOLVED, that pursuant to Article III, Section 302 D of the Broome County Charter, the percentages hereinafter indicated after the names of the Towns and the City of Binghamton be and the same hereby are adopted as the ratio percentages which the assessed value of real property of each municipality bears to its full value:

<u>Municipality</u>	<u>Equalization Rate</u>
City of Binghamton	84.00
Town of Barker	100.00
Town of Binghamton	66.90
Town of Chenango	70.00
Town of Colesville	8.11
Town of Conklin	63.90
Town of Dickinson	74.63
Town of Fenton	65.00
Town of Kirkwood	71.50
Town of Lisle	100.00
Town of Maine	65.00
Town of Nanticoke	57.00
Town of Sanford	58.00
Town of Triangle	100.00
Town of Union	4.32
Town of Vestal	100.00
Town of Windsor	69.50

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 534

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION APPROVING THE APPOINTMENT OF MICHAEL T. BAKER AS BROOME COUNTY PUBLIC DEFENDER

WHEREAS, the County Executive, pursuant to the authority vested in him by Article XXII, Section C2201 of the Broome County Charter and Code and pending confirmation by this Legislature, has duly designated and appointed Michael T. Baker, 96 South Washington Street Binghamton, New York, 13903 as Broome County Public Defender, for a five year term effective January 1, 2019 at an annual salary of \$106,969 and

WHEREAS, Michael T. Baker is fully qualified to fill the position of Broome County Public Defender,

WHEREAS, it is desired at this time, pursuant to the provision of Article XXII, Section C2201 of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED that this County Legislature does hereby approve the appointment of Michael T. Baker, 96 South Washington Street, Binghamton, New York 13903, as Broome County Public Defender for a five year term, effective January 1, 2019 at an annual salary of \$106,969, in accordance with his appointment by the County Executive.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 535

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE TRAFFIC DIVERSION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2019

WHEREAS, this County Legislature, by 351 of 2017, as amended by Resolutions 17, 49, 193 and 351 of 2018, authorized and approved renewal of the Traffic Diversion Program Grant for the Office of the District Attorney and adopted a program budget in the amount of \$586,255 for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said program grant funds salaries and benefits for positions to support the Traffic Diversion Program, contingent upon the availability of said funds, and

WHEREAS, it is desired to renew said program grant in the amount of \$630,946 for the period January 1, 2019 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Traffic Diversion Program for the Office of the District Attorney for the period January 1, 2019 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 \$630,946, 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-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 536

By Finance Committee

Seconded by Mr. Baker

RESOLUTION AUTHORIZING A MERIT PAY STIPEND PROGRAM FOR THE OFFICE OF THE DISTRICT ATTORNEY

WHEREAS, merit pay increases were approved in the 2019 Broome County Operating budget, and

WHEREAS, the District Attorney requests authorization to establish a Merit Pay Stipend Program for the Office of the District Attorney, and

WHEREAS, the District Attorney shall have the discretion to award merit pay to attorneys employed as AT1 – AT4 based on the nature of specialized work, field and trial experience, employee retainage or disparity, and

WHEREAS, the allocation of said merit pay shall be bi-weekly, subject to budgeted appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a Merit Pay Stipend Program for the Office of the District Attorney, and be it

FURTHER RESOLVED, that the District Attorney shall have the discretion to award merit pay to attorneys employed as AT1 – AT4 based on the nature of specialized work, field and trial experience, employee retainage or disparity, and be it

FURTHER RESOLVED, that the allocation of said merit pay shall be bi-weekly, subject to budgeted appropriations, and be it

FURTHER RESOLVED, that the stipends shall not be added as part of the base salary for the position, and be it

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

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 537

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION APPROVING PHASE II OF THE BROOME COUNTY CENTRALIZED ARRAIGNMENT PART

WHEREAS, pursuant to an amendment to New York Corrections Law § 500-C, it is anticipated that State legislation will be enacted into law on or before January 1, 2019 allowing the Broome County Sheriff to hold a person under arrest for arraignment, prior to commitment, and

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

WHEREAS, the New York State Office of Court Administration has approved Phase II of the Broome County Centralized Arraignment Part, and

WHEREAS, the Broome County Centralized Arraignment Part will convene every day, as needed (including weekends and holidays), each morning commencing at 8:00 a.m. and continuing until 10:30 a.m. and reconvening each day at 8:00 p.m. and continuing until 10:30 p.m., to conduct local criminal court arraignments. In addition, the Centralized Arraignment Part will also be available to conduct emergency arraignments, which are requested to occur at any time of the day or night. Arrestees brought to the Broome County Public Safety Facility will, where practicable, be arraigned at the first available arraignment time within the Centralized Arraignment Part, now, therefore, be it

RESOLVED, that this County Legislature Approves Phase II of the Broome County Centralized Arraignment Part to commence operation as soon as practicable in January 2019.
Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 538

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH NURSE CONNECTIONS, INC. AND NURSEFINDERS, LLC FOR TEMPORARY STAFFING SERVICES FOR THE WILLOW POINT REHABILITATION AND NURSING CENTER FOR 2019

WHEREAS, this County Legislature, by Resolution 421 of 2017, authorized renewal of an agreement with various vendors for temporary staffing services for the Willow Point Rehabilitation and Nursing Center at an amount not to exceed \$800,000 for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said agreements are necessary to provide appropriate staffing to cover the needs of the residents at the Willow Point Nursing Home, and

WHEREAS, said agreements expire by their terms on December 31, 2018, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an aggregate amount not to exceed \$760,000, for the period January 1, 2019 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Nursefinders, LLC 4104 Old Vestal Road, Vestal, New York 13850 and The Nurse Connection Staffing, Inc., 290 Elwood Davis Road, Liverpool, New York 13088 for temporary staffing services for the period January 1, 2019 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an aggregate amount not to exceed \$760,000 for the term of the agreement, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of the Willow Point Rehabilitation and Nursing Center, in order to provide sufficient appropriations for temporary nursing services, this County Legislature hereby authorizes the Director of the Office of Management and Budget to make the following transfer of funds:

FROM:

Department	Account	Title	Amount
27060304	6001000	Salaries Full-time	\$290,000
27060304	6008007	Health Insurance	\$270,000

TO:

Department	Account	Title	Amount
27060304	6004410	Nursing Services	\$560,000

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27060304.6004410.2050 (Nursing 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-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 539

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH OMNICARE OF NEW HARTFORD FOR PHARMACY CONSULTANT SERVICES FOR THE WILLOW POINT REHABILITATION AND NURSING CENTER FOR 2019

WHEREAS, this County Legislature, by Resolution 457 of 2015, authorized an agreement with Omnicare of New Hartford for pharmacy consultant services for the Willow Point Rehabilitation and Nursing Center at the rate of \$6.60 per occupied bed per month, \$65 per hour for optional

services and \$10 per iMRR occurrence, total cost not to exceed \$24,000, for the period January 1, 2016 through December 31, 2016, and

WHEREAS, as indicated in RFP 2015-092, the Willow Point Rehabilitation and Nursing Center exercised its right to renew under the same terms and conditions for the period January 1, 2017 through December 31, 2018, and

WHEREAS, said agreement is necessary for pharmacy consulting services for the residents of the Willow Point Rehabilitation and Nursing Center, and

WHEREAS, said agreement expires by its terms on December 31, 2018, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$31,000 for the period January 1, 2019 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Omnicare of New Hartford, 8378 Seneca Turnpike, New Hartford, New York 13413 for pharmacy consultant services for the Willow Point Rehabilitation and Nursing Center for the period January 1, 2019 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8.25 per occupied bed per month, \$70 per hour for optional consulting services and \$10 per iMRR occurrence, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27020404.6004573 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 540

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MENTAL HEALTH ASSOCIATION OF THE SOUTHERN TIER FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2019

WHEREAS, the Director of Planning requests authorization for an agreement with the Mental Health Association of the Southern Tier, Inc., for funding in an amount not to exceed \$15,000 from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2019 through December 31, 2019, and

WHEREAS, said funding will be used to support the 2019 Binghamton Pond Hockey Tournament Winter Festival at Chenango Valley State Park, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Mental Health Association of the Southern Tier, for funding from the Marketing and Economic Development allocation of the occupancy tax for the period January 1, 2019 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$15,000 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-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 541

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE OFFICE OF THE DISTRICT ATTORNEY

RESOLVED, that in accordance with a request contained in PCR# 18-227 from the Broome County Office of the District Attorney, this County Legislature hereby abolishes the position of Senior ADA, Grade AT-3, Union Code 29 Admin I, minimum annual salary \$81,256, Full-Time, 37.5 hours weekly, budget line 06000001.6001000.1010 and creates the position of Deputy District Attorney, Grade AT-4, Union Code 29 Admin I, minimum annual salary \$95,665, Full-Time, 40 hours weekly, budget line 06000001.6001000.1010 effective January 1,2019.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 542

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION REQUESTING THE NEW YORK STATE ASSEMBLY AND SENATE TO SPONSOR LEGISLATION TO RETROACTIVELY ENROLL PHILLIP SCHOFIELD INTO THE NEW YORK STATE TIER IV RETIREMENT PLAN

WHEREAS, Phillip Schofield was employed with Broome County in the Department of Real Property Tax Service from December 15, 2008 to January 21, 2009, and

WHEREAS, through no fault of his own Phillip Schofield was not enrolled in the New York State Employees Retirement System Tier IV Retirement Plan. All employment forms were given to Phillip Schofield including the New York State Tier IV Enrollment Form and submitted to the Department of Real Property Tax Services. The Retirement form was never received by the Broome County Personnel Department and recorded as such. After Phillip's employment with Broome County he was enrolled in the New York State Teachers Retirement System as a Tier V member, and

WHEREAS, Phillip Schofield submitted a sworn statement to the Personnel Officer that he completed the proper forms when he was hired in 2008 to enroll in the New York State Employees Retirement System Tier IV Retirement Plan, and

WHEREAS, there are differences between the New York State Tier IV and Tier V Retirement Plans. Enrollment in the Tier IV Retirement Plan would provide Phillip Schofield with the greater retirement benefits, and

WHEREAS, Philip Schofield may be retroactively enrolled in the correct plan as a result of special New York State legislation with Broome County Government agreeing to be responsible for any additional retirement plan contributions which would have been made had he been enrolled in the New York State Employees Retirement System Tier IV Retirement Plan, and

WHEREAS, Broome County is committed to making the financial contribution which would be required in order to retroactively enroll Phillip in the New York State Employees Retirement System Tier IV Retirement Plan, now, therefore, be it

RESOLVED, that Broome County supports special legislation to retroactively enroll Phillip Schofield into the New York State Tier IV Retirement Plan and requests that its local representatives in the New York State Assembly and Senate sponsor such legislation, and, be it

FURTHER RESOLVED, that upon Phillip Schofield being approved for enrollment in the New York State Employees Retirement System Tier IV Retirement Plan, Broome County is authorized to make such additional contributions for past service credit to the New York State Retirement System as may be required for such retroactive enrollment.

Failed. Ayes-7, Nays-5 (Weslar, Shaw, D. D. Reynolds, O'Brien, Kaminsky), Absent-3 (Baldwin, Heebner, Whalen)

RESOLUTION NO. 543

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN BROOME COUNTY AND THE TOWN OF CHENANGO FOR THE COLLECTION OF REAL PROPERTY TAXES

WHEREAS, the Town of Chenango's Tax Collector recently resigned, and

WHEREAS, the Town of Chenango desires to have Broome County collect Town and County taxes, and

WHEREAS, the Director of Real Property Tax Service requests authorization for an agreement between Broome County and the Town of Chenango for the collection of real property taxes, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes an agreement between Broome County and the Town of Chenango for Broome County Real Property Tax Service to perform the functions necessary to collect taxes for the Town of Chenango for the period January 1, 2019 through December 31, 2019, and shall continue on a year to year basis thereafter unless and until either party gives 30 days written notice to the other of the intention to terminate, and be it,

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

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 544

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION LEVYING COUNTY TAXES, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER

WHEREAS, this County Legislature, by Resolution 404 of 2018, has adopted a budget for the fiscal year 2019, and

WHEREAS, this County Legislature, by Resolution 405 of 2018, made appropriations for the conduct of the Broome County Government for the fiscal year 2019, now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$73,262,512.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 545

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS, there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 2019, now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Director of the Office of Management and Budget, as follows:

<u>Town</u>	<u>General Townwide</u>	<u>General Inside Village</u>	<u>General Outside Village</u>	<u>Highway Townwide</u>	<u>Highway Outside Village</u>
Barker	-	-	-	154,620.19	-
Binghamton	252,459.50	-	-	520,543.36	-
Chenango	176,207.29	-	-	805,393.20	-
Colesville	-	-	-	707,920.01	-
Conklin	403,383.95	-	-	408,959.04	-
Dickinson	413,696.05	-	-	-	-
Fenton	-	-	-	447,392.62	-
Kirkwood	382,308.10	-	-	456,241.24	-
Lisle	55,172.08	-	-	532,244.78	-

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Maine	86,316.23	-	-	556,690.78	-
Nanticoke	19,999.98	-	-	126,900.06	-
Sanford	341,020.30	-	37,954.02	674,235.40	245,750.15
Triangle	190,108.20	-	2,225.23	135,787.83	-
Union	3,359,806.94	-	653,986.91	-	2,362,182.62
Vestal	5,519,177.05	-	-	2,800,088.85	-
Windsor	508,855.71	-	46,748.02	12,578.16	483,170.30

and be it

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARKER

AB201 Ambulance	\$32,610.14
FP201 Fire PR 1	36,761.87
FP202 Fire PR 2	37,914.91
FP203 Fire PR 3	33,985.54
FP204 Fire PR 4	39,588.76

TOWN OF BINGHAMTON

DR221 Drain 1	\$558.01
FP221 Fire Prot 1	195,663.46
LM221 Lawn Mowing	2,400.00
LT221 Light 1	600.00
LT222 Light 2	2,399.97
LT223 Light 3	5,549.99
LT224 Light 4	700.01
LT225 Light 5	350.00
LT226 Light 6	599.98
LT227 Light 7	499.98
PT506 Water 6 Bond	40,245.03
SM228 Consolidated Sewer	216,229.17
US221 Return Sewer	58,341.89
UW221 Returned Water	28,008.45
WB220 Water Bond	14,326.02
WD225 Consolidated Water	223,825.00

TOWN OF CHENANGO

CM241 Chenango Compost	\$7,884.17
CM242 Chenango Compost Bd	4,405.83
FP241 Fire No. 1	319,055.09
FP242 Fire No. 2	290,675.72
FP243 Fire No. 3	22,140.99
LT241 Light 1	90,000.04
SD247 Sewer 7	273,513.43
SD271 Chenango Sewer	5,830.80
SW241 Chen Sidewalk	10,500.00
US241 Return Sewer	62,402.13
UW257 Return Water	41,872.82
WD244 Water 4	8,299.98
WD250 Water 8	8,819.01
WD429 Water 29	15,605.01
WD430 Water 25	39,055.02
WD431 Water 30	7,907.00
WD432 Water 31	5,188.01

TOWN OF COLESVILLE

FD261 Fire No. 1	\$81,000.05
FD262 Fire No. 2	24,427.00
FD263 Fire No. 3	312,891.21
LT261 Light 1	6,677.96
LT262 Light 2	4,681.10
LT263 Light 3	4,419.00

TOWN OF CONKLIN

FP281 Fire Prot. 1	\$241,012.86
LT281 Light 1	1,999.99
LT282 Light 2	849.99
LT283 Light 3	2,000.00
LT284 Light 4	\$9,600.03
LT285 Light 5	1,499.98
LT286 Light 6	1,500.00
LT287 Light 7	245.01
LT288 Light 8	3,899.97
LT289 Light 9	900.00
LT210 Light 10	1,500.00
LT211 Light 11	899.98
SB282 Sewer 1 Ext. 2	4,759.01
SD283 Sewer 1 Ext. 3	22,809.90
SD284 Sewer 1 Ext. 4	8,289.00
SD285 Sewer 1 Ext. 5	18,065.94
US280 Return Sewer	9,780.94
UW280 Return Water	15,445.37
WT282 Water	15,590.94

TOWN OF DICKINSON

FP301 Fire No. 1	\$110,999.90
FP302 Fire No. 2	46,999.98
FP303 Fire No. 3	30,145.90
LM301 Lawn Mowing	75.00
LT301 Light 1	17,994.24
LT305 Light 5	5,896.20
LT306 Light 6	4,450.00
LT307 Light 7	19,448.93
LT308 Light 8	16,722.17
LT309 Light 9	488.29
US301 Return Sewer	50,862.67
UW301 Return Water	52,867.85

TOWN OF FENTON

EXTWN Exemption Adjustment-Town	\$1,218.33
FD321 Fire No. 1	266,910.30
FD322 Fire No. 2	153,347.73
LM321 Lawn Mowing	2,490.00
LT321 Light 1	12,999.96
LT322 Light 2	28,999.95
SE323 Porter Hollow Sewer	7,312.05
US321 Return Sewer	16,954.27
UW321 Return Water	28,211.08

TOWN OF KIRKWOOD

FP341 Fire No. 1	\$441,512.71
LT341 Light 1	6,197.79
LT342 Light 2	6,122.94

LT343 Light 3	1,300.00
PM341 Property Maintenance	1,050.00
SE341 Sewer 1	156,415.74
SE342 Sewer 2	\$800.00
SE343 Sewer 3 (Prim)	2,908.98
SE343 Sewer 3 (Sec)	10,543.96
SE344 Sewer 4 (Prim)	6,358.18
SE344 Sewer 4 (Sec)	55,000.26
SE346 Sewer 6(Prim)	1,155.00
SE345 Sewer 5	7,899.99
SE347 Water 7 (Prim)	1,035.00
ST341 Sewer 1, Ext. 1	14,916.00
ST342 Sewer 1, Ext. 2 (Prim)	2,718.00
ST343 Sewer 1, Ext. 3 (Prim)	2,485.17
ST344 Sewer 1, Ext. 4 (Prim)	2,450.00
US343 Return Sewer	26,383.73
UW343 Return Water	11,615.99
WD341 Water 1 (Prim)	67,453.37
WD346 Water 6	329.63
WT341 Water 1 Ext 3	4,657.98
<u>TOWN OF LISLE</u>	
AB361 Lisle Ambulance	\$36,502.06
FP361 Fire No. 1	27,602.96
FP362 Fire No. 1 Protection	132,314.24
FP363 Killawog Ambulance	8,701.01
FP364 Fire Protection 2	3,699.97
LT361 Light 1	1,500.00
LT362 Light 2	2,050.00
RW361 Return Water	12,232.21
<u>TOWN OF MAINE</u>	
FP381 Fire No. 1	\$182,188.96
PF382 Fire No. 2	24,855.74
FP383 Fire No. 3	22,442.85
FP384 Fire No. 4	9,313.02
FP385 Fire No. 5	12,168.99
FP386 Fire No. 6	30,174.05
FP387 Fire No. 7	160,308.17
<u>TOWN OF NANTICOKE</u>	
FP401 Fire No. 1	\$74,000.20
FP402 Fire No. 2	54,799.95
<u>TOWN OF SANFORD</u>	
FP421 Fire No. 1	\$90,586.00
RS422 Return Sewer	7,700.00
SD423 Oquaga Lake Sewer	67,900.00
<u>TOWN OF TRIANGLE</u>	
AB441 Ambulance	\$53,210.13
FP441 Fire No. 1	114,468.16
UW441 Returned Water	6,144.28
<u>TOWN OF UNION</u>	
CE461 Code Enforcement	\$6,555.00
FP461 Fire No. 1	1,221,215.75
FP463 Fire No. 4	427,443.79
FP464 Fire No. 5	187,790.19
FP465 Fire No. 6	153,600.11

FP467 Fire No. 8	425,382.79
FP468 Fire No. 10	136,995.11
FP469 Fire No. 12	31,201.97
LB462 Union Library	1,679,396.04
PK461 Parks	1,286,219.51
PM461 Property Maintenance	12,668.20
RS462 Returned Sewer	174,687.44
RW462 Returned Water	237,395.66
UV461 Union Ambulance District	256,200.91
<u>TOWN OF VESTAL</u>	
DR482 Drain 1 Maint.	\$4,999.87
DR484 Drain 2 Maint.	1,966.56
DR486 Drain 3 Maint.	9,696.05
DR487 Drain 4 Maint.	361.00
DR488 Drain 5 Maint.	922.45
DR510 Drain 6 Maint.	385.03
DR511 Drain 7 Maint.	152.00
DR512 Drain 8 Maint.	332.15
DR513 Drain 9 Maint.	751.26
DR514 Drain 10 Maint	114.00
DR515 Drain 11 Maint.	427.02
DR516 Drain 13 Maint.	105.05
DR517 Drain 14 Maint.	10.00
DR518 Drain 15 Maint.	342.00
DR519 Drain 16 Maint.	84.96
DR520 Drain 17 Maint.	6,032.43
DR522 Drain 18 Maint.	72,543.55
FP481 Fire Protection	1,396,065.33
FP482 Fire Split Zone	16,999.99
LT481 Light District	269,999.83
OTT18 Omitted Tax Town	1,692.26
RS481 Return Sewer	193,976.29
RW481 Return Water	120,321.35
SB487 Cons. Sewer Bond	62,072.12
SW481 Sewer 1 Maint.	451,578.01
WB481 Cons. Water Bond	326,849.44
WT605 Water 7 Ext. 3 Bond	1,121.00
<u>TOWN OF WINDSOR</u>	
FP501 Fire 1	\$19,192.02
FP502 Fire 2	118,034.07
FP503 Fire 3	120,873.01
FP504 Fire 4	6,400.02
RS501 Returned Sewer	53,697.09

and be it

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

RESOLUTION NO. 546

By Finance Committee

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING THE COUNTY TO ENTER INTO AN OPTION AGREEMENT WITH THE AGENCY FOR THE SALE OF COUNTY OWNED PROPERTY

WHEREAS, the County is the owner of approximately 268 acres of land surrounding the Greater Binghamton Regional Airport which are depicted on the attached Exhibit "A" as parcels 1A, 1B, 2, 3, 4, and 5, and

WHEREAS, The Agency has requested an option to purchase said parcels at a price of \$20,000 per acre, and

WHEREAS, the County has agreed to enter into an agreement with The Agency to grant The Agency the option to purchase said land, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with The Agency (Broome County Industrial Development Agency), 5 South College Drive, Suite 201, Binghamton NY 13905 granting The Agency an option to purchase approximately 268 acres of land depicted on the attached Exhibit "A" as sites 1A, 1B, 2, 3, 4, and 5, and, be it

FURTHER RESOLVED, that this option shall expire on December 31, 2019, and be it

FURTHER RESOLVED, that if The Agency exercises this option it will pay the County \$20,000 per acre for the property, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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-12, Nays-0, Absent-3 (Baldwin, Heebner, Whalen)

RESOLUTION NO. 547

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION ESTABLISHING THE DATE AND TIME FOR THE 2019 ORGANIZATIONAL MEETING OF THE BROOME COUNTY LEGISLATURE

WHEREAS, Article II of the Broome County Charter and Code provides that the County Legislature shall adopt by resolution all necessary rules and regulations for its own conduct and procedure, now, therefore, be it

RESOLVED, that the meeting to organize the 2019 Broome County Legislature shall be held on Thursday, January 3, 2019 at 5:00 p.m., in the Legislative Chambers, Edwin L. Crawford County Office Building, Government Plaza, Binghamton, New York, and be it

FURTHER RESOLVED, that the Legislature at said Organizational Meeting shall establish the dates and starting times of all regular meetings and consider such other business as may legally come before it, and be it

FURTHER RESOLVED, that the Legislature shall at said Organizational Meeting consider the election of a Legislative Chairperson, election of a Legislative Clerk, appointment of Legislative Assistants, establishment of Rules of Order and any other business as may legally come before it.

Carried. Ayes-13, Nays-0, Absent-2 (Baldwin, Heebner)

Mr. Reynolds stated that Mr. Heebner was absent due to an illness.

Mr. Flagg thanked Mr. Sopchak and Mr. Keibel for their mentorship and wished the best of luck to the new minority and majority leaders.

Mr. Pasquale made a motion to adjourn, seconded by Mr. D. D. Reynolds.

Motion to adjourn carried. Ayes-12, Nays-0, Absent-3 (Baldwin, Heebner, Whalen). The meeting was adjourned at 5:58 p.m.

