

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MAY 17, 2018**

The Legislature convened at 4:36 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-12, Absent-2 (Shaw, Baldwin, Heebner).

The Broome County Veterans Memorial Association Color Guard Posted the Colors and led The Pledge of Allegiance to the Flag.

Deputy County Clerk-DMV and U.S. Navy Veteran Darlene R. Croston offered the Invocation, followed by a moment of silence.

Chairman Reynolds welcomed everyone to the Eighth Annual Veteran of Distinction Award Ceremony and offered opening remarks.

The following Veterans of Distinction Certificates were presented:

Award Recipient: Jerry Rothenberg, nominated by Sue Williams, American Legion Post 974 accompanied by Legislator Keibel.

Award Recipient: Ronald G. Reece, nominated by Joseph N. Irons, G.F. Johnson American Legion Post 1700, accompanied by Legislator Pasquale.

Award Recipient: Eric L. Bellamy, nominated by Mike Tullo, J.W. Thurston Marine Corps League, accompanied by Legislator O'Brien.

Award Recipient: Michael F. Curry, nominated by Benjamin W. Margolius, Military Officers Association of America (Southern Tier Chapter), accompanied by Legislator Kaminsky.

Award Recipient: Ross Woodrow, nominated by Martin P. Ashman, American Veterans – AMVETS Post 722, accompanied by Legislator Sopchak.

Award Recipient: Michael F. Malinovsky, nominated by John Lauer, VFW Post 478, accompanied by Legislator Sopchak.

Award Recipient: Stephen M. Gardner, nominated by Thomas A. Keenan, American Legion Post 1645, accompanied by Legislator Sopchak.

Award Recipient: Larry Wilkes, nominated by Al Eaton, Southern Tier Veteran Support Group, accompanied by Legislator Pasquale.

Award Recipient: Stephen L. Illsley, nominated by Joseph P. Mangan American Legion Post 1194, accompanied by Legislator Flagg.

Award Recipient: Dominic Cipolla, nominated by Ralph Luciani, Korea War Veterans of the Southern Tier, accompanied by Legislator Wildoner.

Guest Speaker, Jon Wanglund, spoke about the services that Clear Path for Veterans offers to Veterans in the area.

Chairman Reynolds recognized the students and teachers from Charles F. Johnson Elementary School and George F. Johnson Elementary School for providing the Veteran themed artwork on display in the Legislative Conference Room.

The Color Guard advanced and retired the Colors.

The Chairman called for a short recess.

The meeting reconvened at 5:37 p.m.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

- A. Letters from the County Executive, Jason T. Garnar:
1. Appointment of Acting Public Defender
 2. Appointments to Community Services Board
 3. Appointments to Veteran's Memorial Arena Board of Directors
 4. Appointment to Community Services Board

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel J. Reynolds
1. Designation for Mr. Baldwin – May 4, 2018
 2. Designation for Mr. Baldwin – May 8, 2018
 3. Food Services RFP Information Request Letter – April 17, 2018

PUBLIC HEARING

Mr. Reynolds opened the Public Hearing on the County Executive's Recommended 2018-2019 SUNY Broome Community College Budget. The Clerk read the notice of public hearing which appeared in the Press & Sun-Bulletin on May 11, 2018. Mr. Reynolds asked for speakers, seeing none, he closed the Public Hearing.

Mr. Pasquale made a motion, seconded by Mrs. Kaminsky that the Session minutes of April 19, 2018 be approved as prepared and presented by the Clerk.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

Mr. Reynolds noted that the committee minutes for April 20, 2018 through May 16, 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 Mrs. O'Brien seconded by Mr. Baker.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

1. County Clerk's Office – 2017 Annual Report
2. Legislature – SUNY Broome Budget Public Hearing Notice
3. Legislature – May Committee Meeting Schedule
4. SUNY Broome – Above Minimum Hire Report March, 2018
5. SUNY Broome – Budget Transfers 3/18/18
6. SUNY Broome – Budget Transfers 4/24/18
7. SUNY Broome – Board of Trustees Meeting Minutes 3/15/18
8. County Executive's Recommended 2018-2019 SUNY Broome Community College Budget
9. NYS Agriculture & Markets – Agricultural Districts Certification
10. Soil & Water – Director's Meeting Minutes 4/20/18
11. Convention & Visitors Bureau – Monthly Report
12. Legislature – Committee of the Whole Meeting Notice
13. Soil & Water- Directors' Meeting Minutes 3/21/17
14. Audit & Control – Off Ledger Bank Account Study – April, 2018
15. Audit & Control – Accounts Payable Audit

16. Audit & Control – Quarterly Report
17. OMB – Sales Tax Quarterly Report
18. OMB – Bond Anticipation Note
19. DPW – SolarCity Solar Array Report
20. Broome-Tioga Workforce – OET Report – April, 2018
21. NYS Office of Children & Family Services – Fatality Report 4/9/18
22. Sheriff – 2017 Annual Report

RESOLUTIONS HELDOVER FROM A PREVIOUS SESSION

Mr. Shaw and Mr. D. D. Reynolds were designated with Chairman Reynolds as participants in the “Short Roll Call”.

RESOLUTION NO. 53

By County Administration and Finance Committees Seconded by Mr. Flagg
RESOLUTION ADOPTING 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”
Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

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”
Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 145

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PUBLIC HEALTH
RESOLVED, that in accordance with a request contained in PCR# 18-65 from the Broome County Department of Health, this County Legislature hereby changes the position of Clerk, Grade 08, Union Code 08 CSEA, minimum hourly rate \$11.6065 per hourly, Part-Time, 34.88 hours weekly, budget line 25010004.6001001.1011.2510558 to Clerk, Grade 08, Union Code 04 CSEA, minimum hourly rate \$11.6065 per hourly, Full-Time, 37.5 hours weekly, budget line 25010004.6001000.1011.2510558, effective May 21,2018.
Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 146

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING REVISION OF THE FOSTER GRANDPARENTS PROGRAM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2017-2018
WHEREAS, this County Legislature, by Resolution 155 of 2017, authorized and approved renewal of the Foster Grandparents Program Corporation for National and Community Service (CNCS) Grant for the Office for Aging and adopted a program budget in the amount of \$272,673 for the period July 1, 2017 through June 30, 2018, and
WHEREAS, said program is an intergenerational program that matches low-income older adults with special needs children to share their experiences of life and offer support to them, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$7,669 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Foster Grandparents Program Corporation for National and Community Service (CNCS) Grant to reflect a decrease of \$7,669 for the period July 1, 2017 through June 30, 2018, 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 \$265,004, and be it

FURTHER RESOLVED, that Resolution 155 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 147

By Health & Human Services, Personnel, and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 155 of 2017, as amended by Companion Resolution, authorized and approved renewal of the Foster Grandparents Program Corporation for National and Community Services (CNCS) Grant for the Office for Aging and adopted a program budget in the amount of \$265,004 for the period July 1, 2017, through June 30, 2018, and

WHEREAS, said program grant is an intergenerational program that matches low-income older adults with special needs children to share their experiences of life and offer support to them, and

WHEREAS, it is desired to renew said program grant in the amount of \$287,390 for the period July 1, 2018 through June 30, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$266,388 from Corporation for National and Community Service (CNCS), 601 Walnut Street, Suite 876E, Philadelphia, Pennsylvania 19106 for the Office for Aging's Foster Grandparents Program Corporation for National and Community Service (CNCS) Grant for the period July 1, 2018 through June 30, 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 \$287,390 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Foster Grandparents Program Corporation for National and Community Services Program funds, for the period July 1, 2018 through June 30, 2019, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 148

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS SOFA PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 206 of 2017, authorized and approved renewal of the Foster Grandparents SOFA Program Grant for the Office for Aging and adopted a program budget in the amount of \$7,217 for the period April 1, 2017 through March 31, 2018, and

WHEREAS, said program grant provides funding for intergenerational programs for seniors who serve school-age children, and

WHEREAS, it is desired to renew said program grant in the amount of \$7,217 for the period April 1, 2018 through March 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,217 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Foster Grandparents SOFA Program Grant for the period April 1, 2018 through March 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 \$7,217, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Foster Grandparents SOFA Program funds for the period April 1, 2018 through March 31, 2019, provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

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

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 149

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE GRANT-IN-AID PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 365 of 2016, authorized and approved the Grant-In-Aid Program Grant for the Office For Aging and adopted a program budget in the amount of \$10,000 for the period July 1, 2016 through June 30, 2018, and

WHEREAS, said program grant provides funding for new or expanded services at senior centers, and will be used to replace the sign at the Vestal Senior Center; updates to the Broome West Senior Center to include a cement pad and overhang, roofing materials for a secondary emergency exit and classroom tables and chairs, and

WHEREAS, it is desired to renew said program grant in the amount of \$10,000 for the period July 1, 2018 through September 30, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Grant-In-Aid Program Grant for the period July 1, 2018 through September 30, 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 \$10,000, and be it

FURTHER RESOLVED, that the Office for Aging is authorized to accept and allocate additional Grant-In-Aid Program funds from the New York State Office for Aging, for the period July 1, 2018 through September 30, 2019, provided there is no increase in employee head count, the County's financial contribution is not increased, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed. **Carried.** Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 150

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE GRANT-IN-AID PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 365 of 2016, authorized and approved the Grant-In-Aid Program Grant for the Office For Aging and adopted a program budget in the amount of \$10,000 for the period July 1, 2016 through June 30, 2018, and

WHEREAS, said program grant provides funding for new or expanded services at senior centers, and will be used to purchase three computers and a printer for the Vestal Senior Center as well as two accordion doors for the Broome West Senior Center, and

WHEREAS, it is desired to renew said program grant in the amount of \$15,000 for the period July 1, 2018 through September 30, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Grant-In-Aid Program Grant for the period July 1, 2018 through September 30, 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 \$15,000, and be it

FURTHER RESOLVED, that the Office for Aging is authorized to accept and allocate additional Grant-In-Aid Program funds from the New York State Office for Aging, for the period July 1, 2018 through September 30, 2019, provided there is no increase in employee head count, the County's financial contribution is not increased, and be it

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

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 151

By Health & Human Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE RURAL HEALTH NETWORK/MOBILITY MANAGEMENT OF SOUTH CENTRAL NY FOR OUTREACH SERVICES PROVIDED BY THE BROOME COUNTY OFFICE FOR AGING FOR 2018

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with the Rural Health Network/Mobility Management of South Central NY for outreach services provided by the Broome County Office for Aging, with revenue to the County in the amount of \$6,000 for the period March 26, 2018 through June 30, 2018, and

WHEREAS, said agreement is necessary for Office for Aging staff to conduct outreach in rural areas to promote the Mobility Management of South Central NY's Connection to Care Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Rural Health Network/Mobility Management of South Central NY, 2663 Main Street, Whitney Point, NY 13861 for outreach services provide by the Broome County Office for Aging for the period March 26, 2018 through June 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$6,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.5000183.3410624 (Miscellaneous Income), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 152

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

WHEREAS, the Director of Public Health requests authorization for an agreement with the Village of Deposit for services related to the Department of Health's Creating Healthy Schools and Communities Grant at an amount not to exceed \$3,500 for the period May 17, 2018 through September 30, 2018, and

WHEREAS, said agreement is necessary to assist Deposit in implementing its Complete Streets policy via transportation infrastructure improvements and mentoring other municipalities to encourage increased/sustained physical activity opportunities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Deposit, 146 Front Street, Deposit, New York 13754 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period May 17, 2018 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510555 (Subcontracted Program Expense), and be it

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 153

By Health & Humans Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BROOME-TIOGA BOCES PROFESSIONAL DEVELOPMENT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 325 of 2017, authorized renewal of an agreement with Broome Tioga BOCES Professional Development for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$4,325 for the period October 1, 2017 through September 30, 2018, and

WHEREAS, said agreement is necessary to provide services, trainings and technical assistance that will assist schools with the assessment of their wellness policies, school environments, and their School Health Index module that pertains to physical activity, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$1,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Broome-Tioga BOCES Professional Development, 435 Glenwood Road, Binghamton, New York 13905 to increase the not to exceed amount by \$1,500 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2017 through September 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$5,823, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010001.6004146.3510555 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 325 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 154

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENTS WITH LICENSED CHILD CARING INSTITUTIONS FOR FOSTER CARE, HOME FINDING AND ADOPTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2018-2019

WHEREAS, the Commissioner of Social Services requests authorization for agreements with any or all Child Caring Institutions licensed and approved by New York State Office of Children & Family Services for foster care, home finding and adoption services at rates according to the Maximum State Reimbursement set by New York State, total amount not to exceed \$14,682,359 for the period July 1, 2018 through June 30, 2019, and

WHEREAS, said agreements are necessary to provide room, board and various services to children who require placement outside their home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with any or all Child Caring Institutions licensed and approved by New York State Office of Children & Family Services, including but not limited to those listed on Exhibit "A" for foster care, home finding and adoption services the Department of Social Services for the period July 1, 2018 through June 30, 2019, and

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates according to Maximum State Reimbursement set by New York State, total amount not to exceed \$14,682,359 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 35070006.6004316 (JD/PINS Institutions-ADC), 35070006.6004317 (JD Care in Institutions) and 35070006.6004313 (Foster Care Homes/Institute-ADC), 35070006.6004312 (Foster Care Homes/Institute CW), 35070006.6004327 (EAF/Foster Care) and 35070006.6004328 (EAF/JD/PINS), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 155

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR ADULT FOSTER FAMILY PERSONAL CARE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 441 of 2013, authorized renewal of the agreement with the Family & Children's Society of Broome County, Inc. for adult foster family personal care services at an amount not to exceed \$1,143.38 per client, per month, for the period January 1, 2014 through December 31, 2015, and

WHEREAS, said agreement is necessary for foster family care services for adults, and

WHEREAS, said agreement expired by its terms on December 31, 2015, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$1,143.38 per client, per month, for the period January 1, 2018 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family & Children's Society of Broome County, Inc., 355 Riverside Drive, Binghamton, New York 13905 for adult foster family personal care services for the Department of Social Services for the period January 1, 2018 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,143.38 per client, per month, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35070006.6004305 (MMIS Medical Assistance), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 156

By Health & Human Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING REVISION OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY FOR 2017

WHEREAS, this County Legislature, by Resolution 392 of 2016, authorized renewal of the Family and Children's Society Program for the Department of Mental Health, adopted a program budget in the amount of \$381,084 and authorized an agreement with the Family and Children's Society for the period January 1, 2017 through December 31, 2017, and

WHEREAS, said program grant allows the Family and Children's Society to work with local school systems to provide mental health services to children in the community and enhance their family support center, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$110,000 in grant appropriations and amend the agreement with the Family and Children's Society to reflect an increase in the amount of \$110,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Family and Children's Society Program Grant to reflect an increase of \$110,000 for the period January 1, 2017 through December 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$491,084, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Family and Children's Society, 355 Riverside Drive, Johnson City, New York 13790 to reflect an increase of \$110,000 for the Department of Mental Health's Family and Children's Society Program Grant for the period January 1, 2017 through December 31, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$491,084 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 392 of 2016, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 157

By Health & Human Services Committee Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Jason Garnar, County Executive, pursuant to the authority vested in him by Article VIII Section C803 and Section A804 of the Broome County Charter and Administrative Code has duly designated and appointed the following named individual to membership on the Broome County Community Services Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Amanda J. Welch 305 Virginia Avenue Vestal, NY 13850	12/31/2022 New Appointment

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 Article VIII Section C803 and Section A804 of the Broome County Charter and Administrative Code, hereby confirms the appointment of the above-named individual to membership on the Broome County Community Services Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 158

By Economic Development, Education and Culture Committee Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE EN-JOIE GOLF COURSE IMPROVEMENTS PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, the County desires to advance the En-Joie Golf Course Improvements 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 En-Joie Golf Course Improvements 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 En-Joie Golf Course Improvements Project will not have a significant effect on the environment and issues a Negative Declaration.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 159

By Economic Development, Education and Culture Committee Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE FORUM THEATER MARQUEE PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, the County desires to advance the Forum Theater Marquee 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, the Dormitory Authority of NYS (DASNY), City of Binghamton Commission on Architecture and Urban Design (CAUD) and NYS Office of Parks, Recreation and Historic Preservation (OPRHP) have been identified as Involved Agencies and DASNY's Proposed Action would consist of its authorization of the expenditure of approximately \$125,000 of the proceeds of the SAM program bond issuance for the Proposed Project, 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 Forum Theater Marquee 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 160

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH DEPOSIT COMMUNITY PARK, INC. FOR FUNDING FROM THE SMALL COMMUNITY GRANT FUND ALLOCATION OF THE OCCUPANCY TAX FOR 2018

WHEREAS, the Director of Planning requests authorization for an agreement with Deposit Community Park, Inc. for funding in the amount not to exceed \$20,000 from the Small Community Grant Fund 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 creation of a park at 20 Borden Street in Deposit, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Deposit Community Park, Inc., P./O. Box 204, Deposit, New York 13754, for funding from the Small Community Grant Fund allocation of the occupancy tax for the period January 1, 2018 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 \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005041 (Small Community Grant Program), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 161

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SPIEDIE FEST & BALLOON RALLY, INC. FOR EMPIRE STATE DEVELOPMENT MARKET NEW YORK GRANT FUNDING FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2017-2019

WHEREAS, this County Legislature, by Resolution 89 of 2018, authorized the acceptance of a Market NY Program Grant for the Department of Planning and Economic Development in the amount of \$150,000 to support the Spiedie Fest & Balloon Rally, and

WHEREAS, the Director of Planning requests authorization for an agreement with the Spiedie Fest & Balloon Rally, Inc., for Empire State Development Market New York Grant funding in the amount of \$150,000 from the Department of Planning and Economic for the period December 31, 2017 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Spiedie Fest & Balloon Rally, Inc., P.O. Box 275 Westview Station, Binghamton, New York 13905-0275 for Empire State Development Market New York Grant funding in the amount of \$150,000 from the Department of Planning and Economic for the period December 31, 2017 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$150,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.6004255 (Subcontracted 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO.162

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF STATE AID FOR THE YOUTH BUREAU'S YOUTH DEVELOPMENT PROGRAM AND AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO ADMINISTER SAID PROGRAMS FOR 2018

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization to submit an application and accept State Aid in the amount of \$93,072 for the Youth Bureau's Youth Development Program, and authorize an agreement with various vendors as listed on Exhibit "A" to administer said programs for the period January 1, 2018 through December 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Parks, Recreation and Youth Services to submit an application and accept \$93,072 in State Aid from the New York State Office of Children and Family Services, North Building, Room 330, 52 Washington Street, Rensselaer, New York 12144 for the Youth Bureau's Youth Development Programs for the period January 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for the programs as listed on Exhibit "A" for the Youth Bureau's Youth Development Program for the period January 1, 2018 through December 31, 2018, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 43010008.6004141 (Youth Services Program), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 163

By Economic Development, Education & Culture Committee Seconded by Mr. Pasquale
RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY VETERAN'S MEMORIAL ARENA BOARD OF DIRECTORS

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the authority vested in him by Article XXIV, Section 2408 of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individuals to membership on the Broome County Veteran's Memorial Arena Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Donald E. Bergin 601 Stonehedge Drive Vestal, NY 13850	3/31/2020 New Appointment

Joshua B. Ludzki 2217 Washington Street Binghamton, NY 13902	3/31/2020 Reappointment
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and

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

RESOLVED, that this County Legislature, pursuant to the provisions by Article XXIV, Section 2408 of the Broome County Charter and Administrative Code, confirms the appointment of the above-named individuals to membership on the Broome County Veteran's Memorial Arena Board of Directors, for the terms indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 164

By Finance Committee Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, the County Clerk and the Director of the Office of Management and Budget have presented their report concerning mortgage tax receipts for the period October 2017 through March 2018 pursuant to Section 261 of the Tax Law of the State of New York, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Director of the Office of Management and Budget be and hereby is authorized to pay the Treasurer of the City of Binghamton and to the respective Supervisors or Mayors of the 23 Towns and Villages of Broome County, those amounts listed:

SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION

October 2017 through March 2018

Dickinson	Village of Port Dickinson	2,255.43
	Outside	13,771.48
Lisle	Village of Lisle	360.34
	Outside	7,520.15
Sanford	Village of Deposit	729.97
	Outside	10,865.69
Triangle	Village of Whitney Point	983.52

	Outside	5,361.45
Union	Village of Johnson City	25,771.45
	Village of Endicott	18,429.60
	Outside	156,753.42
Windsor	Village of Windsor	1,124.92
	Outside	24,627.73
Barker		12,327.02
Binghamton (Town)		38,461.05
Chenango		53,441.48
Colesville		21,094.77
Conklin		34,850.43
Fenton		25,554.88
Kirkwood		26,632.28
Maine		26,206.04
Nanticoke		4,927.16
Vestal		215,521.27
City of Binghamton		145,349.94
Total		872,921.47

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 165

By Finance Committee Seconded by Mr. Pasquale

RESOLUTION ABOLISHING THE CHRIS THATER MEMORIAL TRUST ACCOUNT

WHEREAS, STOP-DWI currently has a Chris Thater Memorial Trust Account, and
 WHEREAS, it has been determined that said trust account is no longer needed, now,
 therefore, be it

RESOLVED, that the Chris Thater Memorial Trust Account is hereby abolished, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 166

By Finance Committee Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AMENDMENT TO EXHIBIT "A" OF RESOLUTION 2015-526
 AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTIES FROM THE 2015 TAX SALE
 AUCTION**

WHEREAS, this County Legislature, by Resolution 2015-526 authorized the sale of
 County-owned properties from the 2015 tax sale auction; as indicated on Exhibit "A", and

WHEREAS, Exhibit "A" included the sale of parcel #157.07-2-22, 2300 North Street to
 Corno Realty LLC, and

WHEREAS, it is necessary to authorize the amendment of Exhibit "A" of Resolution 2015-
 526 to correct the name of the successful bidder to Corno LLC for parcel #157.07-2-22, 2300
 North Street, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Exhibit "A"
 of Resolution 2015-526 to correct the name of the successful bidder to Corno LLC for parcel
 #157.07-2-22, 2300 North Street, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 167

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING A VOLUNTARY AGREEMENT WITH AIRBNB INC. FOR THE COLLECTION OF BROOME COUNTY NEW YORK HOTEL OR MOTEL OCCUPANCY TAX

WHEREAS, Airbnb represents that it provides an internet-based platform through which third parties offering accommodations and third parties booking such accommodations may communicate, negotiate and consummate a direct booking transaction for accommodations to which Airbnb is not a party, and

WHEREAS, the Office of Management and Budget requests authorization to enter into a voluntary agreement with Airbnb, Inc., to facilitate the reporting, collection and remittance of applicable transient occupancy taxes imposed under applicable Broome County law, on behalf of hosts for booking transactions completed by hosts and guests on the platform for accommodations located in Broome County, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes a voluntary agreement with Airbnb, 888 Brannan Street, 4th Floor, San Francisco, California 94103 for the collection of Broome County New York hotel or motel occupancy tax, and, be it

FURTHER RESOLVED, that Airbnb agrees, solely for taxable booking transactions completed on the internet based platform, to assume the duties of a transient occupancy tax collector, solely for the collection and remittance of taxable booking transactions, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 168

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH JUSTICE BENEFITS, INC. FOR THE RECOVERY OF STATE AND FEDERAL FUNDS FOR THE OFFICE OF THE SHERIFF FOR 2018-2022

WHEREAS, this County Legislature, by Resolution 191 of 2017, authorized renewal of the agreement with Justice Benefits, Inc., for the recovery of State and Federal funds for the Office of the Sheriff at a cost not to exceed 22% of actual monies received by Broome County that are obtained through the services of Justice Benefits, Inc. for the period July 1, 2017 through June 30, 2018, and

WHEREAS, said agreement is necessary to maximize the potential for receiving Federal and State funds in connection with the operation of the Broome County Correctional Facility and the work of the Broome County Sheriff, and

WHEREAS, said agreement expires by its terms on June 30, 2018, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an amount not to exceed 22% of revenue received by Broome County for the period July 1, 2018 through June 30, 2022 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Justice Benefits, Inc., 1711 E. Beltline Road, Coppell, Texas, 75019, for the recovery of State and Federal funds for the Office of the Broome County Sheriff for the period July 1, 2018 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 22% of revenue received by Broome County, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 169

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

RESOLUTION AUTHORIZING RENEWAL OF THE GIVE INITIATIVE PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 377 of 2017, authorized and approved renewal of the GIVE Initiative Program Grant for the Office of the District Attorney and adopted a program budget in the amount of \$96,261 for the period July 1, 2017 through June 30, 2018, and

WHEREAS, said program supports coordinated reduction and prevention initiatives with the express goal of reducing violent firearm related offenses, and

WHEREAS, it is desired to renew said program grant in the amount of \$98,015 for the period July 1, 2018 through June 30, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$92,755 from the New York Division of Criminal Justice Services, 80 South Swan Street, Albany, New York 12210 for the Office of the District Attorney's GIVE Initiative Program Grant for the period July 1, 2018 through June 30, 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 \$98,015, and be it

FURTHER RESOLVED, that the Office of the District Attorney is authorized to accept and allocate additional GIVE Initiative Program funds for the period July 1, 2018 through June 30, 2019 provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 170

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

RESOLUTION AUTHORIZING REVISION OF THE DISTRICT ATTORNEY SCHOOL RESOURCE OFFICERS PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A REVISED PROGRAM BUDGET FOR 2018

WHEREAS, this County Legislature, by Resolution 484 of 2017, authorized and approved renewal of the District Attorney School Resource Officers Program Grant for the Office of the District Attorney and adopted a program budget in the amount of \$200,000 for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said program allows Investigators from the District Attorney's Office to work within contracted school districts as School Resource Officers to promote safety and provide law enforcement services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$297,030 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the District Attorney's School Resource Officers Program Grant to reflect an increase of \$297,030 for the period January 1, 2018 through December 31, 2018, 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 \$497,030, and be it

FURTHER RESOLVED, that Resolution 484 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 171

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

RESOLUTION AMENDING THE 2018 HIGHWAY CONTINUING BUDGET

RESOLVED, that the 2018 Highway Continuing Budget is hereby increased by \$320,448 and amended to include the 2018 Extreme Winter Recovery (EWR) Apportionment from New York State Department of Transportation as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:			<u>County</u>
			<u>State</u>	<u>Other</u>		
2920087	Highway Reconstruction/ Rehabilitation	\$2,500,000	\$0	\$0		\$2,500,000

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	15	20(c)	\$2,500,000	\$0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:			<u>County</u>
			<u>State</u>	<u>Other*</u>		
2920087	Highway Reconstruction/ Rehabilitation	\$3,070,055	\$570,055	\$0		\$2,500,000

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	15	20(c)	\$3,070,055	\$0	

and be it

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 172

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AGREEMENT WITH T-MOBILE USA INC. FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2018-2023

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with T-Mobile USA Inc. for lease of space at the Greater Binghamton Airport with revenue to the County in the amount of \$2,150 per month, for the period June 1, 2018 through May 31, 2023 with the option for (5) five (5) five-year renewals with a 10% per term increase, and

WHEREAS, said agreement is necessary for T-Mobile to set up a cell service antenna at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with T-Mobile USA Inc., 12920 SE 38th Street, Bellevue, Washington 98006 for lease of space at the Greater Binghamton Airport for the period June 1, 2018 through May 31, 2023, with the option for (5) five (5) five-year renewals, and be it

FURTHER RESOLVED, that in consideration of said services, the vendor shall pay the County \$2,150 per month for the period June 1, 2018 through May 31, 2023, with a 10% term increase for optional renewal periods 2023-2028, 2028-2033, 2033-2038, 2038-2043, 2043-2048, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 28010005.5000460 (Rental of Real Property Individuals), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 173

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT FUNDING FOR THE DEPARTMENT OF AVIATION'S SNOW REMOVAL EQUIPMENT (SRE) VEHICLE PROJECT

WHEREAS, the Commissioner of Aviation requests authorization to accept Federal Aviation Administration Grant Funding in the amount of \$720,000 for the Department of Aviation's Snow Removal Equipment (SRE) Vehicle Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$720,000 from the Federal Aviation Administration for the Department of Aviation's Snow Removal Equipment (SRE) Vehicle Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 28010005.5000920.2820057, and be it

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

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 174

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON INC., FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF AVIATION

WHEREAS, this County Legislature, by Resolution 351 of 2016, as amended by Resolution 194 of 2017, authorized an agreement with McFarland Johnson Inc., for professional services for the Department of Aviation at a cost not to exceed \$535,102 for the period September 22, 2016 through December 31, 2017, and

WHEREAS, said services are necessary for construction inspection and management services for the Runway 16/34 Rehabilitation Project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through September 1, 2018, in order to receive FAA Flight Inspection paperwork to close-out the project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland Johnson, Inc., P.O. Box 1980, Binghamton, New York 13902, to extend the period through September 1, 2018, in order to receive FAA Flight Inspection paperwork to close-out the Department of Aviation's Runway 16/34 Rehabilitation Project, and be it

FURTHER RESOLVED, that Resolutions 351 of 2016 and 194 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 175

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION 5307 FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to apply for and accept 6/12ths of the County's allocation of Federal Transportation Administration 5307 Funds in the amount of \$1,605,514 for the period January 1, 2018 through December 31, 2018, and

WHEREAS, said funding supports Broome County's Binghamton Urbanized Area Transportation Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the application and acceptance of 6/12ths of the County's allocation of Federal Transportation Administration 5307 Funds in the amount of \$1,605,514 from the Federal Transit Administration, One Bowling Green, Suite 429, New York, New York 10004, for the Broome County Department of Public Transportation, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.5000902.2040, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 176

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH i3 ELECTRONICS, INC., FOR TREATMENT OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2018-2019

WHEREAS, this County Legislature, by Resolution 130 of 2017 authorized renewal of an agreement with i3 Electronics, Inc., for treatment of raw leachate from the leachate collection system at the Broome County Landfill for the Department of Public Works Division of Solid Waste Management at an amount not to exceed \$22 per 1,000 gallons of leachate, for the period May 1, 2017 through April 30, 2018, and

WHEREAS, said agreement is necessary to discharge raw leachate from the Broome County Landfill to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, said agreement expired by its terms on April 30, 2018, and it is desired at this time to renew said agreement at the rate of \$24 per 1,000 gallons of leachate, total an amount not to exceed \$72,000 for the period May 1, 2018 through April 30, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with i3 Electronics, Inc., Dept. 723, Lockbox 8000, Buffalo, New York 14267-0002 for treatment of raw leachate from the leachate collection system at the Broome County Landfill for the Department of Public Works division of Solid Waste Management 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 \$24 per 1,000 gallons of leachate, total amount not to exceed \$72,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6004146 (Subcontracted Program Expense), and be it

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 177

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

RESOLUTION AMENDING THE 2018 CAPITAL IMPROVEMENT PROGRAM HIGHWAY RECONSTRUCTION/REHABILITATION PROJECT

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

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Other</u>		
2920087	Highway Reconstruction/ Rehabilitation	\$2,500,000	\$0	\$0		\$2,500,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2018	15	20(c)	\$2,500,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Other*</u>		
2920087	Highway Reconstruction/ Rehabilitation	\$3,070,055	\$570,055	\$0		\$2,500,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2018	15	20(c)	\$3,070,055	\$0

and be it

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

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 178

By Finance and Economic Development, Education & Culture Committees

Seconded by Mr. Sopchak

RESOLUTION ADOPTING THE BUDGET FOR SUNY BROOME COMMUNITY COLLEGE FOR 2018-2019

WHEREAS, the Broome County Legislature is required to approve the College's annual unrestricted operating budget, and

WHEREAS, such approval must state the total unrestricted appropriations, sponsor contribution and fiscal year for which the operating budget is approved, and

WHEREAS, the Finance Committee of the County Legislature recommends approval of the total budget and sponsor contribution as presented, now, therefore, be it

RESOLVED, that the unrestricted operating budget for SUNY Broome Community College for the fiscal year September 1, 2018 through August 31, 2019, in the sum of \$56,445,038 be approved, and be it

FURTHER RESOLVED, that the Sponsor Contribution for SUNY Broome for the College fiscal year September 1, 2018 through August 31, 2019, in the sum of \$7,334,046 be approved, and be it

FURTHER RESOLVED, that SUNY Broome Community College's operating budget be submitted to the State University Board of Trustee's for approval.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 179

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH C & S COMPANIES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE OFFICE OF EMERGENCY SERVICES FOR 2015-2018

WHEREAS, this County Legislature, by Resolution 422 of 2015, as amended by Resolution 369 of 2016, authorized an agreement with C & S Companies for professional engineering services for the Office of Emergency Services at a cost not to exceed \$441,143 for the period November 19, 2015 through December 31, 2018, and

WHEREAS, said agreement is necessary for an emergency communications system upgrade, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$54,000 and extend the period through June 30, 2019, for additional engineering services as outlined in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with C & S Companies, 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212 to increase the not to exceed amount by \$54,000 and extend the period through June 30, 2019 for additional engineering services as outlined in Exhibit "A", and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$495,143, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 20010003.6004572.1011. (Engineering & Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 422 of 2015 and 369 of 2016, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 180

By County Administration, Public Safety & Emergency Services and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH EMERGENCY MEDICAL SERVICE AGENCIES FOR A COUNTY NEW WORLD FIRE MOBILE MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY 2018-2020

WHEREAS, the Director of Information Technology requests authorization for an agreement with Emergency Medical Service Agencies, attached as Exhibit "A", for a County New World Fire Mobile Memorandum of Understanding for the Division of Information Technology for the period January 1, 2018 through December 31, 2020, and

WHEREAS, said agreement is necessary to define the service expectations for maintenance, support and access to the County's New World Fire Mobile software, hardware and wireless networks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Emergency Medical Service Agencies, attached as Exhibit "A", for a County New World Fire Mobile Memorandum of Understanding for the Division of Information Technology for the period January 1, 2018 through December 31, 2020, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 181

By County Administration and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH DATROSE FOR PROFESSIONAL SERVICES FOR THE OFFICE OF THE COUNTY CLERK FOR 2018

WHEREAS, this County Legislature, by Resolution 313 of 2017, authorized an agreement with Datrose for professional services for the Office of the County Clerk at an amount not to exceed \$85,000 for the period October 1, 2017 through June 2, 2018, and

WHEREAS, said services are necessary to prepare, scan, index and proof records to the County's Hyland OnBase management system, and

WHEREAS, said agreement expires by its terms on June 2, 2018, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$71,853, for the period June 3, 2018 through December 31, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Datrose, 660 Basket Road, Webster, New York 14580 for professional services for the Office of the County Clerk for the period June 3, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$71,853 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 04030001.0420003/040004/040005.0420005.6004255 (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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 182

By Personnel Committee Seconded by Mr. Pasquale
ADOPTING A STANDARD WORK DAY AND REPORTING RESOLUTION AS REQUIRED BY THE STATE OF NEW YORK

WHEREAS, the New York State Comptroller has issued Regulation 2 NYCRR 315.4 which modifies the reporting requirements for elected and appointed officials who are members of the New York State Retirement System, now, therefore, be it

RESOLVED, that the County of Broome, Location Code 10003, hereby establishes the following as standard work day for elected and appointed officials, attached as Exhibit "A" and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by the officials to the Clerk of this body.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 183

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING THE TRANSFER OF UNDEVELOPED PORTIONS OF COUNTY-OWNED PARCELS TO THE AGENCY BROOME COUNTY IDA/LDC

WHEREAS, this County Legislature, by Resolution 549 of 2015, as amended by Resolution 81 of 2016, authorized an agreement with The Agency (Broome County Industrial Development Agency) for the acquisition of approximately forty acres of land in the Broome Corporate Park at the cost of \$100,000, and

WHEREAS, said agreement is necessary for the construction of a solar power facility, and

WHEREAS, the Commissioner of Public Works recommends transferring the undeveloped portions of parcels 194.07-1-4.11 and 194.07-1-3.11 to The Agency Broome County IDA/LDC, as indicated on the Boundary Survey Map, attached as Exhibit "A", and

reserving Broome County's access to the Solar Array site via the "Access Easement", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the transfer of undeveloped portions of parcels 194.07-1-4.11 and 194.07-1-3.11 to The Agency Broome County IDA/LDC, as indicated on the Boundary Survey Map, attached as Exhibit "A", and reserving Broome County's access to the Solar Array site via the "Access Easement", for the Department of Public Works, at no cost to either party, 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 184

By County Administration Committee

Seconded by Mr. Pasquale

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2018, ENTITLED: "A LOCAL LAW REGARDING COUNTY BOARD, COUNCIL AND COMMISSION APPOINTMENT AND MEMBERSHIP "

RESOLVED, that Local Law Intro. No. 5 of 2018, entitled: "A Local Law regarding County Board, Council and Commission appointment and membership," 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. 5 OF 2018

"A Local Law regarding County Board, Council and Commission appointment and membership"

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

SECTION I: Chapter 17, Boards and Councils is hereby amended as follows:

ARTICLE I

Appointment Requirements

17-1. All nominations to County Boards, Councils and Commissions that require confirmation by the County Legislature shall require the following:

(1) A letter from the nominating entity which shall include, but not be limited to:

- a. Name and address of nominee
- b. County Charter, Code or Resolution appointment authority citation
- c. Term of appointment
- d. Resume or qualifications statement
- e. Name of the individual to be replaced or the name of the individual previously appointed to said County Board, Council or Commission.

(2) Upon approval by the County Legislature and signature from the County Executive for the replacement of an individual serving as a member of a County Board, Council or Commission, the nominating entity shall notify the individual to be replaced in writing within 10 days. A copy of this notification shall be filed with the Clerk of the County Legislature.

17-2. The Clerk of the County Legislature shall maintain and make available to the public a record of individuals currently serving on all County Boards, Councils and Commissions that require confirmation of membership by the County Legislature.

ARTICLE [I] II

Residency Requirements

§ 17-[1] 3. Residency required for all boards.

It shall be a requirement for membership on all boards of the County of Broome that each individual member be a resident of Broome County unless an exemption is granted by the

ARTICLE [II] III

Environmental Management Council

§ 17-[2] 4. Establishment.

The County Legislature hereby authorizes, creates and approves the establishment of a Broome County Environmental Management Council, pursuant to the provisions of Article 19 of the Conservation Law of the State of New York and other laws pertaining thereto, to be known and designated as the "Broome County Environmental Management Council," for the purpose of reviewing and reporting upon the state of the County's environment and for all the other purposes and with all the powers and duties set forth in Article 19 of the Conservation Law of the State of New York. The County Executive is hereby authorized and empowered to appoint the members of said Broome County Environmental Management Council.

§ 17-[3] 5. Membership; terms; Chairman.

The membership of the Broome County Environmental Management Council shall be comprised of one member of each conservation commission within the County of Broome, 15 at-large members who are residents of Broome County, one representative each from designated agencies as established in the EMC bylaws (e.g., USDA Natural Resources Conservation Service, the Cooperative Extension Service, the Soil and Water Conservation District located within Broome County) and, as ex officio members, the Commissioners or designees of the Broome County Departments of Health, of Parks and Recreation, of Planning and Economic Development and of Public Works, and two Broome County Legislators, all of whom shall be appointed by and serve at the pleasure of the County Executive for terms not to exceed two years, and any such appointments shall be subject to confirmation by the County Legislature. The County Executive shall appoint a Chairman of the Council from among the members of the Council.

§ 17-[4] 6. Name.

The name of this organization is the "Broome County Environmental Management Council" (hereinafter called the "Council"), as established by the Broome County Legislature (hereinafter called the "Legislature"), in accordance with Broome County Resolution Permanent No. 277 of 1971, No. 64 of 1973, No. 366 of 1976, No. 341 of 1980, No. 525 of 1987 and Article 47 of the New York State Environmental Conservation Law. All references to the "County" refer hereinafter to Broome County.

§ 17-[5] 7. Purpose; goals.

- A. The purpose of the Council shall be as set forth in Article 47 of the Environmental Conservation Law, together with such other powers as shall be given it by the Legislature to enhance and preserve the natural and developed environment of the County.
- B. Major goals of the Council shall include:
 - (1) Providing support services and advice to the County Executive, Legislature, municipal governmental bodies and citizens;
 - (2) Conducting and coordinating environmental research activities;
 - (3) Preparing an annual report on the status of the County's environment;
 - (4) Raising public awareness of environmental issues through educational programs;
 - (5) Preparing long-term work plans for the protection and management of the County's natural resources;
 - (6) Cooperating and assisting other organizations in preparing environmental plans and reports;
 - (7) Investigating and recommending sound methods of ecological planning for the use of the County's resources;
 - (8) Reviewing environmental impact statements, plans, applications and

reports when requested to do so; and

(9) Responding to County environmental problems.

§ 17-~~6~~ **8**. Composition.

A. The composition of voting membership in the Council shall be as follows:

- (1) Fifteen members-at-large who are County residents.
- (2) Three student representatives who are County residents and who are at least 16 years of age. At-large and student member nominees shall be considered for approval by a majority of Council members at a regular meeting. Recommendations are submitted to the County Executive for appointment subject to confirmation by the Legislature.
- (3) One representative from each conservation advisory commission (CAC).
- (4) One representative each from the Soil and Water Conservation District and Cornell Cooperative Extension located in the County.

B. The following individuals shall be nonvoting ex-officio members of the Council:

- (1) The County Executive may appoint the administrators of the following County government departments or their designated standing representatives from the respective agencies:
 - (a) Health.
 - (b) Parks and Recreation.
 - (c) Planning and Economic Development.
 - (d) Public Works.
 - (e) Division of Solid Waste Management.
- (2) One representative from the United States Department of Agriculture Natural Resources Conservation Service.
- (3) Two County Legislators.

C. There shall be any number of nonvoting associate members.

§ 17-~~7~~ **9**. Selection.

A. The Executive may consider nominees selected as set forth in Subsection A (1), (2) and (3) and shall submit his/her appointees to the Legislature for confirmation in accordance with County Resolution Permanent No. 277 of 1971, as amended. Selection of nominees for Council membership shall be as follows:

- (1) At-large and student member nominees shall be selected by the Council's Membership Committee. These names shall be submitted for approval by a majority of Council members at a regular monthly meeting. Notification shall be included in the agenda for that meeting.
- (2) Each conservation advisory commission may designate one of its members or employees as a Council member nominee.
- (3) The United States Department of Agriculture Natural Resources Conservation Service, Cooperative Extension Association and Soil and Water Conservation District may designate one of their members or employees as a Council member nominee.

B. The County Executive may appoint County Department Commissioners or their designees as representatives to Council.

C. The Chairperson of the Legislature may appoint two Legislators as representatives to Council.

D. Associate member nominees shall be selected by the Council's Membership Committee, subject to approval by a majority of members at a regular monthly meeting. Notifications shall be included in the agenda for that meeting.

§ 17-~~8~~ **10**. Terms of membership.

Terms of membership on the Council shall be for periods specified as follows, subject to the provisions of § 17-7 above:

- A. At-large members shall serve a term that consists of two consecutive calendar years. No at-large member may serve more than two consecutive terms. However, six months after the completion of two consecutive terms, an at-large member shall again become eligible for Council membership.
- B. Student members shall serve a term of one year beginning September 1. Student members may serve no more than two consecutive one-year terms.
- C. Representatives from conservation advisory commissions shall serve a term that consists of two consecutive calendar years. CAC representatives serve at the pleasure of their CAC.
- D. United States Natural Resources Conservation Service, Cooperative Extension Service, and Soil and Water Conservation District representatives shall serve at the pleasure of their agencies without a fixed term.
- E. County Commissioners (or their standing representatives) shall serve at the pleasure of the County Executive without a fixed term.
- F. County Legislators shall serve at the pleasure of the Chairperson of the Legislature.
- G. Associate members may serve any number of one-year terms.

§ 17-[9] **11**. Term expiration and filling vacancies.

- A. Whenever vacancies occur among at-large and student members due to the expiration of a term, the Membership Committee shall recommend nominees to be approved by a majority of Council members at a regular monthly meeting. Members whose terms have officially expired shall continue to serve until their replacements have been appointed and confirmed by the appropriate authorities.
- B. Whenever vacancies occur due to reasons other than the expiration of a term, the Membership Committee shall recommend replacements to serve out the vacated (or interim) term. A member who serves an interim term remains eligible to serve two additional consecutive terms. The nominees are subject to appointment by the County Executive and confirmation by the County Legislature.
- C. Whenever vacancies occur from among the other categories of Council membership, the Council shall notify the appropriate agency or organization so that it may submit the name of a replacement, subject to the provisions of § 17-7 above.

§ 17-[10] **12**. Absences.

Unexcused absences from three consecutive Council meetings or from four meetings in any twelve-month period shall constitute presumed resignation. Following such absences, the member shall be notified, in writing, of his/her presumed resignation. If extenuating circumstances have caused the absences or if the member wishes to take issue with the proceedings for any reason, the member shall inform the Council Chairperson within one week of the date of the written notification. No response shall be considered a confirmation of the member's resignation.

§ 17-[11] **13**. Compensation.

All members of the Council shall receive no compensation for their services. They shall be reimbursed, to the extent that the budget permits, for expenses necessarily incurred in the performance of their Council duties (excluding associate members), subject to County expenditure approval procedures.

SECTION II: This Local Law will take effect upon filing with the Secretary of State.

Added

[Bold brackets] deleted

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 185

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

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request contained in PCR# 18-90 from the Broome County Department of Health, this County Legislature hereby abolishes the position of Supervising Senior Clerk, Grade 10, Union Code 04 CSEA, minimum hourly rate \$14.1113 per hour, Full-Time, 37.5 hours weekly, budget line 25010004.6001001.1011.2510558 effective June 4, 2018, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 18-91 from the Broome County Department of Health, this County Legislature hereby creates the position of Health Program Specialist, Grade 8, Union Code 04 CSEA, minimum hourly rate \$12.7941 per hour, Full-Time, 37.5 hours weekly, budget line 25010004.6001001.1011.2510558 effective June 4, 2018.

Carried. Ayes-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 186

By Finance and Economic Development, Education & Culture Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE AGENCY BROOME COUNTY IDA/LDC FOR FUNDING FROM THE SMALL BUSINESS LOAN FUND ALLOCATION OF THE OCCUPANCY TAX FOR 2018

WHEREAS, the Chairman of the Legislature and the County Executive request authorization for an agreement with The Agency Broome County IDA/LDC for funding in the amount not to exceed \$300,000 from the Small Business Loan Fund allocation of the occupancy tax for the period May 1, 2018 through December 31, 2018, and

WHEREAS, said funding will be used to assist in the creation and expansion of small business in Broome County by offering low interest financing, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Agency Broome County IDA/LDC, 5 South College Drive, Binghamton, New York 13905, for funding from the Small Business Loan Fund allocation of the occupancy tax for the period May 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, The Agency will present quarterly and annual reports to the Finance Committee and an electronic version of the material presented shall be provided to the County Executive and the Clerk of the Legislature, and be it

FURTHER RESOLVED, that said reports shall include, but are not limited to the following:

- The firms who have applied for funds,
- Copies of applications,
- Those who have been awarded funds,
- The amounts awarded and the project(s) they are for,
- Process used to review applications,
- Criteria used for awarding firms/projects,
- How the awarded applications met the requirements for funding,
- How the funds can be recouped if the firms don't meet obligations,
- Status updates on current projects funded through this program,

and be it

FURTHER RESOLVED, that firms are barred from applying for, or receiving funds if the owner(s) or executive level staff are, or are related to, any Agency Board member or staff, any

current elected official, or are a member of their staff or are an immediate family member, and be it

FURTHER RESOLVED, that elected officials, staff of elected officials, those related to Agency Board members and staff, and anyone else prohibited under The Agency's By-Laws are barred from serving on the Business Retention & Expansion Advisory Loan Committee, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$300,000 for the term of the agreement, which shall be requested in semi-annual payments, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005040 (Small Business Fund Program), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

RESOLUTION NO. 187

By Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH MARCHUSKA BROTHERS CONSTRUCTION, LLC FOR PROPERTY MANAGEMENT SERVICES FOR THE OFFICE OF REAL PROPERTY TAX SERVICES FOR 2018

WHEREAS, RFP 2018-038 Property Management Services for the Broome County Office of Real Property Tax Service was issued, and

WHEREAS, as a result of said RFP, the Director of Real Property Tax Service requests authorization for an agreement with Marchuska Brothers Construction, LLC for property management services at 3 Delaware Avenue in the Town of Union for the Office of Real Property Tax Service at a cost of \$70/hour, for the period June 1, 2018 through December 31, 2018, and

WHEREAS, said services are necessary to oversee and manage the property at 3 Delaware Avenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Marchuska Brothers Construction, LLC, 436 Airport Road, Endicott, New York 13760 for 20 hours per month of property management services for the Office of Real Property Tax Service for the period June 1, 2018 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$70/hour, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 17000001.6004584 (Tax Acquired Property Expenses), 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-12, Nays-0, Absent-3 (Shaw, Baldwin, Heebner)

Mr. Flagg made a motion to adjourn, seconded by Mrs. O'Brien. **Motion to adjourn carried.** Ayes-12, Nays-0, Absent-1 (Shaw, Baldwin, Heebner). The meeting was adjourned at 5:59 p.m.

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