

Intro No. 40
 Date 3/17/16
 Reviewed by RA
 Date 2/22/16

RESOLUTION
BROOME COUNTY LEGISLATURE
 BINGHAMTON, NEW YORK

Permanent No. 2016-122
 Date Adopted 3/17/16 & 4/21/16
 Effective Date 4/22/16

Sponsored by: Finance and Public Works & Transportation Committees

Seconded by: Hon. Greg W. Baldwin

RESOLUTION AMENDING THE 2016 CAPITAL IMPROVEMENT PROGRAM DPW FLEET REPLACEMENT PROJECT AND DPW SKID STEER LOADER PROJECT

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

| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>Estimated Equipment Cost:</u> | | |
|-------------|-----------------------|--------------|----------------------------------|--------------|---------------|
| | | | <u>State</u> | <u>Other</u> | <u>County</u> |
| 0920012 | DPW Fleet Replacement | \$340,000 | \$0 | \$0 | \$340,000 |

| <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> |
| 2016 | 3 | 77 | \$340,000 | \$0 |

TO:

| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>Estimated Equipment Cost:</u> | | |
|-------------|-----------------------|--------------|----------------------------------|---------------|---------------|
| | | | <u>State</u> | <u>Other*</u> | <u>County</u> |
| 0920012 | DPW Fleet Replacement | \$295,000 | \$0 | \$0 | \$295,000 |

| <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> |
| 2016 | 3 | 77 | \$295,000 | \$0 |

ADD:

| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>Estimated Equipment Cost:</u> | | |
|-------------|-----------------------|--------------|----------------------------------|---------------|---------------|
| | | | <u>State</u> | <u>Other*</u> | <u>County</u> |
| 0920013 | DPW Skid-Steer Loader | \$45,000 | \$0 | \$0 | \$45,000 |

| <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> |
| 2016 | 15 | 28 | \$45,000 | \$0 |

and be it

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

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

COUNTY OF BROOME) ss.:
 STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016
 Approved [Signature]
 County Executive
 Date 4/22, 2016

[Signature]
 Clerk, County Legislature
 County of Broome

Intro No.

Date

Reviewed by
Co. Attorney

Date

1
4/21/16
PLS
3/29/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No.

Date Adopted

Effective Date

2016-132

4/21/16

4/22/16

Sponsored by: County Administration and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH STRATEGIC DEVELOPMENT SPECIALISTS, LLC FOR STATE LEGISLATIVE GOVERNMENT RELATIONS SERVICES FOR BROOME COUNTY FOR 2016-2017 AND AUTHORIZING THE EXPENDITURE OF FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX

WHEREAS, RFP 2016-22 State Legislative Government Relations Firm was advertised, and

WHEREAS, as a result of said RFP the County Executive requests authorization for an agreement with Strategic Development Specialists, LLC for state legislative government relations services for Broome County at a cost not to exceed \$65,000 per year, for the period May 1, 2016 through April 30, 2017, and

WHEREAS, said services are necessary to assist the County in advancing its initiatives by developing and executing strategic efforts at the State level to bring additional revenue to Broome County and pursue legislative and policy initiatives that benefit the County, and

WHEREAS, pursuant to Resolution 385 of 2011, all resolutions requested by the Commissioner of Planning and Economic Development or any other County Department, with the exception of the Legislature, for specific funding utilizing funds collected pursuant to Section 185, Article III of the Broome County Charter and Code, shall be submitted to the Clerk of the Legislature no less than 60 days prior to a resolution being considered by the Broome County Legislature for such expenditure, and

WHEREAS, this County Legislature hereby waives said 60 day prior submission requirement and hereby authorizes the expenditure of funding from the Marketing and Economic Development allocation of the Occupancy Tax, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Development Specialists, LLC, 6312 Fly Road, East Syracuse, New York 13057 for state legislative government relations services for Broome County for the period May 1, 2016 through April 30, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$65,000 per year for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature waives the 60 day prior submission requirement and hereby authorizes the expenditure of funding from the Marketing and Economic Development allocation of the Occupancy Tax, and be it

Intro No. 1
Date 4/21/16
Reviewed by
Co. Attorney _____
Date _____

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-132
Date Adopted 4/21/16
Effective Date 4/22/16

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026.1010 (Marketing & Economic Development), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 3
Date 4/21/16
Reviewed by
Co. Attorney Ruben D'Amico
Date 3/30/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-133
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH ANDRE & SON, INC., FOR GOLF COURSE MAINTENANCE EQUIPMENT FOR THE EN-JOIE GOLF COURSE FOR 2016-2020

WHEREAS, RFB 2016-11 Lease-To-Own Golf Course Grounds Equipment was advertised, and

WHEREAS, as a result of said RFB the Director of Golf requests authorization for a lease agreement with Andre & Son, Inc. for golf course maintenance equipment for the En-Joie Golf Course, at the cost of \$3,116 per year, total amount not to exceed \$15,580 for the period April 1, 2016 through March 31, 2021, with the option to purchase said equipment for \$1 at the conclusion of the period, and

WHEREAS, said lease agreement is necessary for equipment to keep up high quality bunker maintenance, while reducing labor costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Andre & Son, Inc., 17150 State Route 706, Montrose, New York 18801-9771 for golf course maintenance equipment for the En-Joie Golf Course for the period April 1, 2016 through March 31, 2021, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$3,116 per year, total amount not to exceed \$15,580 for the term of the agreement, with the option to purchase said equipment for \$1 at the conclusion of the period, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 41000000.6004190 (County Rentals-Machinery), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Ruben D'Amico
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016

Intro No. 4
Date 4/21/16
Reviewed by Peter J. Winters
Co. Attorney
Date 3/30/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-134
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION, INC. (NYSPHSAA) TO HOST THE BOYS BASKETBALL STATE CHAMPIONSHIPS FOR 2017-2019

WHEREAS, the Arena Manager requests authorization for an agreement with the New York State Public High School Athletic Association, Inc. (NYSPHSAA) to host the Boys Basketball State Championships and to waive the Arena rental fees and expenses, for the period January 1, 2017 through December 31, 2019, and

WHEREAS, said agreement is necessary in order for the NYSPHSAA Boys Basketball State Championship tournament to be held at the Floyd L. Maines Veterans Memorial Arena on the following dates: March 17-19, 2017, March 16-18, 2018, and March 15-17, 2019, and

WHEREAS, due to American Food & Vending currently having exclusivity to sell merchandise at the Arena, NYSPHSAA will pay American Food & Vending a \$500 merchandise buy-out per year for the term of this agreement in order to sell merchandise during the championships, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NYSPHSAA, 8 Airport Park Blvd # 1, Latham, New York 12110, to host the Boys Basketball State Championships at the Floyd L. Maines Veterans Memorial Arena, for the period January 1, 2017 through December 31, 2019, and be it

FURTHER RESOLVED, that the County agrees to waive all Arena rental fees and expenses for the holding of said championships, and be it

FURTHER RESOLVED, that NYSPHSAA agrees to pay American Food & Vending a \$500 merchandise buy-out per year for the term of this agreement to sell merchandise during said championships, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Peter J. Winters
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No.

5

Date

4/21/16

Reviewed by
Co. Attorney

R. H. D. A.

Date

3/30/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-135

Date Adopted 4/21/16

Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AMENDING RESOLUTION 153 OF 2006 AUTHORIZING THE ESTABLISHMENT OF A TRUST ACCOUNT FOR THE BROOME COUNTY TRIATHLON

WHEREAS, this County Legislature, by Resolution 153 of 2006 authorized the establishment of a trust account for the Broome County Triathlon, and

WHEREAS, said Resolution restricted use of the trust funds solely for administration of the Broome County Triathlon, and

WHEREAS, the annual Broome County Triathlon will be operated as an event designed to promote the cause of handicapped accessible playgrounds and equipment, and

WHEREAS, this County Legislature, by Resolution 494 of 2012 authorized the establishment of the Broome County Parks Handicap Accessible Playground Equipment Trust Fund for the sole purpose of purchasing and constructing such handicapped accessible playgrounds and equipment, and

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization to transfer funds beyond those needed to administer the Broome County Triathlon from the Broome County Triathlon trust fund to the Broome County Parks Handicap Accessible Playground Equipment Trust Fund for the purpose of purchasing and constructing handicapped accessible playgrounds and equipment, now, therefore, be it

RESOLVED, that Resolution 153 of 2006 is hereby amended to authorize the transfer of funds beyond those needed to administer the Broome County Triathlon from the Broome County Triathlon trust fund to the Broome County Parks Handicap Accessible Playground Equipment Trust Fund for the purpose of purchasing and constructing handicapped accessible playgrounds and equipment, and be it

FURTHER RESOLVED, that the Director of Management and Budget and the Director of Parks, Recreation and Youth Services are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

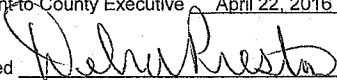
I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved


County Executive

Date

4/22, 2016



Clerk, County Legislature
County of Broome

Intro No. 6
Date 4/21/16
Reviewed by CDS
Co. Attorney
Date 3/28/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-136
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture Committee

Seconded by: Hon. Stephen J. Flagg

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY AND CONDUCT A COORDINATED REVIEW UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, as approved by Resolution 541 of 2015, Broome County entered into an agreement with The Agency (Broome County Industrial Development Agency) and SUNY Broome Community College to lease space on the SUNY Broome Community College campus in the Town of Dickinson for The Agency to construct an office building, 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, this County Legislature has determined that it 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, this County Legislature, the Dormitory Authority of the State of New York (DASNY), SUNY Broome Community College and the Town of Dickinson are the involved agencies, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of The Agency Office Building Project on the SUNY Broome Community College campus in the Town of Dickinson.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016
Approved Michael R. Weston
County Executive
Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 7
Date 4/21/16
Reviewed by
Co. Attorney CDS
Date 3/28/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-137
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture Committee

Seconded by: Hon. Stephen J. Flagg

**RESOLUTION ISSUING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE
WITH RESPECT TO THE BROOME CORPORATE PARK SOLAR PHOTOVOLTAIC PROJECT**

WHEREAS, as approved by Resolution 558 of 2015, Broome County entered into an agreement with Solar City Corporation for a Solar Photovoltaic Project at the Broome Corporate Park in the Town of Conklin, and

WHEREAS, 6NYCRR Part 617 of the State Environmental Quality Review Law requires that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, this is a Type I Action pursuant to the New York State Environmental Quality Review Act (SEQRA) which requires review, and

WHEREAS, as approved by Resolution 110 of 2016, Broome County declared Lead Agency status in Environmental Review for the Broome Corporate Park Solar Photovoltaic Project, and

WHEREAS, the County Legislature has reviewed the Full Environmental Assessment Form prepared for this Action, attached as Exhibit "A", now, therefore be it

RESOLVED, that this County Legislature finds that adoption of the Broome Corporate Park Solar Photovoltaic Project will not have a significant impact on the environment and hereby issues a SEQRA Negative Declaration of Environmental Significance upon the above entitled Action.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

| | | |
|---|-------------------------|--------------------------------|
| Name of Action or Project: Broome County Solar Project | | |
| Project Location (describe, and attach a general location map): 375 and 399 Broome Corporate Parkway, Town of Conklin, Broome County, New York (see Attachment A) | | |
| Brief Description of Proposed Action (include purpose or need): SolarCity Corporation proposes to install a 5.46 megawatt fixed-tilt ground-mounted solar photovoltaic array on property owned by Broome County on Broome Corporate Parkway in the Town of Conklin, Broome County, New York. See Attachment A, Section A, for an expanded Project Description. | | |
| Name of Applicant/Sponsor: SolarCity Corporation | Telephone: 267-457-4412 | E-Mail: nseidell@solarcity.com |
| Address: 3055 Clearview Way | | |
| City/PO: San Mateo | State: CA | Zip Code: 94402 |
| Project Contact (if not same as sponsor; give name and title/role): Nichole Seidell, Director, Environmental Permitting | Telephone: 267-457-4412 | E-Mail: nseidell@solarcity.com |
| Address: 100 N. 18th Street, Suite 1900 | | |
| City/PO: Philadelphia | State: PA | Zip Code: 19103 |
| Property Owner (if not same as sponsor): Broome County | Telephone: 607-778-2375 | E-Mail: blucas@co.broome.ny.us |
| Address: PO Box 1766 | | |
| City/PO: Binghamton | State: NY | Zip Code: 13902 |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Broome County Planning Department, Review and Approval of SEQR Application | February 26, 2016 |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NYSDEC-SPDES General Permit for Stormwater Discharges from Construction Activities | 5 days prior to construction |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Final project design will avoid impacts to waters of the US to the extent practicable; if unavoidable, Section 404 Permit will be obtained. | TBD |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| C.1. Planning and zoning actions. | |
|--|--|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Town of Conklin Comprehensive Plan (Updated June 2004), See Att A, Section C for more information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes, identify the plan(s): | |
| _____ | |
| _____ | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes, identify the plan(s): | |
| _____ | |
| _____ | |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No

If Yes, what is the zoning classification(s) including any applicable overlay district?

Limited Industrial District; see Attachment A, Section C, for further information.

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Susquehanna Valley School District

b. What police or other public protection forces serve the project site?

New York State Police and Broome County Sheriff

c. Which fire protection and emergency medical services serve the project site?

Broome Volunteer Emergency Squad

d. What parks serve the project site?

None

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Utility - a solar energy generating facility, see Attachment A, Section D for more information.

b. a. Total acreage of the site of the proposed action? 47.72 acres

b. Total acreage to be physically disturbed? 21.66 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 21.66 acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Industrial, see Attachment A, Section D for more information.

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 4

iv. Minimum and maximum proposed lot sizes? Minimum 6.5 acres Maximum 15.1 acres

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 3 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

| | One Family | Two Family | Three Family | Multiple Family (four or more) |
|-----------------------------|------------|------------|--------------|--------------------------------|
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion of all phases | _____ | _____ | _____ | _____ |

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

- i. Total number of structures 89 rows
- ii. Dimensions (in feet) of largest proposed structure: 5 height; 20 width; and 420 length
- iii. Approximate extent of building space to be heated or cooled: N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

If Yes,

- i. Purpose of the impoundment: _____
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
- iii. If other than water, identify the type of impounded/contained liquids and their source. _____
- iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
- v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

- i. What is the purpose of the excavation or dredging? _____
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 - Volume (specify tons or cubic yards): _____
 - Over what duration of time? _____
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
- iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____
- v. What is the total area to be dredged or excavated? _____ acres
- vi. What is the maximum area to be worked at any one time? _____ acres
- vii. What would be the maximum depth of excavation or dredging? _____ feet
- viii. Will the excavation require blasting? Yes No
- ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Portions of field identified wetlands WA and WB and a tributary of Carlin Creek (Class C; delineated waterbody ST-1). See Attachment A, Section D, for more information regarding wetland and waterbody impacts.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Placement of solar panel foundations in small portions of wetlands WA and WB; alteration of channels or banks of ST-1. The extent of wetland and/or waterbody alteration to be confirmed following field delineation and jurisdictional determination, as appropriate. See Attachment A, Section D for more information.

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____

- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

37,663 Square feet or 0.87 acres (impervious surface)

2,078,683 Square feet or 47.72 acres (parcel size)

ii. Describe types of new point sources. No new point sources are proposed.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site stormwater management to groundwater infiltration. See Attachment A, Section D, for further information.

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
 The existing site access may need to be upgraded or relocated, depending on engineering/structural review that is currently occurring. _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply. See Attachment A, Section D for more information.

i. During Construction:

- Monday - Friday: _____ 7:00 AM - 6:00 PM
- Saturday: _____ 7:00 AM - 6:00 PM
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ Daylight Hours
- Saturday: _____ Daylight Hours
- Sunday: _____ Daylight Hours
- Holidays: _____ Daylight Hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 See Attachment A, Section D.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored Mineral oil or other fluid used for coolant; see Attachment A, Section D.
 ii. Volume(s) 1,042 per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities:
 Fully sealed containment located on concrete pad with secondary containment.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:
 Portion of the site is forested with intermediate aged forest (deciduous and conifers) and recently clear cut area with small (8 to 10') tall trees, considered brushland. Adjacent properties have residential housing and an industrial manufacturing business Ardagh Metal Packaging. See Attachment A, Section E.

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 0 | 0.87 | +0.87 |
| • Forested | 21.62 | 10.00 | -11.62 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 20.03 | 10.82 | -9.21 |
| • Agricultural (includes active orchards, field, greenhouse etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0.31 | 0.26 | -0.05 |
| • Wetlands (freshwater or tidal) | 5.76 | 5.65 | -0.10 |
| • Non-vegetated (bare rock, earth or fill) | 0 | 0 | 0 |
| • Other Describe: _____ | 0 | 0 | 0 |

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ 13 feet
 • Dam length: _____ 1450 feet
 • Surface area: _____ 3 acres
 • Volume impounded: _____ 15 acre-feet gallons OR acre-feet
 ii. Dam's existing hazard classification: C
 iii. Provide date and summarize results of last inspection:
 Data last updated 11/3/2015. The last condition rating of the dam was "not rated." See Attachment A, Section E, for further information.

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

| | | |
|----------------------------|-------|------|
| Canaseraga silt loam (CaB) | _____ | 21 % |
| Dalton silt loam (DaB) | _____ | 31 % |
| Tioga silt loam (Ta) | _____ | 18 % |

d. What is the average depth to the water table on the project site? Average: _____ 2 feet

e. Drainage status of project site soils:

| | | |
|--|-------|--------------|
| <input checked="" type="checkbox"/> Well Drained: | _____ | 33 % of site |
| <input checked="" type="checkbox"/> Moderately Well Drained: | _____ | 32 % of site |
| <input checked="" type="checkbox"/> Poorly Drained | _____ | 35 % of site |

f. Approximate proportion of proposed action site with slopes:

| | | |
|---|-------|-----------------|
| <input checked="" type="checkbox"/> 0-10%: | _____ | 90 % of site |
| <input checked="" type="checkbox"/> 10-15%: | _____ | 10 % of site |
| <input type="checkbox"/> 15% or greater: | _____ | _____ % of site |

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features. See Attachment A, Section E

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 931-902 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 6 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: Sole Source Aquifer Names: Clinton Street Ballpark SSA, Principal Aquifer

| | |
|--|--|
| m. Identify the predominant wildlife species that occupy or use the project site: _____ Ruffed grouse (<i>Bonasa umbellus</i>) Red squirrel (<i>Tamiasciurus hudsonicus</i>) _____ Coyote (<i>Canis latrans</i>) Deer (<i>Odocoileus virginianus</i>) _____ Gray squirrel (<i>Sciurus carolinensis</i>) Red fox (<i>Vulpes vulpes</i>) _____ | |
| n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: | |
| i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ | |
| ii. Source(s) of description or evaluation: _____ | |
| iii. Extent of community/habitat: | |
| <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| See Attachment A, Section E. | |
| p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| See Attachment A, Section E. | |
| q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____ | |
| E.3. Designated Public Resources On or Near Project Site | |
| a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____ | |
| b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____ | |
| c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: | |
| i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature | |
| ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ | |
| d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: | |
| i. CEA name: _____ | |
| ii. Basis for designation: _____ | |
| iii. Designating agency and date: _____ | |

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes: See Supplemental Information, Section E and Attachment 2 for more information.

i. Describe possible resource(s): Archaeological sensitive area; consultation with SHPO is on-going

ii. Basis for identification: SHPO Correspondence on January 20, 2016

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Juliet Caplinger Date 02.26.16

Signature Juliet Caplinger Title Project Manager (for TRC)

Attachment A
Broome County Solar Project
Supplemental Information

Town of Conklin, New York
Environmental Assessment Form

A. Expanded Project Description

SolarCity Corporation (SolarCity) proposes to install a 5,462.82 kilowatt fixed-tilt ground-mounted solar photovoltaic system on property owned by Broome County at 375 and 399 Broome Corporate Parkway in the Town of Conklin, Broome County, New York (the Broome County Solar Project or the Project). Figure 1 shows the Project Site location on an aerial photograph. The Project is proposed to be located on two (2) parcels, both owned by Broome County, and totals approximately 47.72 acres. The total area to be disturbed by the Project (the Project Site) will be approximately 21.66 acres. The parcels contain a mix of young hardwood and coniferous mixed forest as well as logged and cleared land. The northern parcel has recently been logged and cleared while the southern parcel is forested.

The Project will generate positive economic benefits including construction jobs, local spending in the area on supplies and materials for construction, and spending by construction workers living in the area on food, lodging, and other services. In addition, the installation of solar arrays helps reduce greenhouse gas emissions by reducing the need for traditional fossil fuels.

B. Government Approvals

The local and regional permits and approvals required for the Project are listed in Table 1. Because the Project Site is owned by Broome County, it is expected that the Project will be exempt from most local permitting and zoning regulations; however, the Project requires review and approval of the SEQR application from the Broome County Planning Department.

| Table 1 List of Required Permits, Approvals and Actions for the Broome County Solar Project | | |
|--|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or Projected) |
| a. City Council, Town Board, or Village Board of Trustees - No | | |
| b. City, Town or Village Planning Board or Commission - No | | |
| c. City Council, Town or Village Zoning Board of Appeals - No | | |
| d. Other local agencies – No | | |
| e. County agencies – Yes | Broome County Planning Department, Review and Approval of SEQR Application | February 26, 2016 |
| f. Regional agencies - No | | |
| g. State agencies - Yes | NYSDEC – SPDES General Permit for Stormwater Discharges from Construction Activity. | Five (5) days prior to construction |
| h. Federal agencies - No | Final project design will avoid impacts to waters of the US to the extent practicable; if unavoidable, Section 404 Permit will be obtained. | TBD |

The Project is not proposed within a Coastal Area or along the waterfront of a Designated Inland Waterway. Additionally, the Project is not subject to any Local Waterfront Revitalization Programs or Coastal Erosion Hazard Areas.

C. Planning and Zoning

Planning and Zoning Actions

The Project does not require the adoption or amendment of plans, local laws, ordinance or rules in order to proceed.

Adopted Land Use Plans

The Town of Conklin has a Comprehensive Plan (last updated June 2004) which covers the entire Town, including the two (2) parcels proposed as the Project Site. This plan includes zoning and land use information; however, the Comprehensive Plan does not have specific recommendations for the Project location or the type of Project proposed.

The Project is not proposed within any local or regional special planning districts or within an area listed in an adopted municipal open space plan or farmland protection plan.

Zoning

Public utility structures are permitted, subject to a Special Use Permit, within any zoning district in the Town of Conklin, provided that:

- a. The facility, when not housed in a completely enclosed structure, shall be enclosed with a fence set back from property lines in accordance with the yard requirements as set forth for principal structures for the district in which said facility is located.
- b. Appropriate landscaping shall be provided, in conformity with the district in which such facility is located.
- c. The facility shall not involve business offices, storage areas or structures requiring trucking or traffic movements.
- d. At no point at the boundary of said public utility site shall the sound pressure levels exceed tolerable standards as determined by local health authorities.

As shown in Figure 3, the Project Site is zoned Limited Industrial (I-L). Lot area requirements within the I-L District require that all principal buildings be erected on a lot area of not less than 15,000 square feet and the lot width shall not be less than 100 feet (§140-59). In addition, the utility structure(s) shall have yards no less than the following within the I-L District (§140-60):

- a. Front yard: 30 feet
- b. Side yard: no side yard shall be required if a firewall is provided. If a side yard is bounded by an agricultural or residential district, there shall be a fifteen-foot yard requirement. Further, in the event that the side yard abuts on a street or way, there shall be a twenty-foot yard requirement.
- c. Rear yard: 30 feet.

The surrounding parcels are within the R-15 District (One- and Two-Family Residences) to the north and west and within the R-12 (One- and Two-Family Residences) to the south. The southern parcel of the Project Site is adjacent to an I-L District to the east. This adjacent parcel contains the Ardagh Metal Packaging Facility. The northern parcel of the Project Site is adjacent to Broome Corporate Parkway and an Economic Development Zone.

The Project Site is adjacent to parcels that are currently used for residential, commercial, and light industrial (see Figure 3). The Project is designed to have a low-profile, with the solar panels rising to less than 10 feet above ground level. The solar panels have been selected to minimize

reflection. Most views of the Project will be screened with existing trees and additional tree and shrub plantings, as required.

Existing Community Services

The Project is located within the Susquehanna Valley School District and is not in the vicinity of designated parkland. The Project Site is served by the New York State Police, Broome County Sheriff, and the Broome Volunteer Emergency Squad Fire Department.

D. Project Details

Proposed and Potential Development

The Project is proposed as a utility development project. The total acreage of the Project Site (both parcels) is 47.72 acres. The total acreage to be physically disturbed as part of the Project is 21.66 acres. Broome County does not own any adjoining properties. The Project will be part of a subdivision upon completion, with a total of four (4) lots. Based upon preliminary calculations, the minimum proposed lot size is estimated to be approximately 6.5 acres and the maximum lot size is estimated to be 15.1 acres. Final estimates of lot sizes are pending final survey and design.

Construction is anticipated to take three (3) months and will be completed in one (1) phase. The Project consists of new, non-residential construction. A total of 89 rows of panels (*i.e.*, structures) will be installed as part of the Project. The largest proposed structure is approximately 420 feet in length by 20 feet wide. The height of the structures will not exceed five (5) feet above ground surface. The Project will not require the construction of buildings and therefore no heating or cooling is required.

A total of approximately 17,622 solar panels will be installed as part of the Project, including 8,964 panels on the northern parcel and 8,658 on the southern parcel. The solar arrays will connect to a direct current collection circuit that will feed into inverters. The inverters will connect to a step up transformer via underground cabling for interconnection, through switchgear, to distribution feeders. The design plan for the layout of the solar arrays, the inverters, and transformers are depicted in Figure 2. The solar panels will be installed on racks, which will be mounted on pile driven foundations.

Project Operations

The Project does not include excavation, mining or dredging during construction and/or operation.

A site visit to the Project Site was conducted by a TRC Wetland Scientist on January 15, 2016. The objective of the site visit was to determine the potential presence/absence of regulated wetland/stream resource areas, significant natural communities, and potential habitat for rare, threatened and endangered species.

Wetlands

The approximate boundaries of potential wetlands identified within the Project Site are shown on Figure 4. No NYSDEC-regulated freshwater wetlands, or their 100 foot adjacent areas, are located within one-half mile of the Project Site. Review of the National Wetlands Inventory (NWI) indicated that one (1) federal wetland is mapped on the eastern portion of the northern parcel of the Project Site. This wetland is classified as a seasonally flooded, Freshwater Scrub-Shrub, Broad-Leaved Deciduous Wetland (PSS1E).

During the site visit, three (3) potential wetland areas were identified (WA, WB and WC) on the Project Site. Wetland WA is a palustrine emergent (PEM) and palustrine forested (PFO) wetland located on the western portion of the southern Project parcel. This wetland connects to the onsite waterbodies which flow to the northeast. Wetland WB is a PFO and palustrine scrub-shrub wetland (PSS) located on the eastern portion of the southern parcel. This wetland extends north towards the existing dam onsite. It was observed during the field visit that wetland WC had been mowed recently. Wetland WC appeared to be a PSS wetland which overlapped with the NWI-mapped wetland PSS1E (mentioned above).

Due to the winter conditions during the time of the field visit, a full wetland delineation could not be completed. However, a full wetland delineation will be completed in the spring when conditions allow in order to determine final wetland locations, sizes, and covertypes to be used in Project permitting. It is estimated that the proposed Project layout will impact approximately 0.10 acres of wetland onsite; however, final impacts cannot be calculated until the wetland delineation is performed.

Vegetation

The immature hardwood forest identified onsite was dominated with red maple (*Acer rubrum*), oak (*Quercus spp.*), American hornbeam (*Carpinus caroliniana*), and ash (*Fraxinus spp.*). Tree species were observed to have an average diameter at breast height (DBH) of approximately one (1) to three (3) inches.

The northwestern portion of the Project Site was observed to have been recently logged. Trees in this area were identified as gray birch (*Betula populifolia*) and the understory consists of blackberry (*Rubus spp.*). The trees are approximately eight (8) feet tall and have a DBH of 0.5 to

1 inch. The northeastern portion of the Project Site also appeared to have been recently cut and grubbed and was void of vegetation.

The southern portion of the proposed Project Site was observed to be dominated by an intermediate-aged coniferous mixed forest consisting of hemlock (*Tsuga canadensis*), white pine (*Pinus strobus*), eastern cottonwood (*Populus deltoides*), red maple, and ash species with an average DBH of three (3) to eight (8) inches.

Water Use & Waste Generation

The Project will not create a new demand for water at the Project Site. In addition, the Project will not generate liquid wastes or require the use of public wastewater treatment facilities.

Stormwater Management

The state of New York is delegated by the U.S. Environmental Protection Agency (EPA) to administer its State Pollutant Discharge Elimination System (SPDES) program in lieu of EPA's National Pollution Discharge Elimination System Program (NPDES); therefore, the stormwater permit required for the Project will be issued by the New York State Department of Environmental Conservation (NYSDEC). Under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002), construction and project managers must notify the state if a project will disrupt more than one (1) acre. A Stormwater Prevention Pollution Plan (SWPPP) shall be provided by SolarCity which outlines erosion and sediment control practices and when required, post-construction stormwater management practices.

The Project will increase impervious ground cover in the form of concrete inverter pads, a transformer pad and installation of gravel and asphalt access roads for a total increase in impervious cover of approximately 0.87 acres. After construction, stormwater runoff will flow overland via vegetated swales to infiltration galleries.

Hours of Operations & Noise

During operation, there will be no full-time staff and maintenance will be periodic and short-term such that there will be no additional traffic burden to local roadways or impact on local services. During construction, the operation of trucks and construction equipment may produce temporary and short duration increases to ambient noise levels in close proximity to the Project Site. Construction activities will be limited to the hours of 7:00 am to 6:00 pm Monday through Saturday. No construction activity will occur on Sundays. During operation of the facility, cooling fans in the inverter will generate low level noise during daylight hours when power is being generated by the facility. The estimated noise impact to nearby residences is anticipated to be minor to negligible.

Hazardous Material Storage

Two step-up transformers will be installed onsite and will have a reservoir of minimal amounts of mineral oil or other fluid for use as a coolant. It is anticipated that the volume of the coolant fluid per transformer will be 521 gallons, for a total onsite storage of 1,042 gallons. To ensure proper protection of surface and underlying groundwater resources, this equipment will be installed within secondary containment on the concrete pad that will be constructed onsite.

SolarCity will not stockpile any additional transformer oil or other petroleum substances on the Project Site. Transformer coolant will be recovered during decommissioning and may be recycled by equipment manufacturers or disposed of properly at an approved facility to be determined during the decommissioning process.

Solid Waste

The Project will produce limited solid waste during construction. All waste generated at the site will be managed and disposed of offsite in accordance with applicable regulations. Solid waste will not be stockpiled onsite.

E. Site and Setting of Proposed Action

Land Uses on and Surrounding the Project Site

The land at the Project Site has a gentle sloping terrain with some low lying areas throughout. Approximately 20.03 acres of the Project Site is classified as "meadow" and contains areas that have been cleared of trees on the northern parcel. Approximately 21.62 acres of the Project Site, primarily on the southern parcel, consists of forested land, including portions of immature hardwood forest and intermediate-aged coniferous mixed forest. Additionally, approximately 5.76 acres of wetlands and 0.31 acres of stream were preliminarily identified on the Project Site.

The Project Site is adjacent to parcels that are currently used for rural, commercial and residential purposes. The Project is designed to have a low-profile, with the solar panels rising to less than 10 feet above ground level. Most views of the Project will be screened by existing topography and trees. The type of solar panels to be used were selected to minimize reflection. No outdoor lighting will be installed at the facility.

Existing Dam

An existing impoundment, the Broome Corporate Park Pond Dam #2 (State ID: 096-4910, Federal ID NY12014), was identified on the eastern portion of the southern parcel of the Project Site. This dam impounds an area of water along the tributary to Carlin Creek (ST-1) and was constructed in 1986. The dam is an earthen flood control and stormwater management structure with a height

of 13 feet, length of 1,450 feet and a reservoir surface area of three (3) acres. The maximum volume impounded is 15 acre-feet. The current Hazard Code for this dam is C, which indicates high downstream hazard potential in the event of a dam failure. Although this dam is located on the Project Site, the Project is not anticipated to have an impact on the dam.

Waterbodies

Review of the NYSDEC Environmental Resource Mapper indicated the presence of one (1) NYSDEC-classified waterbody on the Project Site. This waterbody is a tributary to Carlin Creek and is a Class C waterbody. Carlin Creek (Class C) drains into the Susquehanna River (Class A), which is located approximately 0.63 miles (3,300 feet) east of the Project Site (see Figure 4).

The tributary of Carlin Creek that runs through the Project Site was identified during the site visit by TRC and was labeled ST-1 (see Figure 4). This tributary is a perennial waterbody with a gravel mud substrate and stable banks. The waterbody ranged in width from two (2) to four (4) feet with depths of water between two (2) and four (4) inches. One additional waterbody (ST-2) was identified on the southern parcel of the Project Site during the field visit (see Figure 4). This waterbody drains into ST-1 (tributary of Carlin Creek) and is not classified by the NYSDEC. Waterbody ST-2 is an intermittent waterbody with gravel mud substrate, stable banks and similar width and water depth as ST-1.

The total amount (acreage and linear feet) of waterbodies present on the Project Site cannot be calculated until a full waterbody delineation is completed in the spring; however, the proposed Project layout will impact an estimated 0.26 acres (190 linear feet) of waterbodies onsite. Impacts include potential alteration of channels and banks.

The Project is not located in designated Floodway or Floodplain; however, the Project is located over the Clinton Street Ballpark Sole Source Aquifer.

Rare, Threatened and Endangered Species

No rare or state-listed animals or plants, or significant natural communities, were observed at the Project Site during the site visit. A review of the NYSDEC Environmental Resource Mapper (January 2016) indicated that there are no rare or state-listed animals or plants, significant natural communities, or other significant habitats mapped in the immediate vicinity of the Project Site.

A consultation letter was sent to the New York Natural Heritage Program (NYNHP) on January 27, 2016 requesting review and confirmation of the latest NYNHP records regarding rare, threatened, or endangered species and significant natural communities in the vicinity of the

Project (see Attachment 1). A letter was received back from the NYNHP, dated February 16, 2016, that stated the agency does not "have records of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity" (see Attachment 1). Consultation with the NYNHP is considered complete.

The U.S. Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) system was consulted on January 19, 2016 and a list of federally listed rare species and designated critical habitats that may be present in the vicinity of the Project was obtained (see Attachment 1). The USFWS IPaC system identified the northern long-eared bat (*Myotis septentrionalis*), a federally listed threatened species, as potentially occurring in the vicinity of the Project. No critical habitat was identified for this species. Based upon an initial review, the Project Site is not located within 0.25 miles of a known occupied hibernacula or within 150 feet of a known, occupied maternity roost tree; therefore, it is anticipated that no impact to the northern long-eared bat (NLEB) as part of the tree clearing required for the Project. A consultation package was sent to the USFWS on January 27, 2016, requesting their acknowledgement of the determination of no impact to the NLEB as part of the Project (see Attachment 1). A letter was received back from the USFWS, dated March 03, 2016, that stated the agency "Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required." (see Attachment 1) Consultation with the USFWS is considered complete.

Designated Public Resources on or Near the Project Site

The Project is not located in a designated agricultural district pursuant to Agriculture and Markets Law (Article 25-AA, Section 303 and 304). The Project is not located within or contiguous to a registered National Landmark or Critical Environmental Area.

Cultural Resources

Review of the Project Site on the New York State Historic Preservation Office (SHPO) Cultural Resource Information System (CRIS) online database did not indicate the presence of historic buildings, landmarks, or archaeological sensitive areas on the Project Site or in the vicinity of the Project. However, a response was received from SHPO on January 20, 2016 indicating that, based on available information, the Project is located in an archaeologically sensitive area (see Attachment 1). Therefore, SHPO recommended that a Phase I archaeological assessment be performed on portions of the Project that will involve ground disturbance. A Phase I is designed to determine the presence or absence of archaeological sites or other cultural resources which may be affected by the Project.

A Phase IA archaeological assessment was prepared and conducted to comply with Section 14.09 of the New York State Historic Preservation Act. The assessment found that two archaeological

sites are present within a 2.5 kilometer radius of the project. The sites include one Precontact period site (River Road Site) and one Historic period site (Lewis Historic Site), both of which are eligible for listing on the National Register of Historic Places. The assessment found that the project lies within a location that is sensitive for archaeological resources and recommended that Phase IB testing be completed within the Project Area of Potential Effect.

SolarCity will undertake Phase IB field surveys for archaeological resources, consisting of a combination of walkover surveys and subsurface testing, as soon as field conditions allow and in advance of any ground-breaking disturbing activities. The archaeological resources identification and management activities will be completed using the standards of the New York Archaeological Council (NYAC) which have been adopted by the New York State Historic Preservation Office (NYSHPO). The activities will be completed by trained archaeologists who meet the minimum criteria as defined by the Department of the Interior. If no cultural resources are identified during the Phase IB assessment, then the archaeologists will provide an end-of-field-letter summarizing field results, followed by a complete Phase I report, which may be used to obtain a sign-off letter from the SHPO stating that the Project will have no adverse effect on National Register of Historic Places (NRHP)-eligible archaeological sites. If cultural resources are discovered during the Phase IB investigation, SolarCity will undertake additional evaluation to determine whether the cultural resources are eligible for listing on the National Register and if further investigation to mitigate the impacts of the project on those resources is required. Archaeologists will advise SolarCity whether any cultural resources uncovered are eligible or potentially eligible in the form of a report that meets NYAC standards. SolarCity may seek guidance from the SHPO regarding best approaches to mitigating Project effects on NRHP eligible sites. It shall be the policy of SolarCity to practice avoidance of the cultural resource or resources whenever practicable.

Any archaeological materials recovered as part of the Phase IB investigation shall be permanently curated in a facility (local museum, etc.) for safe guarding.

The Phase IA archaeological assessment report is included (Attachment 2) and will be provided to the SHPO after the Phase IB assessment is completed.

Figure 1 — Site Map on Aerial Photograph

Figure 2 — Site Plan

Figure 3 — Zoning Map

Figure 4 — Environmental Resources Map

Attachment 1 — Agency Consultations

Attachment 2 — Phase IA Report

FIGURES



Legend

- Proposed Transmission Interconnect
- Proposed Site Boundary
- Proposed Array
- Proposed Fence
- Proposed Access Road

Feet

SolarCity

Broome County Site

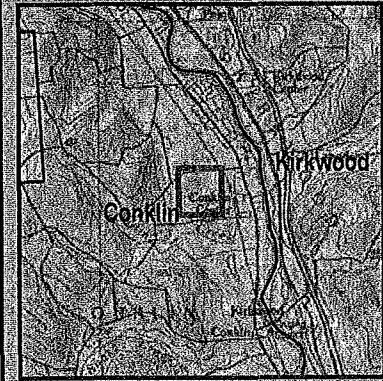
TOWN OF CONKLIN
BROOME COUNTY

Figure 1: Site Map

Created: 2/3/2016 14 Gabriel Drive
Augusta, ME 04330

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Sources: ESRI, NYGIS, SolarCity



Legend

- Proposed Transmission Interconnect
- Proposed Site Boundary
- Proposed Limit of Array
- Proposed Fence
- Proposed Access Road
- Approximate Parcel Boundary
- Limited Industrial
- Economic Development Zone
- R-12 One and Two-Family Residence
- R-15 One and Two-Family Residence

Parcel boundaries derived from Town of Conklin Tax Maps 104-07 and 104-08 created 6/1/95
 Zoning boundaries derived from Town of Conklin Zoning Map created 9/1/08

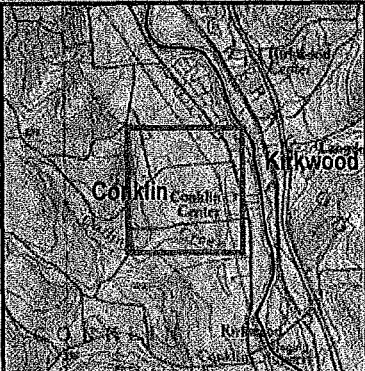
SolarCity

Broome County Site

TOWN OF CONKLIN
 BROOME COUNTY

Figure 3: Zoning Map

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 Augusta, ME 04330



Legend

| | |
|------------------------------------|--|
| Proposed Transmission Interconnect | NYSDEC Wetland 100' Adjacent Area |
| Proposed Site Boundary | NYSDEC Wetland (NYSDEC) |
| Proposed Limit of Array | Flood Hazard Zone (FHA) |
| Proposed Paths | Flood Hazard Zone (FHA) - 100' Buffer Zone (NFH) |
| Proposed Access Road | State Repaired Areas (NYGIS) |
| Broome County Site Perimeter | NYSDEC Pond (NYSDEC) |
| TRC Surveyed Streambank | Natural Habitats Communities (NYSDEC) |
| TRC Surveyed Wetlands | |
| NWI Wetland (USFWS) | |
| NYSDEC Stream (NYSDEC) | |

Note: Not all layers in legend appear in this view

SolarCity

Broome County Site

TOWN OF CONKLIN
BROOME COUNTY

Figure 4: Environmental Resources

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Augusta, ME 04330

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Sources: ESRI; NYGIS; Clearinghouse; SolarCity; FEMA; NFHE; NYSDEC; USFWS

January 27, 2016

NY Natural Heritage Program - Information Services
NYSDEC
625 Broadway, 5th Floor
Albany, NY 12233-4757
NaturalHeritage@dec.ny.gov

**Subject: Natural Heritage Data Request
Broome County Solar Project
Town of Conklin, Broome County, New York**

Dear Project Reviewer:

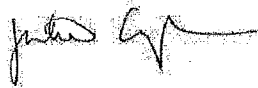
SolarCity is proposing to construct the Broome County Solar Project (Project) on an approximately 47 acre site located in the Town of Conklin, Broome County, New York. The Project is located on the west side of Broome Corporate Parkway. The location of the Project and the action area are identified on the enclosed maps.

On behalf of SolarCity, we are requesting herein a review and confirmation of the latest New York Natural Heritage Program-Information Service records for the presence of rare or state-listed animals or plants, significant natural communities, or other significant habitats in the immediate vicinity of the Project site. The main land use at the site is a mix of coniferous and deciduous uplands as well as a partially cleared/disturbed land.

We have consulted the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper as a first step in determining the presence of rare or state-listed animals or plants, significant natural communities, or other significant habitats in the immediate vicinity of the Project site. According to the Environmental Resource Mapper, the site does not overlap the Rare Plants and Rare Animals polygon or the Significant Natural Communities polygon.

Please do not hesitate to contact me if you have any questions or comments. My contact information is 715.482.7779 (cell), and JCaplinger@trcsolutions.com.

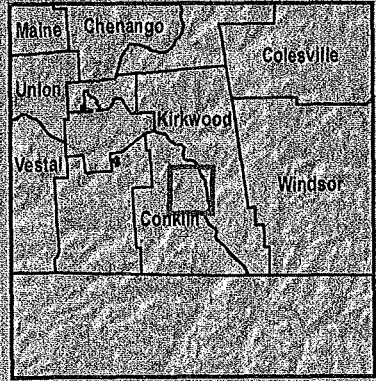
Sincerely,





Juliet W. Caplinger
Project Manager – Environmental and Renewable Energy

Enclosures:

1. Topographic Map
2. Aerial Map




Legend

-  Site Boundary (Approximate)
-  USGS 24k Quad Boundary

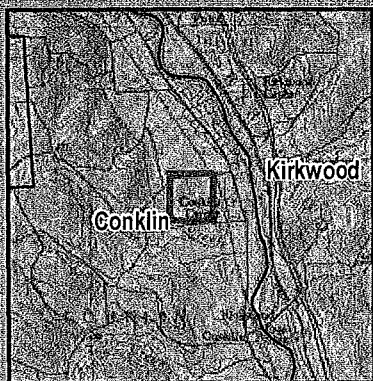
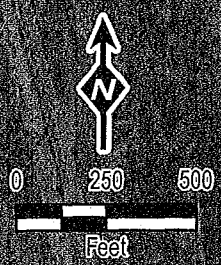
SolarCity

Broome County
 TOWN OF CONKLIN
 BROOME COUNTY


Figure 1: Project Location Map

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 Augusta, ME 04330

Sources: ESRI, TRC, USGS




Legend

 Site Boundary (Approximate)

SolarCity

Broome County
CONKLIN
BROOME COUNTY

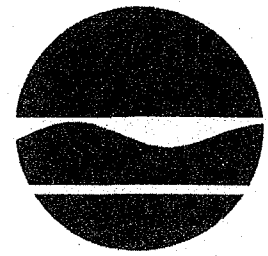
Figure 2: Project Overview Map

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Augusta, ME 04330

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Sources: ESRI, NYCIS, SolarCity

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



February 16, 2016

Juliet Caplinger
TRC
6 Ashley Drive
Scarborough, ME 04074

Re: Broome County solar project
Town/City: Conklin. County: Broome.

Dear Juliet Caplinger:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program



From: Juliet Caplinger *Email (jcaplinger@trcsolutions.com)*
Project Manager
TRC
6 Ashley Drive
Scarborough, Maine 04074

To: U.S. Fish and Wildlife Service *Email (FW5ES_NYFO@fws.gov)*
New York Field Office
3817 Luker Road
Cortland, NY 13045

January 27, 2016

Re: Online Project Review Request, Broome County Solar Project, Town of Conklin, Broome County, New York, Consultation Code 05E1NY00-2016-SLI-0747.

On behalf of SolarCity, we have reviewed the referenced project using the New York Field Office's online project review process and have followed all guidance and instructions in completing the review. We completed our review on January 19, 2016 and are submitting our project review package in accordance with the instructions for further review.

Our proposed action consists of the proposed Broome County Solar Project (Project) to be developed on approximately 47 acres located in the Town of Conklin, Broome County, New York. The Project is located immediately west of Broome Corporate Parkway. The location of the Project and the action area are identified on the enclosed maps. During the environmental walkover, the dominant vegetative species observed consisted of red maple (*Acer rubrum*), eastern hemlock (*Tsuga canadensis*), eastern cottonwood (*Populus deltoides*), grey birch (*Betula populifolia*), and Allegheny blackberry (*Rubus alleghaniensis*). SolarCity is proposing to cut approximately 11.8 acres of trees.

Based upon an initial review, the Project is not located within 0.25 miles of a known occupied hibernacula or within 150 feet of a known, occupied maternity roost tree; therefore, we anticipate no impact to the northern long-eared bat (NLEB) as part of the tree clearing. If the NYNHP indicates that we are within 0.25 miles of a known occupied hibernacula or within 150 feet of a known, occupied maternity roost tree, tree clearing will be conducted outside of the June 1 to July 31 restriction window to ensure no impacts to the NLEB. TRC will complete coordination with the NYNHP prior to construction.

Project construction is expected to start in April, 2016.

This project review is needed for State Environmental Quality Review (SEQR) in which Broome County will be the lead. As of this letter publication date, there is no federal nexus associated with the Project. On behalf of SolarCity, we are also consulting with the NYNHP and have requested from them a review and confirmation of the latest NYNHP-Information Service records for the presence of rare or state-listed animals or plants, significant natural

communities, or other significant habitats in the immediate vicinity of the Project site. As of the publication of this letter, a response from the NYNHP has not been received.

The enclosed project review package provides the information about the species, critical habitat, and the species conclusions table that identifies our determinations for the resources that may be affected by the project.

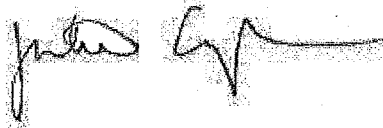
We are requesting the following from the USFWS at this time:

- Review of the proposed actions, and
- A formal and written concurrence with a "not likely to adversely affect" determination regarding the proposed removal of trees within the Project site.

The USFWS concurrence letter will be used for support with the SEQRA application and other project-specific requirements as needed. We look forward to your evaluation of the proposed Broome County Solar Project and anticipate a formal concurrence response back from your office.

Please do not hesitate to contact me if you have any questions or comments. My contact information is 715.482.7779 (cell), and jcaplinger@trcsolutions.com.

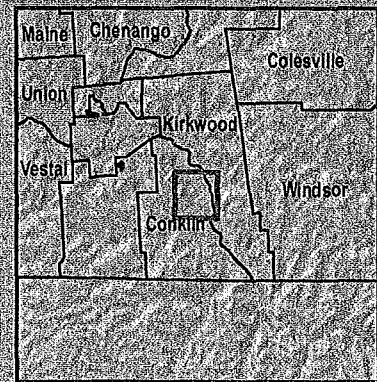
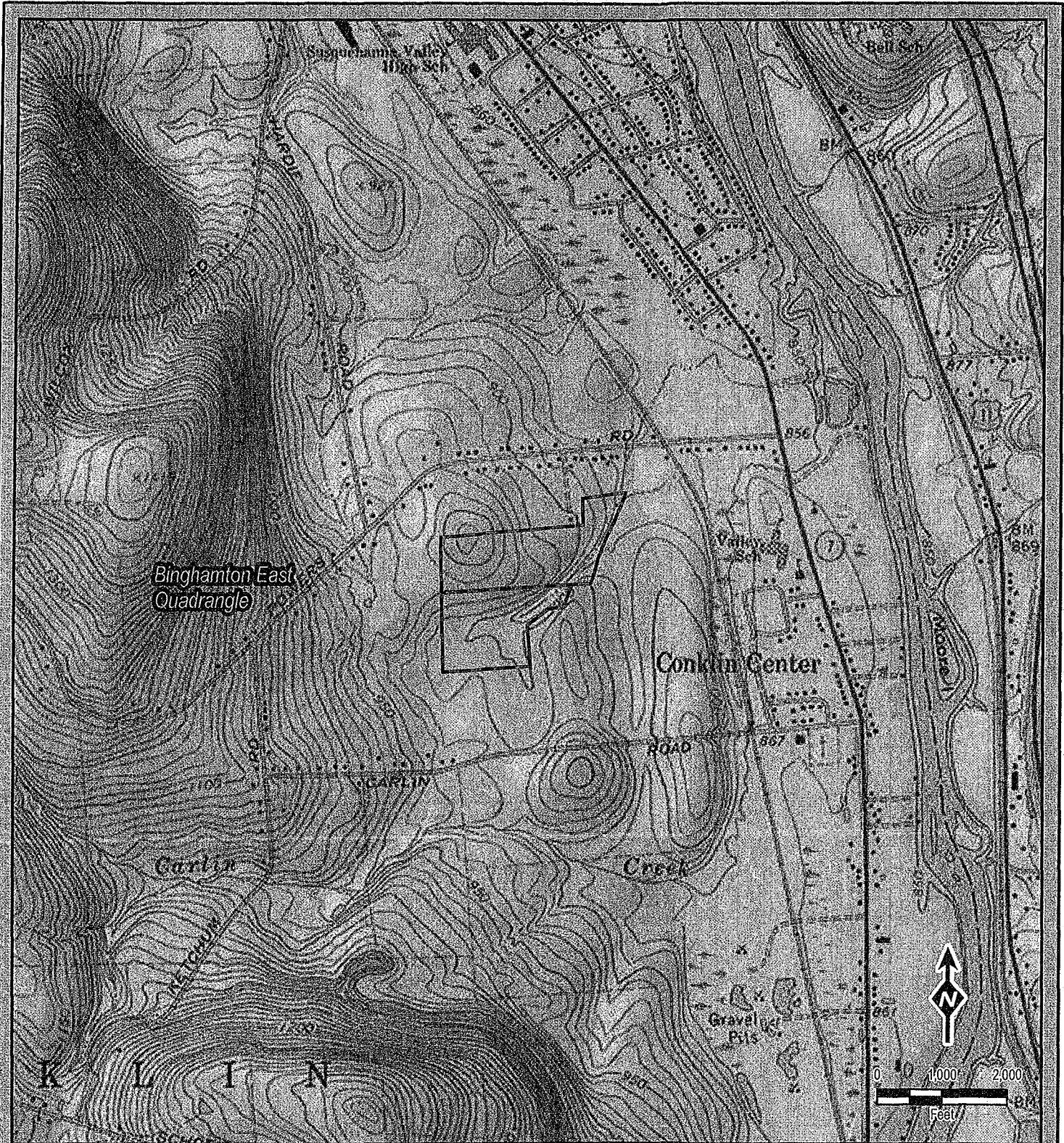
Sincerely,





Juliet W. Caplinger
Project Manager – Environmental and Renewable Energy

Enclosures:

1. Topographic Map
2. Aerial Map
3. Official Species List
4. IPaC Trust Resource Report
5. Species Conclusion Table



Legend


-  Site Boundary (Approximate)
-  USGS 24k Quad Boundary

SolarCity

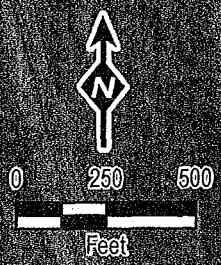
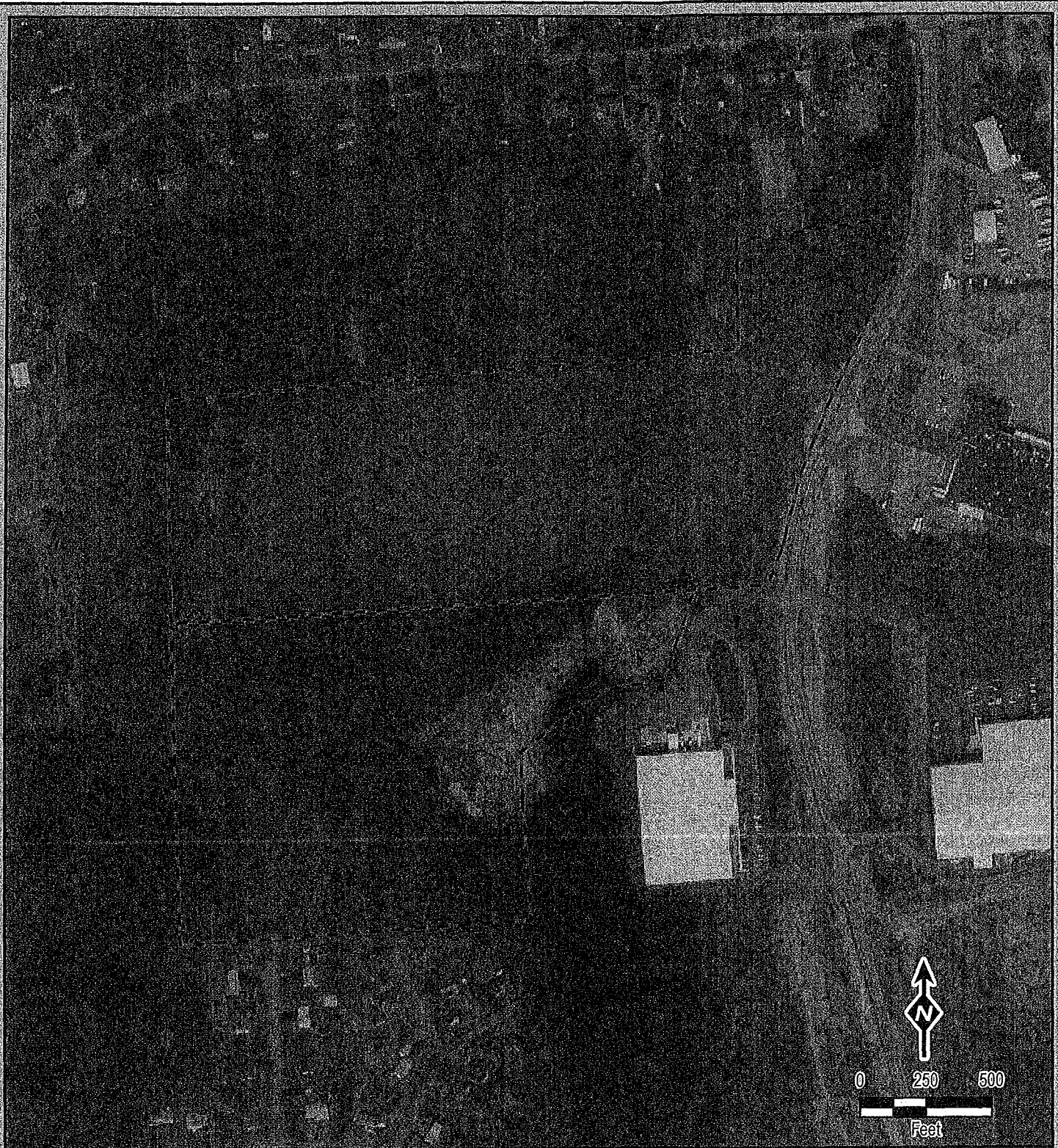
Broome County

TOWN OF CONKLIN
BROOME COUNTY

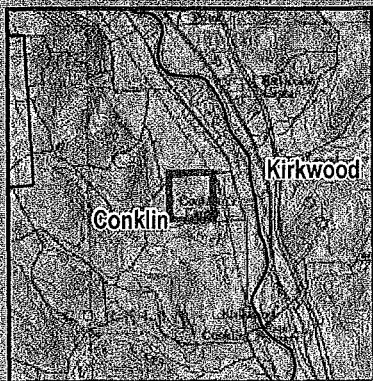
Figure 1: Project Location Map

Created: 1/19/2016  14 Gabriel Drive
Augusta, ME 04330

Sources: ESRI, TRC, USGS




\\PROJ\BTS\AUGUSTA\SolarCity\Figure 2 Project Overview.mxd



Source: ESRI, NYCIS, SolarCity


Legend

 Site Boundary (Approximate)

SolarCity

Broome County
CONKLIN
BROOME COUNTY

Figure 2: Project Overview Map

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Augusta, ME 04330



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 LUKER ROAD
CORTLAND, NY 13045
PHONE: (607)753-9334 FAX: (607)753-9699
URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Code: 05E1NY00-2016-SLI-0747

January 19, 2016

Event Code: 05E1NY00-2016-E-01657

Project Name: Broom County Solar Site

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Broome County Solar Site

Official Species List

Provided by:

New York Ecological Services Field Office

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Code: 05E1NY00-2016-SLI-0747

Event Code: 05E1NY00-2016-E-01657

Project Type: ** OTHER **

Project Name: Broome County Solar Site

Project Description: SolarCity is proposing to construct the Broome County Solar Project (Project) on an approximately 47 acre site located in the Town of Conklin, Broome County, New York. The Project is located on the west side of Broome Corporate Parkway.

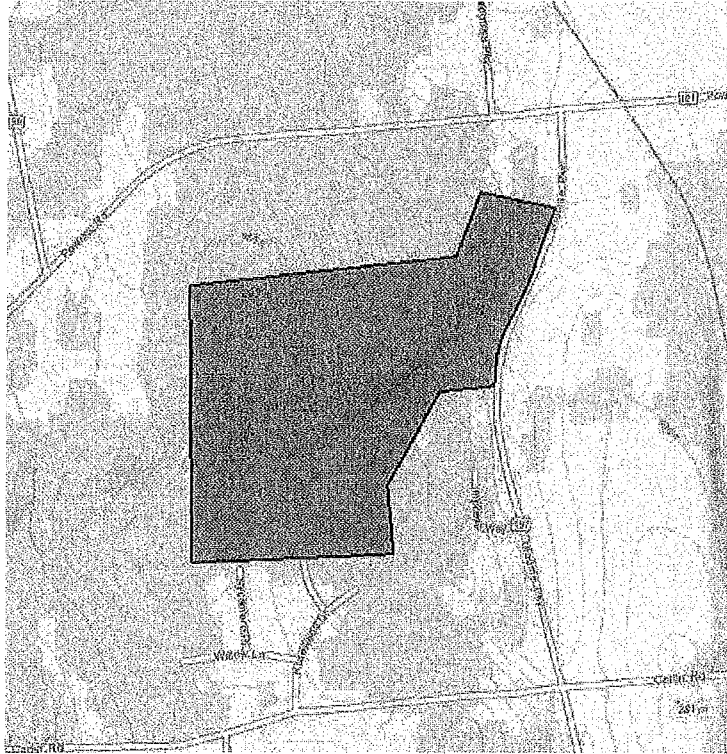
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Broom County Solar Site

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-75.81652164459229 42.062755272491536, -75.81714391708374 42.06159234101102, -75.8176589012146 42.06081173122121, -75.81778764724731 42.06050904321049, -75.81785202026367 42.06003111183482, -75.8190107345581 42.059935525128026, -75.82008361816406 42.05851763874708, -75.81997632980347 42.05745022024682, -75.82422494888306 42.05730683430523, -75.82428932189941 42.061560479574815, -75.81864595413208 42.06202246883522, -75.81817388534546 42.062994228376944, -75.81652164459229 42.062755272491536)))

Project Counties: Broome, NY



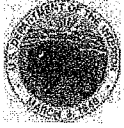
United States Department of Interior
Fish and Wildlife Service

Project name: Broom County Solar Site

Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

| Mammals | Status | Has Critical Habitat | Condition(s) |
|---|------------|----------------------|--------------|
| Northern long-eared Bat (<i>Myotis septentrionalis</i>) | Threatened | | |



United States Department of Interior
Fish and Wildlife Service

Project name: Broom County Solar Site

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Broome County Solar City

IPaC Trust Resource Report

Generated January 19, 2016 08:36 AM MST, IPaC v2.3.2

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



US Fish & Wildlife Service

IPaC Trust Resource Report



NAME

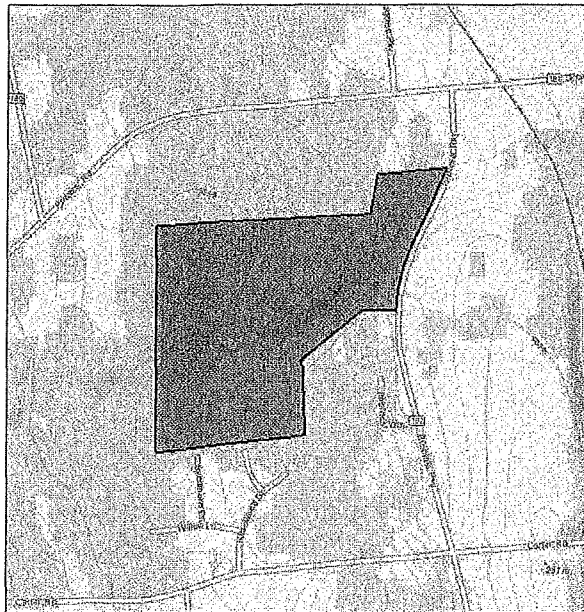
Broome County Solar City

LOCATION

Broome County, New York

DESCRIPTION

Our proposed action consists of the proposed Broome County Solar Project (Project) to be developed on approximately 47 acres located in the Town of Conklin, Broome County, New York. The project is located immediately west of Broome Corporate Parkway.



IPAC LINK

<https://ecos.fws.gov/ipac/project/>

[M6Y6I-RPF5F-HRBPI-66IXS-44ZUGE](https://ecos.fws.gov/ipac/project/M6Y6I-RPF5F-HRBPI-66IXS-44ZUGE)

U.S. Fish & Wildlife Contact Information

Trust resources in this location are managed by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9349

(607) 753-9334

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the Endangered Species Program of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require FWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from the Regulatory Documents section in IPaC.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Mammals

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=A0JE

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

Additional information can be found using the following links:

- Birds of Conservation Concern
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/akn-histogram-tools.php>

The following species of migratory birds could potentially be affected by activities in this location:

| | |
|---|------------------------------|
| American Bittern <i>Botaurus lentiginosus</i> | Bird of conservation concern |
| Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F3 | |
| Bald Eagle <i>Haliaeetus leucocephalus</i> | Bird of conservation concern |
| Year-round https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008 | |
| Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> | Bird of conservation concern |
| Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0H1 | |
| Blue-winged Warbler <i>Vermivora pinus</i> | Bird of conservation concern |
| Season: Breeding | |
| Canada Warbler <i>Wilsonia canadensis</i> | Bird of conservation concern |
| Season: Breeding | |
| Golden-winged Warbler <i>Vermivora chrysoptera</i> | Bird of conservation concern |
| Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0G4 | |
| Kentucky Warbler <i>Oporornis formosus</i> | Bird of conservation concern |
| Season: Breeding | |

| | |
|--|------------------------------|
| Least Bittern <i>Ixobrychus exilis</i> Season: Breeding | Bird of conservation concern |
| Louisiana Waterthrush <i>Parkesia motacilla</i> Season: Breeding | Bird of conservation concern |
| Olive-sided Flycatcher <i>Contopus cooperi</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0AN | Bird of conservation concern |
| Peregrine Falcon <i>Falco peregrinus</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU | Bird of conservation concern |
| Pied-billed Grebe <i>Podilymbus podiceps</i> Season: Breeding | Bird of conservation concern |
| Prairie Warbler <i>Dendroica discolor</i> Season: Breeding | Bird of conservation concern |
| Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> Season: Breeding | Bird of conservation concern |
| Short-eared Owl <i>Asio flammeus</i> Season: Wintering https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD | Bird of conservation concern |
| Willow Flycatcher <i>Empidonax traillii</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0F6 | Bird of conservation concern |
| Wood Thrush <i>Hylocichla mustelina</i> Season: Breeding | Bird of conservation concern |
| Worm Eating Warbler <i>Helmitheros vermivorum</i> Season: Breeding | Bird of conservation concern |

Refuges

Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuges in this location

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

This location overlaps all or part of the following wetlands:

Freshwater Forested/shrub Wetland

PSS1E

4.91 acres

A full description for each wetland code can be found at the National Wetlands Inventory website: <http://107.20.228.18/decoders/wetlands.aspx>



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Cortland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699

http://www.fws.gov/northeast/nyfo

To: Juliet Caplinger

Date: Mar 3, 2016

USFWS File No: 160823

Regarding your: Letter Fax Email

Dated: Jan 27, 2016

For project: Broome County Solar Project

Located: immediately west of Broome Corporate Parkway

In Town/County: Town of Conklin, Broome County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s): [Signature] - 3/3/16

Supervisor: Patricia Coch Date: 3/3/16



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

January 20, 2016

Mr. Andrew Steiner
Wetland Scientist
TRC Solutions
10 Maxwell Drive
Clifton Park, NY 12065

Re: DEC
Broome County Solar Site
, Town of Conklin, Broome County, NY
16PR00307

Dear Mr. Steiner:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

Based on available information, your project is located in an archaeologically sensitive area. Therefore, OPRHP recommends that a Phase I archaeological survey is warranted for all portions of the project that will involve ground disturbance, unless substantial prior ground disturbance can be documented. If you consider the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land. Agricultural activity is not considered to be substantial ground disturbance and many significant sites have been identified in previously cultivated land.

Please note that in areas with alluvial soils or fill archaeological deposits may exist below the depth of superficial disturbances, such as pavement or even deeper disturbances, depending on the thickness of the alluvium or fill. Evaluation of the possible impact of prior disturbance on

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

archaeological sites must consider the depth of potentially culture-bearing deposits and the depth of planned disturbance by the proposed project.

Also, please note that wetlands may have areas of higher elevation that were suitable for habitation and/or the staging of temporary resource procurement camps. In addition, past climatic variations or modern changes in hydrology may have inundated areas formerly available for occupation.


A Phase I survey is designed to determine the presence or absence of archaeological sites or other cultural resources in the project's area of potential effect. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archaeologist should be retained to conduct the Phase I survey. Many archaeological consulting firms advertise their availability in the yellow pages. The services of qualified archaeologists can also be obtained by contacting local, regional, or statewide professional archaeological organizations. Phase I surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archaeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private land.

If you have any questions please don't hesitate to contact me.

Sincerely,



Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit

Phone: 518-268-2175

e-mail: philip.perazio@parks.ny.gov

via email only

ATTACHMENT 2
PHASE 1A REPORT



**Phase IA Archaeological Assessment of the Broome County
Solar Project,
Conklin, Broome County, New York
(NY SHPO Project Review #16PR00307)**

Prepared for

SolarCity Corporation
3055 Clearview Way
San Mateo, CA 94402

by
Karen Mack
TRC
71 Oak Street
Ellsworth, Maine 04605

March 18, 2016

Management Summary

State and Federal Permits Needed: New York State Environmental Quality Review Act (SEQRA)

Phase of Survey: Phase IA

Location of Project:

SolarCity Corporation (SolarCity) is proposing to construct the Broome County Solar Project (Project) on an approximately 48 acre site located in the Town of Conklin, Broome County, New York. The Project is located on the west side of Broome Corporate Parkway. As currently proposed, the Project APE will impact approximately 22 acres.

Survey Area: 22 acres

USGS 7.5 Minute Quadrangle Maps: Binghamton East, New York

Archaeological Survey Overview:

The Broome County Solar Project will include the installation of solar panels in an array covering approximately 21 acres, and an underground conduit that will extend approximately 290 m from the solar array along the proposed access road east to Broome Corporate Parkway. A total area of approximately 22 acres will be impacted by the Project.

Results of Background Survey:

Five cultural resources management (CRM) studies have been completed within 2.5 km of the Project. One historic period archaeological site, one Precontact period archaeological site and one National Register listed structure are located within approximately 2.5 km of the Project.

Recommendations:

A review of previous research conducted in the vicinity of the Project demonstrates that the Project lies within a location that is sensitive for archaeological resources. Based on this finding we recommend that Phase IB testing comprised of a combination of walkover survey and subsurface testing be completed within the Project Area of Potential Effect (APE).

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Project Description

SolarCity Corporation (SolarCity) proposes to install a ground-mounted photovoltaic (PV) solar array on an approximately 47 acre parcel located in the Town of Conklin, Broome County, New York (Figure 1). The Broome County Solar Project (the Project) will include the installation of solar panels in an array and an underground conduit that will extend approximately 290 m from the solar array parallel to a proposed access road east to Broome Corporate Parkway (Figure 2). As currently proposed a total area of approximately 22 acres will be impacted by the Project. TRC (Ellsworth, Maine) was contracted to do a Phase IA archaeological assessment of the Project.

The Project is positioned in a large forested lot located between Broome Corporate Parkway and Powers Road. The northern portion of the lot has been recently logged (Figure 3). A small tributary to the Susquehanna River runs along the eastern side of the property and cuts across its southern extent. A dam present on this tributary resulted in a wetland or ponded area that covers about four (4) acres of the parcel (Figure 2). The Project sits on an upland overlooking the Susquehanna River approximately 1 km to the east and approximately 10 km south of the confluence of the Susquehanna River and the Chenango River in the city of Binghamton. According to the Surficial Geological Map of New York, Finger Lakes Sheet (Muller and Cadwell 1986) this upland is composed of proglacial fluvial deposits of outwash sand and gravel (Figure 4). The Natural Resources Conservation Survey (NRCS) identify several different soil types within the Project (Figure 5). The portion of the Project area north of the stream consists of Canaseraga silt loam from 3 - 15% slopes and Dalton silt loam, 2 - 8% slopes. Both soils are described as silty mantels of glaciolacustrine deposits over loamy till. Both sides of the stream are composed of loamy alluvium of Tioga silt loam. There is a pocket of the Wallington silt loam on the western edge of the Project area between the deposits of Tioga silt loam and the Canaseraga silt loam to the north. Sediments on the south side of the stream consist of glaciofluvial deposits of Chenango and Howard gravelly loams with 0 - 5 % slopes(<http://websoilsurvey.sc.egov.usda.gov>).

Literature Review

The New York Cultural Resources Information System (CRIS) shows that two (2) archaeological sites fall within a 2.5 km radius of the proposed project area. These sites include

one (1) Precontact period site and one (1) Historic period site (Table 1). Both sites are eligible for listing on the National Register of Historic Places (NR). A number of CRM projects have been completed or are underway within 2.5 km of the Project (Figure 6). These CRM projects are summarized in Table 2.

The River Road Site is located 2.1 km northeast of the Project on the east side of the Susquehanna River in the town of Kirkwood. The River Road Site is a Precontact period site that was occupied repeatedly during the Late Archaic period (6,000 - 3,500 BP). Phase 3 data recovery was conducted at the site in 2004 as part of the Bell School Sewer Line Project for the town of Kirkwood (Carmody 2002, Kudrle 2002 and 2004).

Phase IA/IB investigations were recently conducted at the Broome County Corporate Park located approximately 1.3 km southeast of the Project (Kastl and Versaggi 2016). The Project is located in a similar setting as the Broome County Corporate Park. As Kastl and Versaggi (2016) noted for the Broome County Corporate Park location, the Project is located between one to two miles of two major confluences the Chenango River and Susquehanna River to the north and the Little Snake Creek and the Susquehanna River to the south. These confluences are more likely locations for large Archaic and Woodland period campsites and later Woodland period agricultural villages. However, locations resembling the Project and the Broome County Corporate Park Project are likely locations for smaller seasonal camps. These camp sites are often associated with small tributaries or streams similar to the one that crosses the Project.

The Lewis Historic Site is located approximately 1.4 km from the Project on the east side of the Susquehanna River in the town of Kirkwood on the south side of an unnamed creek that flows into the Susquehanna (Kozub and O'Donovan 2006). As mentioned above, the site is eligible of listing on the NR and is related to the early European settlement of the town of Kirkwood and the surrounding area. It consists of a foundation and associated 19th century midden.

The town of Conklin was established in 1824 when it separated from the town of Chenango. The town boundaries were somewhat fluid until 1859 when the boundaries we see today became established. Europeans first settled the area now known as Conklin in 1788 when Waples Hance, Ralph Lathrop, Jonathan Bennett and their families settled south of the project area near the confluence of Big Snake Creek with the Susquehanna River. They were joined in 1795 by Robert Corbett and others who established the settlement of Corbettsville. The early settlers focused on clearing the land and establishing mills to process the timber and grain from early agricultural

pursuits. In 1835, 13 saw mills but only one grist mill were in operating in the town (Kastl and Versaggi 2016:15).

Historic maps of the project area show that the location has remained undeveloped. No structures are shown within the project area on Gifford, Wenig and Smith's 1855 county map (Figure 7). Two (2) residences are depicted on this map just outside the northwest corner of the project area near Powers Road and numerous residences were in place along Route 7. Everts, Ensign, and Everts' 1876 county map shows landowners and lot numbers but still does not show development (Figure 8). This map depicts the Susquehanna Valley Railroad was in place by 1876 (Kastl and Versaggi 2016). Again, the 1904 USGS topographic map does not show any structures within the Project (Figure 9).

In 1986 a dam was constructed on the unnamed stream that crosses the project area. 2014 plans provided by the Broome County Industrial Development Agency to improve this dam also show the remains of a cabin on the north side of the ponded area west of the dam. Overall the Project appears to have low sensitivity for historic resources; however, more investigation is needed to determine the age of the cabin.

The Conklin Town Hall (06NR05620) is the only NR listed structure located within 2.5 km of the Project APE. It was originally built as a residence by Alpheus Corby in 1908. It was constructed from concrete blocks that were painted to look like stone and it was shaped to look like a castle. Corby built the structure on the site of his family's 19th century farm. In 1944 it became the town hall.

| Table 1. Precontact, Contact and Historic period sites located within 2.5 km of the Project. | | | | |
|---|---------------------|------------------------|---|---------------------|
| Site Number | Site Name | Distance to APE | Period(s) | Significance |
| OPRHP 708.000033 | River Road Site | ~2,154 m northeast | Precontact - Late Archaic | NR status eligible |
| OPRHP 708.000047 | Lewis Historic Site | ~1,400 m east | Historic - mid - 19 th century | NR status eligible |

| Table 2. Previous Cultural Resource Studies Conducted within 2.5 km of the Project. | | |
|--|---|---------------------------------------|
| Project Number | Title | Date - Authors |
| Completed Cultural Resource Management Projects | | |
| 16PR00355 | Phase 1A/1B Cultural Resource Survey Broome County Corporate Park Project, Town of Conklin, Broome County, New York. | 2016 - R. A. Kastl and N. M. Versaggi |
| 94PR1388 | Cultural Resource Management Report, 2005-2006 Highway Program: The Archaeology of the Lewis Site (SUBi-1548), PIN 9043.24.122, BIN 1-00808-0 over Unnamed Creek, NY 11, Town of Kirkwood, Broome County, New York. | 2006 - A. Z. Kozub and M. O'Donovan |
| 00PR2504 | Report of Field Reconnaissance, Stage 1B Cultural Resource Survey, Bell School Sewer Main Extension Project, Town of Kirkwood, Broome County, New York. | 2002 - M. L. Carmody |
| 00PR2504 | Bell School Sewer Line Project, Phase 2 Site Examination, River Road Site (SUBi-1077) Town of Kirkwood, Broome County, New York. | 2002 - S. M. Kudrle |
| 00PR2504 | Cultural Resources Management Report, Phase 3 Data Recovery of the River Road Site, (SUBi-1077) - Loci 1, 5, and 6, Bell School Sewer Line Project, Town of Kirkwood, Broome County, New York. | 2004 - S. M. Kudrle |
| Open Cultural Resource Management Projects | | |
| 16PR00355 | Broome County Corporate Park Facility | --- |
| 14PR03876 | Northeast Energy Direct Project | --- |

Conclusions and Recommendation

A review of previous research conducted in the vicinity of the Project demonstrates that the Project lies within a location that is sensitive for archaeological resources. Based on this finding we recommend that Phase IB testing conforming with New York Archaeological Council's (NYAC) standards for cultural resource investigations and the curation of archaeological collections in New York State (1994) adopted by the SHPO in 1995 be completed within the Project APE.

References Cited

Carmody, M. L.

2002 Report of Field Reconnaissance, Stage 1B Cultural Resource Survey, Bell School Sewer Main Extension Project, Town of Kirkwood, Broome County, New York. Report on file with New York State Office of Parks, Recreation and Historic Preservation, NY.

Everts. Ensign and Everts

1875 Map of Broome County, New York. Philadelphia

Gifford, F., E. Wenig and R. P. Smith

1855 Map of Broome County, New York. A. O. Gallup and Company, Philadelphia.

Muller, E. H. and D. H. Cadwell

1886 Surficial Geological Map of New York, Finger Lakes Sheet. Online at <https://www.nysm.nysed.gov/gis/#surf>

Kastl, R. A. and N. M. Versaggi

2016 Phase 1A/1B Cultural Resource Survey Broome County Corporate Park Project, Town of Conklin, Broome County, New York. Report on file with New York State Office of Parks, Recreation and Historic Preservation, NY.

Kudrle, S. M.

2002 Bell School Sewer Line Project, Phase 2 Site Examination, River Road Site (SUBI-1077) Town of Kirkwood, Broome County, New York. Report on file with New York State Office of Parks, Recreation and Historic Preservation, NY.

2004 Cultural Resources Management Report, Phase 3 Data Recovery of the River Road Site, (SUBI-1077) - Loci 1, 5, and 6, Bell School Sewer Line Project, Town of Kirkwood, Broome County, New York. Report on file with New York State Office of Parks, Recreation and Historic Preservation, NY.

Natural Resources Conservation Service

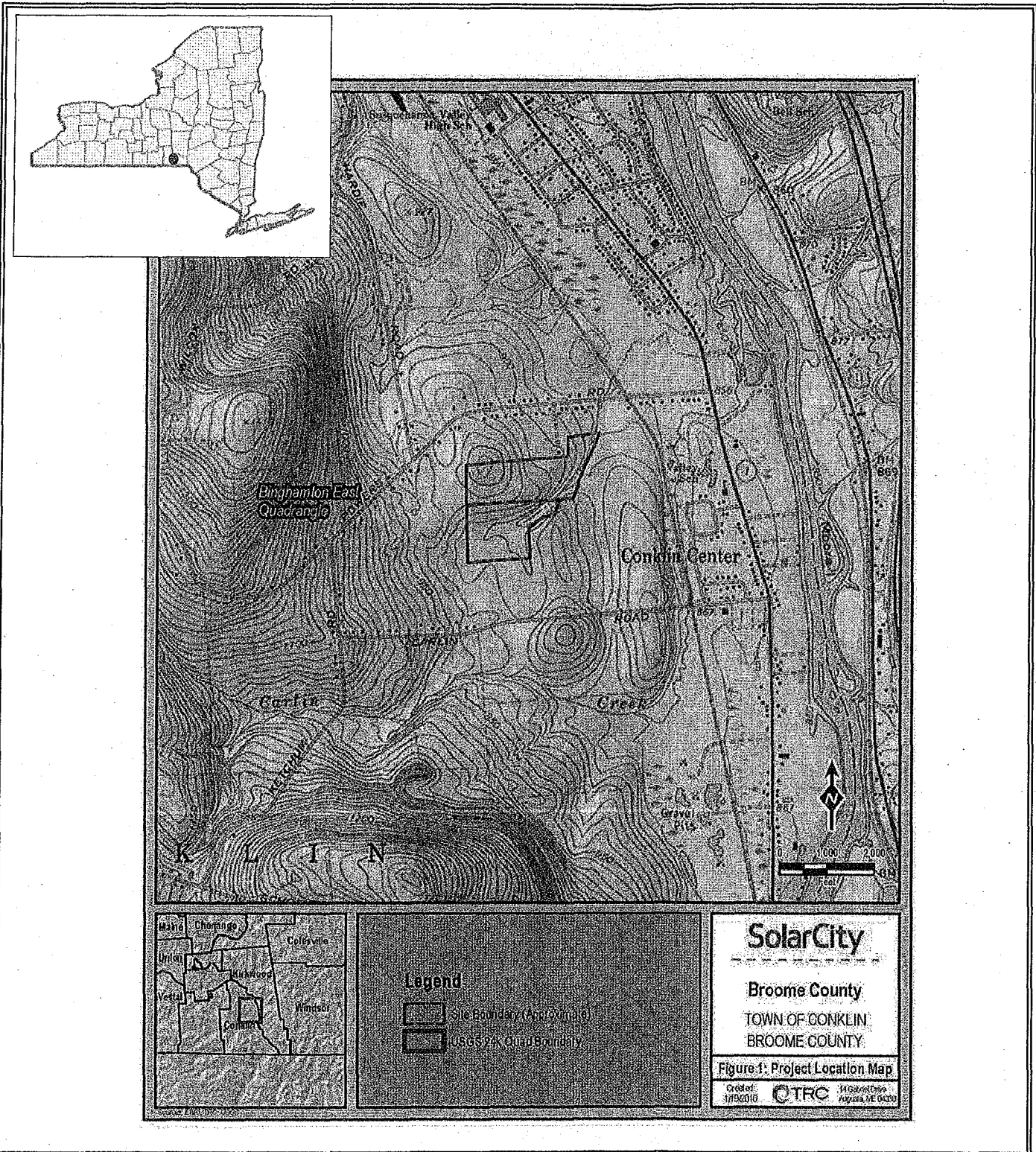
2016 <http://websoilsurvey.sc.egov.usda.gov>

New York Archaeological Council

1994 New York State Standards for Cultural Resource Management Surveys. New York Archaeological Council. Albany, NY.

U.S. Geologic Survey

1904 15 Minute Quadrangle Map, Binghamton, NY. Washington D.C.



Phase IA Archaeological Assessment of Broome County Solar Project

Figure 1. Project location on USGS topographic map of the Binghamton East 7.5 minute quadrangle. Pink and black line indicates project area.



71 Oak Street
Ellsworth, Maine 04605

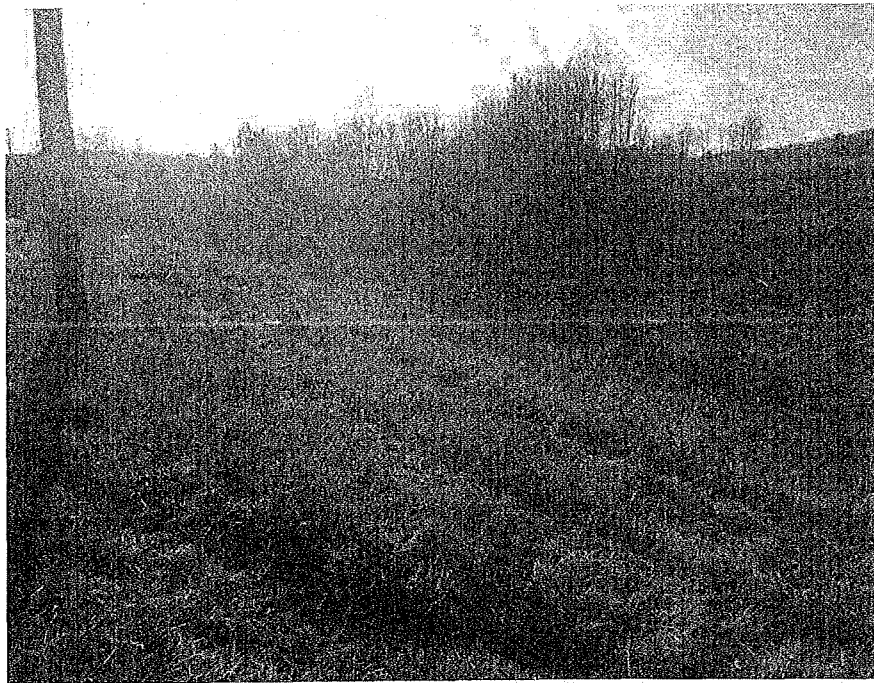


**Phase IA Archaeological Assessment of
Broome County Solar Project**

Figure 2. Project plans, the pink and black line indicates the property boundary, the light purple line indicates the proposed fenced in area, the light orange line indicates the proposed location of solar arrays, and the dark orange line indicates proposed access road.



71 Oak Street
Ellsworth, Maine 04605

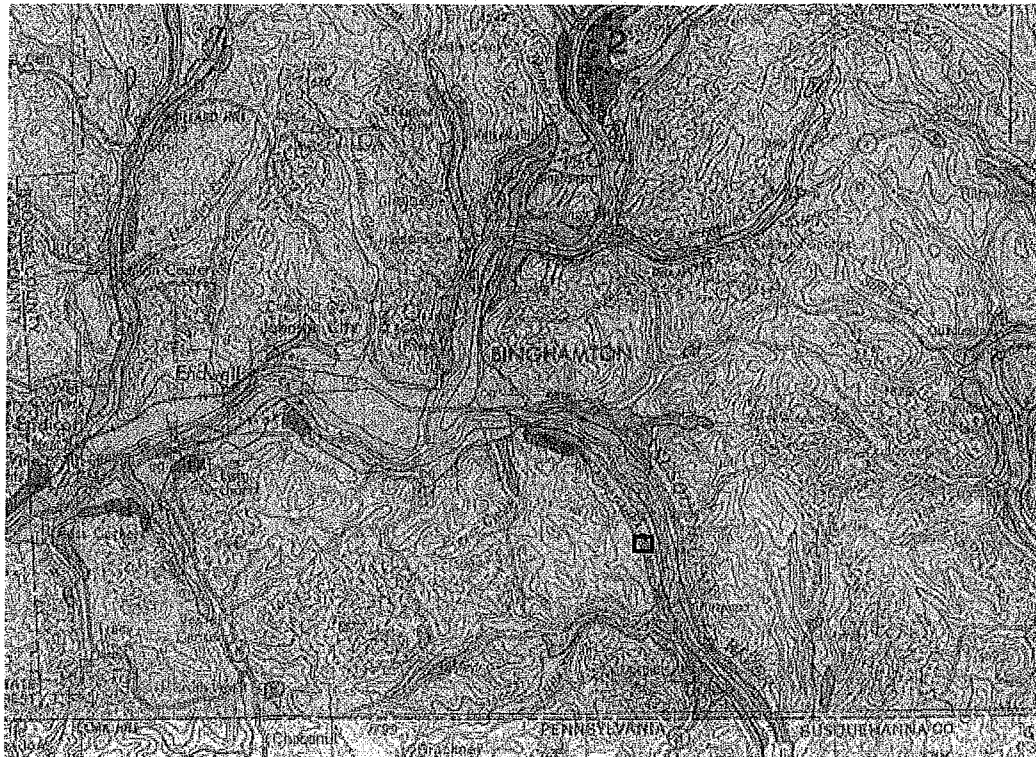


**Phase IA Archaeological Assessment of
Broome County Solar Project**

Figure 5. Views of the northern portion of the Project, which has been recently logged.



71 Oak Street
Ellsworth, Maine 04605



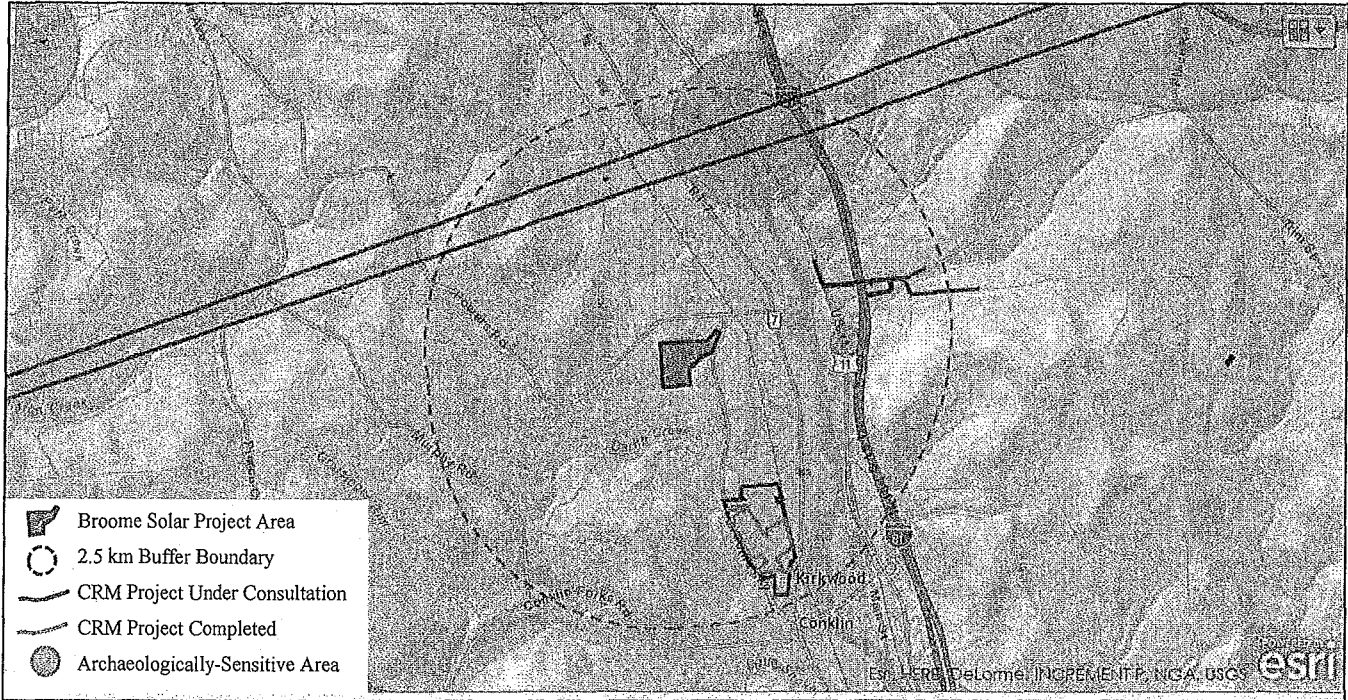
**Phase IA Archaeological Assessment of
Broome County Solar Project**



71 Oak Street
Ellsworth, Maine 04605

Figure 4: Project area on Surficial Geologic Map of New York, Finger Lakes Sheet (Muller and Cadwell 1986) - general project area indicated in black box.

Figure 5: NCRS soil map for the Project area - project area is located within the green line.

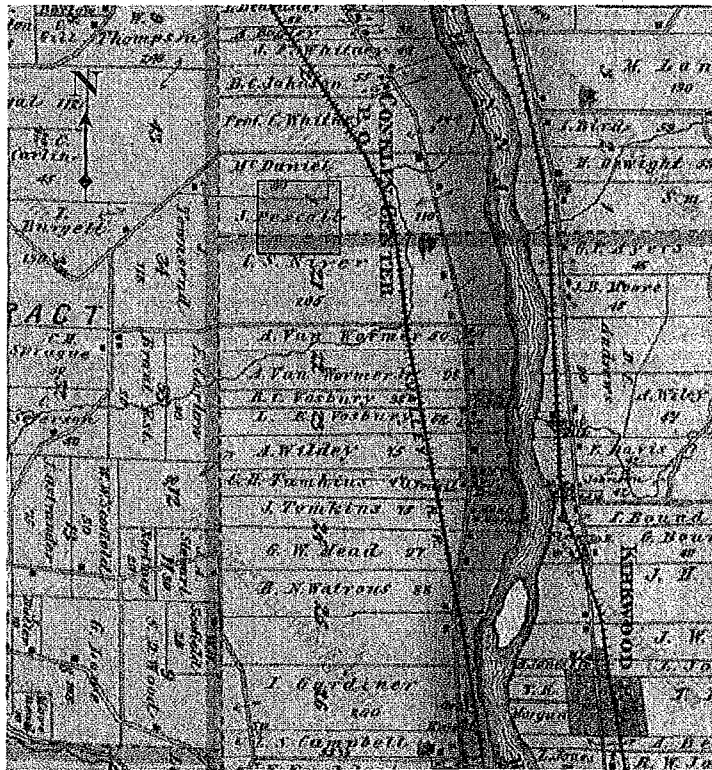
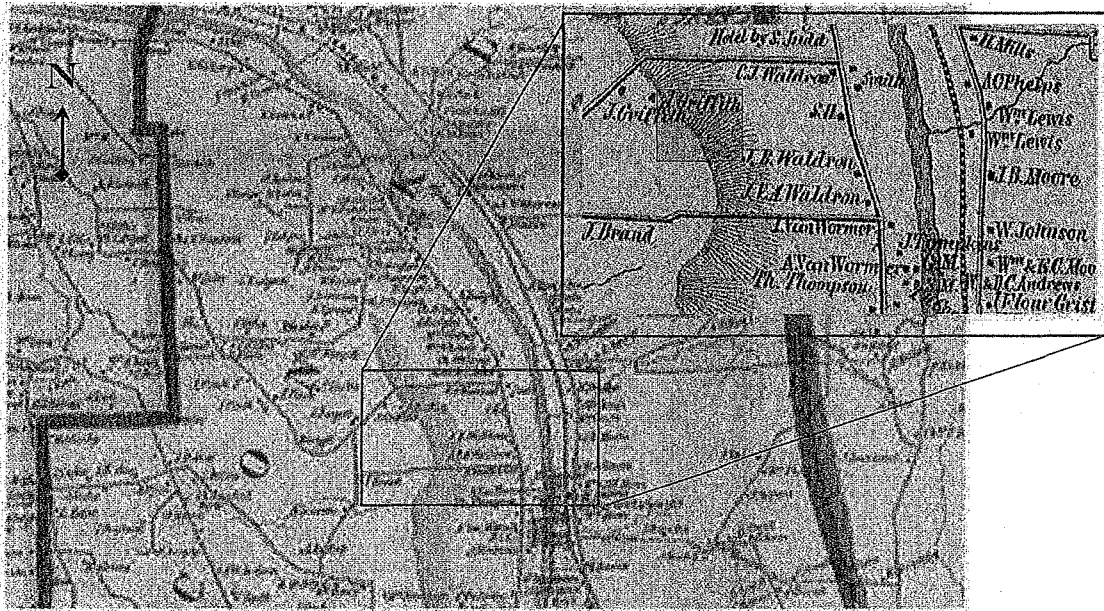


**Phase IA Archaeological Assessment of
Broome County Solar Project**

Figure 6. View of the Project from CRIS.



71 Oak Street
Ellsworth, Maine 04605



**Phase IA Archaeological Assessment of
Broome County Solar Project**

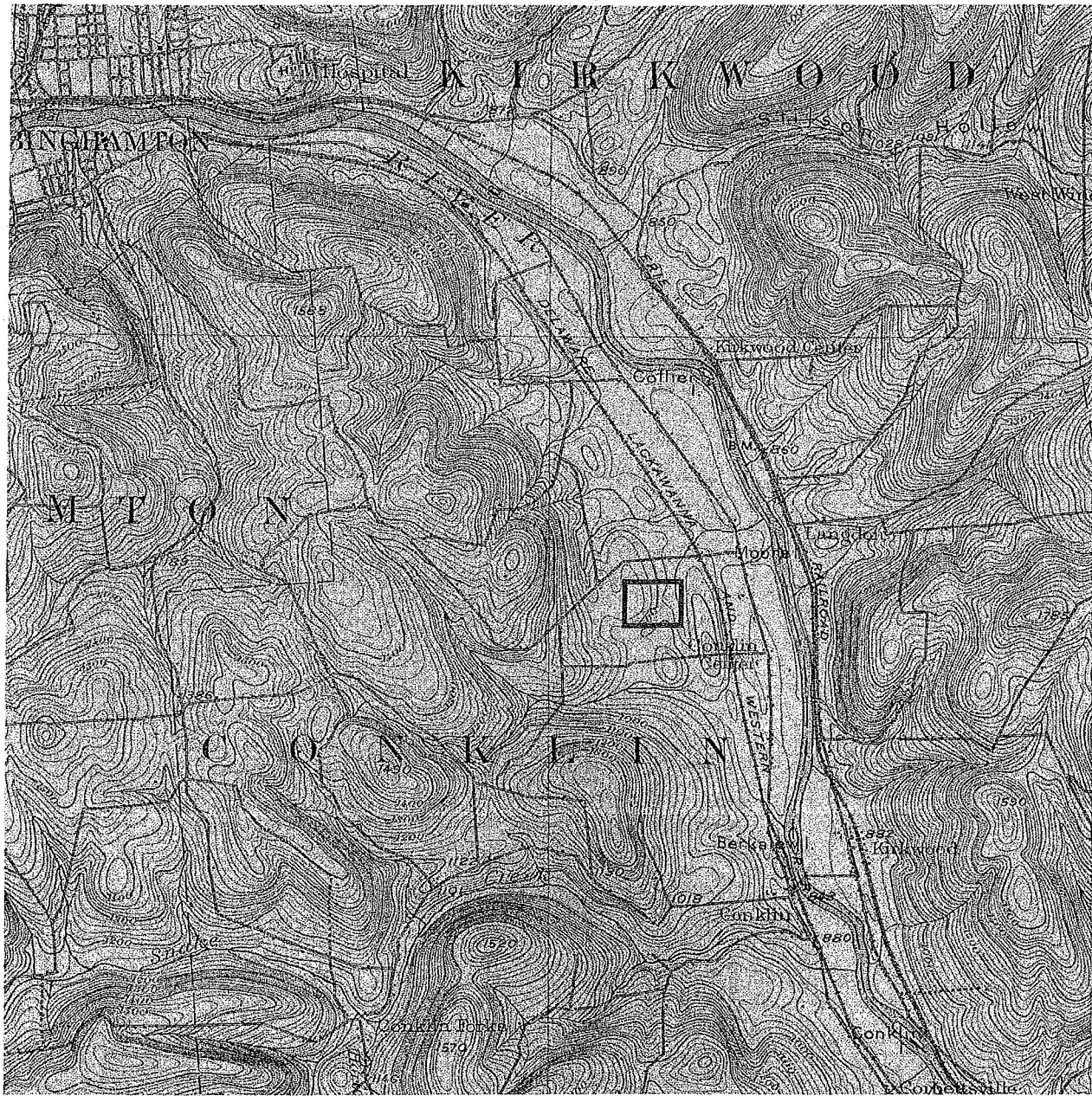
Figure 7. 1855 Town of Conklin, Broome County, New York map by F. Gifford, E. Wenig and R. P. Smith.



71 Oak Street
Ellsworth, Maine 04605

Figure 8. 1876 Town of Conklin, Broome County, New York map by Everts, Ensign and Everts.

(purple boxes indicate approximate location of the project area).



**Phase IA Archaeological Assessment of
Broome County Solar Project**

Figure 8. 1904 USGS topographic map of the Binghamton 15 minute quadrangle.



71 Oak Street
Ellsworth, Maine 04605

The red rectangle indicates approximate location of the project area.



Broome County Department of Planning & Economic Development

Debra A. Preston, County Executive . Frank Evangelisti, Director

Date: February 8th, 2016

To: Involved Agencies

Re: SEQR Coordinated Review - SolarCity Photovoltaic Array Installation

Please take notice that that the Broome County Legislature intends to serve as Lead Agency with respect to the environmental review of the SolarCity Photovoltaic Array Installation.

Proposed Action

The project will involve the installation of photovoltaic arrays on Broome County owned properties located at 375 and 399 Broome Corporate Parkway, totaling 47.72 acres. (Note: Property is currently owned by the Broome County IDA but is being transferred to Broome County prior to the project's initiation)

SEQR Classification

Pursuant to Part 617 of the SEQRA, the action is classified as Type I; a project or action funded by an agency that involves the physical alteration of 10 acres.

Involved and Interested Agencies

Under the applicable standards of SEQR, 6 NYCRR Part 617.7, the Broome County Legislature intends to act as Lead Agency for the review of this action.

Involved agencies have been identified to include:

- New York State Energy Research and Development Authority (NYSERDA)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
- Army Corps of Engineers (ACOE)

Interested agencies have been identified to include:

- Town of Conklin
- The Agency (formerly Broome County IDA/LDC)

As an involved agency with jurisdiction to fund, approve or directly undertake an action in regard to the project in this project, your concurrence with (or objection to) this designation as Lead Agency is hereby requested. The Broome County Legislature will continue in the capacity of Lead Agency unless objections are expressed by the deadline below.

This document serves to notify you that you have been identified as an INVOLVED AGENCY. Use the enclosed form to indicate your interest and concerns regarding the lead agency designation and the potential environmental impacts of the proposed project. Please respond by submitting the form at your earliest opportunity, but no later than March 9th, 2016. If you do not respond by this time Broome County will assume that your agency has no interest in the choice of lead agency or comments regarding the SEQR review of this project and no future notifications will be forwarded to you on this matter.

To: Daniel J. Reynolds, Chair, Broome County Legislature
c/o Beth Lucas, Senior Planner
Broome County Planning Department
60 Hawley Street, PO Box 1766
Binghamton, New York 13902

RE: SolarCity Photovoltaic Installation

EMAIL: blucas@co.broome.ny.us

FAX : (607) 778-2175

Thank you for the opportunity to participate in the environmental review of the SolarCity Photovoltaic Installation Project pursuant to SEQRA (State Environmental Quality Review Act).

On behalf of this agency, I acknowledge receipt of Broome County's notice of intent to be lead agency with respect to the project noted above, issued pursuant to the State Environmental Quality Review Act. I hereby:

- Endorse Broome County acting as lead agency.
OR
- Do not endorse Broome County acting as lead agency and desire _____ to serve as lead agency instead.
OR
- Take no position on who acts as lead agency.

On behalf of this agency, I:

- Submit comments on the proposed project (as an attachment).
OR
- Have no comments on the proposed project.

Agency

Name Printed

Title

Signature

Date

**State Environmental Quality Review
SolarCity Photovoltaic Array Installation
Town of Conklin, Broome County, New York
List of Involved and Interested Agencies**

Dave Crudele, Program Manager
NY-SUN
New York State Energy Research and Development Authority (NYSERDA)
17 Columbia Circle
Albany, NY 12203-6399
Email: Dave.Crudele@nyserda.ny.gov

Joe Dlugolenski, Deputy Regional Permit Administrator
Division of Environmental Permits
New York State Department of Environmental Conservation (NYSDEC), Region 7
1285 Fisher Ave.
Cortland, NY 13045-1090
Email: jmdlugol@gw.dec.state.ny.us

Philip A. Perazio, Historic Preservation Program Analyst
Archaeology Unit
New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
P.O. Box 189
Waterford, New York 12188-0189
Email: philip.perazio@parks.ny.gov

Mel Schroeder
Department of the Army
Buffalo District, Army Corps of Engineers (ACOE)
1776 Niagara Street
Buffalo, New York 14207-3199
Email: mel.r.schroeder@usace.army.mil

Supervisor James Finch
Town of Conklin
1271 Conklin Road
Conklin, New York 13748
Email: supervisor@townofconklin.com

Kevin McLaughlin, Executive Director
The Agency (formerly Broome County IDA/LDC)
60 Hawley Street, 5th floor
Binghamton NY 13901
Email: km@theagency-ny.com

Lucas, Beth A.

From: Leddy, Maureen A (NYSERDA) <Maureen.Leddy@nyserda.ny.gov>
Sent: Wednesday, February 10, 2016 3:00 PM
To: Raychel, Leonard S.; Lucas, Beth A.
Subject: FW: SEQR Notification - SolarCity Photovoltaic Array Installation
Attachments: Broome County SEQRA.pdf

Thank you circulating the SEQR for your PV project
Attached is NYSERDA's acknowledgment and response,

Have a great day
Maureen

Maureen Leddy
Project Manager

NYSERDA
17 Columbia Circle | Albany, NY 12203-6399
P: 518-862-1090 x3318 | F: 518-862-1091

From: Lucas, Beth A. [<mailto:BLucas@co.broome.ny.us>]
Sent: Monday, February 08, 2016 2:09 PM
To: Crudele, Dave D (NYSERDA) <Dave.Crudele@nyserda.ny.gov>
Cc: Raychel, Leonard S. <lraychel@co.broome.ny.us>
Subject: SEQR Notification - SolarCity Photovoltaic Array Installation
Importance: High

Dear Mr. Crudele:

Broome County is conducting the SEQR review for SolarCity's installation of PV arrays on Broome County owned properties located at 375 and 399 Broome Corporate Parkway in the Town of Conklin.

As a funding agency for the project NYSERDA has been identified as an involved agency for coordinated review under SEQR. Attached is the SEQR notification letter, Long Environmental Assessment Form along with supplemental information, site plan, and supplemental information.

We ask for your feedback as outlined in the notification at your earliest convenience, but no later than **March 9th, 2016**.

Thank you and feel free to contact me with any questions.

Sincerely,
Beth A. Lucas
Senior Planner
Broome County Planning Department
PO Box 1766, Binghamton, NY 13902
Ph: (607)778-2375, Fax: (607)778-2175
blucas@co.broome.ny.us
www.gobroomecounty.com/planning

To: Daniel J. Reynolds, Chair, Broome County Legislature
c/o Beth Lucas, Senior Planner
Broome County Planning Department
60 Hawley Street, PO Box 1766
Binghamton, New York 13902

RE: SolarCity Photovoltaic Installation

EMAIL: blucas@co.broome.ny.us

FAX: (607) 778-2175

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On behalf of this agency, I acknowledge receipt of Broome County's notice of intent to be lead agency with respect to the project noted above, issued pursuant to the State Environmental Quality Review Act. I hereby:

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OR
 Do not endorse Broome County acting as lead agency and desire _____ to serve as lead agency instead.
OR
 Take no position on who acts as lead agency.

On behalf of this agency, I:

- Submit comments on the proposed project (as an attachment).
OR
 Have no comments on the proposed project.

NYSEKDA
Agency

MAUREEN LEDDY
Name Printed

PROJECT MANAGER
Title

[Signature]
Signature

2/10/2016
Date

Lucas, Beth A.

From: Dlugolenski, Joe M (DEC) <joe.dlugolenski@dec.ny.gov>
Sent: Tuesday, February 09, 2016 1:03 PM
To: Lucas, Beth A.
Subject: FW: eScan Solar City SEQR Lead, DEC signoff
Attachments: document2016-02-09-125544.pdf

Hi Beth-Lucas at Broome County Planning:

Thanks for coordinating the information on this rather exciting project. I wish you well with this project and its completion. DEC's sign off on lead agency is attached in pdf file.

I've reviewed your submitted information and our DEC resource maps and find no DEC permit jurisdiction except the noted Stormwater Discharge permit. That is a non-discretionary permit, similar to a registration, so DEC will officially be an interested party in the action, not an involved party per definition in SEQR. Feel free to contact me with any questions, I'd be happy to help.
Regards,

Joe Dlugolenski

Deputy Regional Permit Administrator, Division of Environmental Permits
NYS Department of Environmental Conservation Region 7
1285 Fisher Ave, Cortland, NY 13045
P: 607-753-3095 ext 233 ~ F: 607-753-8532 ~ joe.dlugolenski@dec.ny.gov

From: cort-dep-x544-1@dec.state.ny.us [mailto:cort-dep-x544-1@dec.state.ny.us]
Sent: Tuesday, February 09, 2016 12:56 PM
To: Dlugolenski, Joe M (DEC)
Subject: eScan

To: Daniel J. Reynolds, Chair, Broome County Legislature
c/o Beth Lucas, Senior Planner
Broome County Planning Department
60 Hawley Street, PO Box 1766
Binghamton, New York 13902

RE: SolarCity Photovoltaic Installation

EMAIL: blucas@co.broome.ny.us

FAX: (607) 778-2175

Thank you for the opportunity to participate in the environmental review of the SolarCity Photovoltaic Installation Project pursuant to SEQRA (State Environmental Quality Review Act).

On behalf of this agency, I acknowledge receipt of Broome County's notice of intent to be lead agency with respect to the project noted above, issued pursuant to the State Environmental Quality Review Act. I hereby:

- Endorse Broome County acting as lead agency.
OR
 Do not endorse Broome County acting as lead agency and desire _____ to serve as lead agency instead.
OR
 Take no position on who acts as lead agency.

On behalf of this agency, I:

- Submit comments on the proposed project (as an attachment).
OR
 Have no comments on the proposed project.

Agency NYS DEC
Div. of Environmental Permits
1285 Fisher Ave
Cortland, NY 13045

Name Printed JOE DLUGOLENSKI, DEPUTY REGIONAL PERMIT ADMINISTRATOR Title

Signature  Date 2-09-2016

Lucas, Beth A.

From: New York State Parks CRIS Application <cris.web@parks.ny.gov>
Sent: Tuesday, February 23, 2016 10:14 AM
To: asteiner@trcsolutions.com; Lucas, Beth A.
Subject: SHPO Submission Consolidated Response for Project: 16PR00307

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). Please log into the CRIS web portal to view a Consolidated Response for submission- (PJJSFL14JFM) / Broome County Solar Site (16PR00307). The Consolidated Response is provided within a single web page, which can be viewed by clicking the following link:

<https://cris.parks.ny.gov/?type=CR&id=PJJSFL14JFM>

The Consolidated Response includes individual written responses from all reviewers of this submission, and may include potential supporting documentation as attachments. It is important to note that this response may include requests for more information which can be digitally submitted by following the instructions within the response page.

Sincerely,
New York State Historic Preservation Office

This email has been sent from an unmonitored email address. Please do not reply to this email. If you have any questions or comments please call (518) 237-8643 during normal business hours.

You are receiving this email as part of an online service recently launched by the New York State Office of Parks, Recreation and Historic Preservation's Division for Historic Preservation, also known as the New York State Historic Preservation Office (SHPO). This new Cultural Resources Information System (CRIS) is an advanced Geographic Information System program, which provides access to New York State's vast historic and cultural resource databases and now digitized paper records. In addition, the new system serves as an interactive portal for agencies, municipalities and the public who use or require consultation with our agency on historic preservation programs or issues.

Our email to you is in direct response to material that that was submitted to our office regarding a project that you were identified as the primary contact for. Such projects include actions that are reviewable by our agency under the National Historic Preservation Act of 1966 (Section 106), the New York State Historic Preservation Act (Section 14.09 NYSPRHPL), or the State Environmental Quality Review Act (SEQRA).

In an effort to move our programs away from paper-based submissions, we are asking you to consider using CRIS to continue the consultation for the above action. To access to this new system and retrieve information sent to you by our office you should:

1. Click the **token** number above and you will be brought to the **CRIS** log-in screen, where you will have two options to proceed.
2. You may enter the CRIS system as a GUEST user by simply selecting the **Proceed as Guest** log-in option. As Guest, you will have limited access to information, but will be able to complete the project review with our office.
3. Or you may enter using a **NY.GOV** log-in credential by selecting the **Sign In** option. The NY.GOV account affords the user the opportunity to leverage the full functionality of the CRIS Application, including access to an individualized dashboard, which provides user specific metrics such as "*my projects*," "*my reviews*," and "*my resources*." If you do not already have a NY.GOV password, which can be used with all New York State agencies, you can sign up for a password by selecting the **Sign Up Now** option.



HOME SUBMIT SEARCH COMMUNICATE

Close

View and/or Address a Response

Project 16PR00307: Broome County Solar Site (PJJJSFL14JFM)

View Project

Please accept the following information below as the consolidated response from NYS SHPO for the above referenced submission.

Review Responses

| Reviewer | Review Type | Response |
|----------------|-------------|--|
| Philip Perazio | Archaeology | This office has previously requested the submission either of a Phase I archaeological survey report or evidence of prior disturbance (see attached letter). This office does not comment on lead agency status. |

Information Requests

| Process | Status | Reviewer | Review Type | Request Type | Request Entity | Request Item | Request Description |
|--------------------|--------|----------|-------------|--------------|----------------|--------------|---------------------|
| No Request Records | | | | | | | |

Attachments

| Attachment | Reviewer | Review Type | Type | Name | Description |
|--------------------------|----------------|-------------|----------|---------------------------------|---|
| <input type="checkbox"/> | Philip Perazio | Archaeology | Document | 16PR00307 Submission 1 response | Request for a Phase I archaeological survey or evidence of disturbance. |



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO

Governor

ROSE HARVEY

Commissioner

January 20, 2016

Mr. Andrew Steiner
Wetland Scientist
TRC Solutions
10 Maxwell Drive
Clifton Park, NY 12065

Re: DEC
Broome County Solar Site
, Town of Conklin, Broome County, NY
16PR00307

Dear Mr. Steiner:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

Based on available information, your project is located in an archaeologically sensitive area. Therefore, OPRHP recommends that a Phase I archaeological survey is warranted for all portions of the project that will involve ground disturbance, unless substantial prior ground disturbance can be documented. If you consider the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land. Agricultural activity is not considered to be substantial ground disturbance and many significant sites have been identified in previously cultivated land.

Please note that in areas with alluvial soils or fill archaeological deposits may exist below the depth of superficial disturbances, such as pavement or even deeper disturbances, depending on the thickness of the alluvium or fill. Evaluation of the possible impact of prior disturbance on

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

archaeological sites must consider the depth of potentially culture-bearing deposits and the depth of planned disturbance by the proposed project.

Also, please note that wetlands may have areas of higher elevation that were suitable for habitation and/or the staging of temporary resource procurement camps. In addition, past climatic variations or modern changes in hydrology may have inundated areas formerly available for occupation.

A Phase I survey is designed to determine the presence or absence of archaeological sites or other cultural resources in the project's area of potential effect. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archaeologist should be retained to conduct the Phase I survey. Many archaeological consulting firms advertise their availability in the yellow pages. The services of qualified archaeologists can also be obtained by contacting local, regional, or statewide professional archaeological organizations. Phase I surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archaeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private land.

If you have any questions please don't hesitate to contact me.

Sincerely,



Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit

Phone: 518-268-2175

e-mail: philip.perazio@parks.ny.gov

via email only

Lucas, Beth A.

From: Metivier, Steven V LRB <Steven.V.Metivier@usace.army.mil>
Sent: Tuesday, February 16, 2016 1:15 PM
To: Lucas, Beth A.
Subject: SolarCity Photovoltaic Installation
Attachments: scannedDoc.pdf

Ms. Lucas,

Enclosed please find the SEQRA Lead Agency response for the proposed SolarCity Photovoltaic Installation. The Corps has no objection to Broome County acting as Lead Agency with respect to SEQRA.

In addition, I would like to point out that any work that would result in a discharge of dredged or fill material into waters of the US, including wetlands, may require a permit from the Corps of Engineers. The submitted information indicated that most, if not all, impacts to waters would be avoided, but that there may be up to 0.1 acre of impact associated with the work. If such impacts are proposed, I strongly recommend that the project proponent contact us to discuss potential permitting requirements.

Thank you for the opportunity to comment on the proposal.

v/r,

Steven Metivier
Chief, NY Application Evaluation Section
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207
716-879-4314 (phone)
716-879-4310 (fax)
716-239-7167 (cell)

To: Daniel J. Reynolds, Chair, Broome County Legislature
c/o Beth Lucas, Senior Planner
Broome County Planning Department
60 Hawley Street, PO Box 1766
Binghamton, New York 13902

RE: SolarCity Photovoltaic Installation

EMAIL: blucas@co.broome.ny.us

FAX : (607) 778-2175

Thank you for the opportunity to participate in the environmental review of the SolarCity Photovoltaic Installation Project pursuant to SEQRA (State Environmental Quality Review Act).

On behalf of this agency, I acknowledge receipt of Broome County's notice of intent to be lead agency with respect to the project noted above, issued pursuant to the State Environmental Quality Review Act. I hereby:

- Endorse Broome County acting as lead agency.
OR
 Do not endorse Broome County acting as lead agency and desire _____ to serve as lead agency instead.
OR
 Take no position on who acts as lead agency.

On behalf of this agency, I:

- Submit comments on the proposed project (as an attachment).
OR
 Have no comments on the proposed project.

U.S. Army Corps of Engineers
Agency

Steeley Metivier Chief, NY-AES
Name Printed Title

[Signature] 2/16/16
Signature Date

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :
 Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

| 1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> | | | |
|---|-----------------------------|-------------------------------------|---|
| | | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> YES |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may involve construction on land where depth to water table is less than 3 feet. | E2d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may involve construction on slopes of 15% or greater. | E2f | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. | E2a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. | D2a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may involve construction that continues for more than one year or in multiple phases. | D1e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). | D2e, D2q | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action is, or may be, located within a Coastal Erosion hazard area. | B1i | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Identify the specific land form(s) attached: _____ | E2g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____ | E3c | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may create a new water body. | D2b, D1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water. | D2b | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body. | D2a | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body. | E2h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. | D2a, D2h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water. | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s). | D2d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. | D2e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. | E2h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may involve the application of pesticides or herbicides in or around any water body. | D2q, E2h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities. | D1a, D2d | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | |
|----------------------------------|-------------------------------------|--------------------------|
| 1. Other impacts: _____ _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|-------------------------------------|--------------------------|

4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells. | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____ | D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may allow or result in residential uses in areas without water and sewer services. | D1a, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may include or require wastewater discharged to groundwater. | D2d, E2l | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated. | D2c, E1f, E1g, E1h | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer. | D2p, E2l | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources. | E2h, D2q, E2l, D2c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ _____ | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
 If "Yes", answer questions a - g. If "No", move on to Section 6.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in development in a designated floodway. | E2i | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in development within a 100 year floodplain. | E2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in development within a 500 year floodplain. | E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in, or require, modification of existing drainage patterns. | D2b, D2e | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may change flood water flows that contribute to flooding. | D2b, E2i, E2j, E2k | <input type="checkbox"/> | <input type="checkbox"/> |
| f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? | E1e | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|----------------------------------|--|--------------------------|--------------------------|
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--|--------------------------|--------------------------|

6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1: D.2.f., D.2.h, D.2.g)
 If "Yes", answer questions a - f. If "No", move on to Section 7.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|--|--|--|
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane | D2g D2g D2g D2g D2g D2h | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour. | D2f, D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above. | D2g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
 If "Yes", answer questions a - j. If "No", move on to Section 8.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2o | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government. | E2o | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. | E2p | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government. | E2p | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|-----|-------------------------------------|--------------------------|
| e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect. | E3c | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____ | E2n | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site. | E2m | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ | E1b | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides. | D2q | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

| 8. Impact on Agricultural Resources | | | |
|--|-----------------------------|--|------------------------------------|
| The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) | | <input checked="" type="checkbox"/> NO | <input type="checkbox"/> YES |
| <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i> | | | |
| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
| a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. | E2c, E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc). | E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land. | E3b | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District. | E1b, E3a | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may disrupt or prevent installation of an agricultural land management system. | E1 a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland. | C2c, C3, D2c, D2d | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan. | C2c | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|--|--|
| a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. | E3h | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views. | E3h, C2b | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round | E3h | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities | E3h E2q, E1c | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource. | E3h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile | D1a, E1a, D1f, D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------------|------------------------------------|
| a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. | E3e | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. | E3f | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____ | E3g | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|--|----------------------------|--------------------------|--------------------------|
| d. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3: | | | |
| i. The proposed action may result in the destruction or alteration of all or part of the site or property. | E3e, E3g, E3f | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. The proposed action may result in the alteration of the property's setting or integrity. | E3e, E3f, E3g, E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting. | E3e, E3f, E3g, E3h, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |

11. Impact on Open Space and Recreation
 The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES
 (See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat. | D2e, E1b, E2h, E2m, E2o, E2n, E2p | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the loss of a current or future recreational resource. | C2a, E1c, C2c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may eliminate open space or recreational resource in an area with few such resources. | C2a, C2c, E1c, E2q | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may result in loss of an area now used informally by the community as an open space resource. | C2c, E1c | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

12. Impact on Critical Environmental Areas
 The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) NO YES
If "Yes", answer questions a - c. If "No", go to Section 13.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA. | E3d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

If "Yes", answer questions a - g. If "No", go to Section 14.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. Projected traffic increase may exceed capacity of existing road network. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in the construction of paved parking area for 500 or more vehicles. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action will degrade existing transit access. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action will degrade existing pedestrian or bicycle accommodations. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may alter the present pattern of movement of people or goods. | D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action will require a new, or an upgrade to an existing, substation. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. | D1f, D1q, D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may utilize more than 2,500 MWhrs per year of electricity. | D2k | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. | D1g | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Other Impacts: _____ | | | |

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action may produce sound above noise levels established by local regulation. | D2m | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. | D2m, E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may result in routine odors for more than one hour per day. | D2o | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|---|----------|--------------------------|--------------------------|
| d. The proposed action may result in light shining onto adjoining properties. | D2n | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions. | D2n, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO YES

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|---|-----------------------------|-------------------------------|------------------------------------|
| a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community. | E1d | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The site of the proposed action is currently undergoing remediation. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. | E1g, E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health. | D2t | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action involves construction or modification of a solid waste management facility. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| h. The proposed action may result in the unearthing of solid or hazardous waste. | D2q, E1f | <input type="checkbox"/> | <input type="checkbox"/> |
| i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. | D2r, D2s | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste. | E1f, E1g E1h | <input type="checkbox"/> | <input type="checkbox"/> |
| k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. | E1f, E1g | <input type="checkbox"/> | <input type="checkbox"/> |
| l. The proposed action may result in the release of contaminated leachate from the project site. | D2s, E1f, D2r | <input type="checkbox"/> | <input type="checkbox"/> |
| m. Other impacts: _____ _____ | | | |

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1, C.1, C.2, and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|-----------------------------------|-------------------------------|------------------------------------|
| a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). | C2, C3, D1a E1a, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%. | C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action is inconsistent with local land use plans or zoning regulations. | C2, C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action is inconsistent with any County plans, or other regional land use plans. | C2, C2 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure. | C3, D1c, D1d, D1f, D1d, E1b | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure. | C4, D2c, D2d D2j | <input type="checkbox"/> | <input type="checkbox"/> |
| g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action) | C2a | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Other: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1, C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

| | Relevant Part I Question(s) | No, or small impact may occur | Moderate to large impact may occur |
|--|--------------------------------|-------------------------------|------------------------------------|
| a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. | E3e, E3f, E3g | <input type="checkbox"/> | <input type="checkbox"/> |
| b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) | C4 | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. | C2, C3, D1f D1g, E1a | <input type="checkbox"/> | <input type="checkbox"/> |
| d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. | C2, E3 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. The proposed action is inconsistent with the predominant architectural scale and character. | C2, C3 | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Proposed action is inconsistent with the character of the existing natural landscape. | C2, C3 E1a, E1b E2g, E2h | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Other impacts: _____ _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

PRINT FULL FORM

Project : Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

During the Lead Agency's assessment the following potential impacts were identified and explored:

- Action may involve construction on, or physical alteration of the land surface of the proposed site - Erosion impacts due to physical disturbance or vegetation removal during construction or increase in impervious ground cover (total 0.87 acres impervious surfaces) will be mitigated via vegetated swales to infiltration galleries. A Stormwater Pollution Prevent Plan will be developed and a permit will be issued by the NYSDEC prior to construction.

- Action may affect one or more wetlands or other surface water bodies - Review of the National Wetlands Inventory indicated one federal wetland on the parcels and preliminary delineation identified 3 potential wetland areas on the project site. When weather permits (spring), full wetland delineation will be completed. An estimated 0.10 acres of federal wetland are expected to be impacted. The Army Corps of Engineers has been notified as an involved agency and will review and issue any permit requests as appropriate when the full delineation is complete.

- Action may require bulk storage of petroleum or chemical products over ground water or an aquifer - Two transformers will have a reservoir of mineral oil or other fluid for coolant, a volume totaling 521 gallons each, a total of 1042 gallons. Equipment will be installed within secondary containment and, if necessary, disposal will occur via recycling at an approved facility.

- The proposed action may result in the loss of flora or fauna

-- The Northern Long-eared Bat was identified as a threatened species within the area by the US Fish and Wildlife Service. Based on initial review, the project site is not located within 0.25 of known critical habitat. A determination of no impact has been requested from USFWS, however, if they indicate that a critical habitat or roosting area are located in proximity to the project, tree clearing will be conducted outside of the June 1-July 31 restriction window.

-- The action requires conversion of more than 10 acres of forest (11.62 total acres as indicated on Part 1 of the EAF). This is part of a larger adjacent forested area, and will not result in further fragmentation of forested land. The project site is zoned light industrial which is consistent with this use, while neighboring forested lands are zoned residential, anticipating less intensive land use. In addition, larger forested areas are located less than 1 mile from the project site. Therefore, impacts to local species due to habitat fragmentation are not expected.

- The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory - NYS OPRHP recommended that a Phase I archaeological survey be conducted for the project site due to it's location in an archaeologically sensitive area. A Phase 1A assessment found that two archaeological sites are present within a 2.5 kilometer radius of the project and a Phase 1B assessment was recommended, which is currently in progress. Archaeological resources identification and management activities will be completed using the standards of the New York Archaeological Council, adopted by the NYS SHPO and any cultural resources uncovered will be managed in a manner that meets NYAC standards.

Considering this assessment we have determined that there will be no significant adverse impacts on the environment resulting from the proposed project.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

Type 1

Unlisted

Identify portions of EAF completed for this Project: Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Attachment A - Broome County Solar Project Supplemental Information, Phase 1A Archaeological Assessment, Parcel Data via Broome County GIS
(bcgis.com)

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Broome County Legislature _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: SolarCity Broome County PV Arrays

Name of Lead Agency: Broome County Legislature

Name of Responsible Officer in Lead Agency: Daniel J. Reynolds

Title of Responsible Officer: Chair of the Broome County Legislature

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Beth Lucas, Senior Planner

Address: Broome County Planning, 60 Hawley Street, PO Box 1766, Binghamton, New York 13902

Telephone Number: 607-778-2375

E-mail: blucas@co.broome.ny.us

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Intro No. 8
Date 4/21/16
Reviewed by
Co. Attorney MS
Date 3/28/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-138
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2016

WHEREAS, the Commissioner of Planning & Economic Development requests authorization for an agreement with Cornell Cooperative Extension of Broome County for funding in the amount not to exceed \$2,000 from the Marketing and Economic Development allocation of the occupancy tax for the period April 1, 2016 through December 31, 2016, and

WHEREAS, said funding will be used to promote the Farm Trail Weekends of May 14-15, 2016 and October 1-2, 2016, which are an agri-tourism program designed to encourage the community to visit local farms, purchase locally produced farm products, and raise awareness of the importance of agriculture in the local economy, and

WHEREAS, pursuant to Resolution 385 of 2011, all resolutions requested by the Commissioner of Planning and Economic Development or any other County Department, with the exception of the Legislature, for specific funding utilizing funds collected pursuant to Section 185, Article III of the Broome County Charter and Code, shall be submitted to the Clerk of the Legislature no less than 60 days prior to a resolution being considered by the Broome County Legislature for such expenditure, and

WHEREAS, this County Legislature hereby waives said 60 day prior submission requirement and hereby authorizes the expenditure of funding from the Marketing and Economic Development allocation of the Occupancy Tax, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension of Broome County, 840 Upper Front Street, Binghamton, New York 13905, for funding from the Marketing and Economic Development allocation of the occupancy tax for the period April 1, 2016 through December 31, 2016, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$2,000 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature waives the 60 day prior submission requirement and hereby authorizes the expenditure of funding from the Marketing and Economic Development allocation of the Occupancy Tax, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026.1010 (Marketing & Economic Development), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Debra Preston
County Executive

Date 4/22, 20 16

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 9
Date 4/21/16
Reviewed by CDS
Co. Attorney
Date 3/28/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-139
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Economic Development, Education & Culture and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH KILLIS ALMOND ARCHITECTS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2016-2018

WHEREAS, the Director of Planning requests authorization for an agreement with Killis Almond Architects for professional services for the Department of Planning and Economic Development at a cost not to exceed \$50,000, for the period April 1, 2016 through January 31, 2018, and

WHEREAS, said agreement is necessary to prepare the Goodwill Theatre Architectural Master Plan as part of the Brownfield Opportunity Areas Program Grant accepted in 2015, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Killis Almond Architects, 342 Wilkens Avenue, San Antonio, Texas, 78210-3826, for professional services for the Department of Planning and Economic Development for the period April 1, 2016 through January 31, 2018, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.604255.3710080 (Contracted Services), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016

Intro No. 11
Date 4/21/16
Reviewed by
Co. Attorney cmc
Date 4/22/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-140
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services Committee
Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES TO PARTICIPATE IN THE DEPARTMENT OF HEALTH'S OPIOID OVERDOSE PREVENTION PROGRAM FOR 2016-2018

WHEREAS, the Broome County Department of Health has met all statutory requirements to operate an Opioid Overdose Prevention Program, and

WHEREAS the Public Health Director requests authorization for Memorandums of Understanding with various agencies, including but not limited to those listed on Exhibit "A" to participate in the Department of Health's Opioid Overdose Prevention Program for the period February 21, 2016 through February 1, 2018, and

WHEREAS, said program will provide training to various agencies that might encounter acute opioid overdose cases to allow them to administer Naloxone to reverse immediate life-threatening effects of the overdose, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Memorandums of Understanding with various agencies, including but not limited to those listed on Exhibit "A", to participate in the Department of Health's Opioid Overdose Prevention Program for the period February 21, 2016 through February 21, 2018, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes Memorandums of Understanding with additional agencies interested in participating in the Department of Health's Opioid Overdose Prevention Program for the period February 21, 2016 through February 21, 2018, and be it

FURTHER RESOLVED, that the County Executive or her 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.

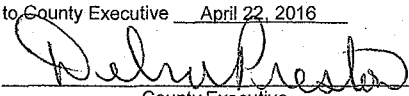
COUNTY OF BROOME) ss.
STATE OF NEW YORK)

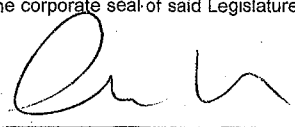
I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved 
County Executive


Clerk, County Legislature
County of Broome

Date 4/22, 2016

EXHIBIT A

Broome County Opioid Overdose Prevention Program

City of Binghamton Bureau of Police

Joseph T. Zikuski, Chief of Police
City Hall
Government Plaza
Binghamton, NY 13901
607-772-7090

New York State University Police

Timothy R. Faughnan, Chief of Police
Binghamton University
PO Box 6000
Binghamton, NY 13902-6000
607-777-2275

Broome County Emergency Services**Broome County Security****Broome County Sheriff's Office****Vestal Police Department**

John A. Butler, Chief of Police
605 Vestal Parkway West
Vestal, NY 13850
607-754-2386

Deposit Central School District

Edward P. Shirkey, Superintendent of Schools
171 Second Street
Deposit, NY 13754
607-467-5380

Deposit Police Department

Donald Cantwell, Chief of Police
146 Front Street
Deposit, NY 13754
607-467-2115

Village of Endicott Police Department

Michael R. Cox, Chief of Police
1101 Park Street
Endicott, NY 13760
607-757-2476

Village of Johnson City Police Department

Brent Dodge, Chief of Police
31 Avenue C
Johnson City, NY 13790
607-772-7090

SUNY Broome Office of Public Safety

Joe O'Connor, Chief
PO Box 1017
Binghamton, NY 13902
607-778-5083

OTHER ELIGIBLE ORGANIZATIONS WILL BE ADDED AS THEY ENROLL IN THIS PROGRAM.

Intro No. 12 c
Date 4/21/16
Reviewed by
Co. Attorney cmc
Date 4/14/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-141
Date Adopted 4/21/16
Effective Date 4/21/16

Sponsored by: Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING THE DEPARTMENT OF HEALTH TO ADMINISTER A PORTION OF THE HUD LEAD HAZARD GRANT FOR 2016-2018

WHEREAS, this County Legislature, by Resolution 362 of 2015 authorized the acceptance of a US Dept. of Housing and Urban Development (HUD) Lead Hazard Control Grant in the amount of \$3,200,000 for identifying and correcting lead-based paint hazards in housing units throughout Broome County, and

WHEREAS, the Public Health Director requests authorization for the Health Department to administer the housing rehabilitation/remediation portion of the Lead Hazard Control Grant Program at a cost not to exceed \$1,809,286 for the period April 1, 2016 through September 30, 2018, and

WHEREAS, these services are necessary to identify lead hazards in targeted housing throughout Broome County, and

WHEREAS, the Health Department advertised in the paper for interested contractors, held a public meeting to attract potential contractors; and provided limited training for any contractor lacking the requisite licenses and trainings to perform lead hazard rehabilitation/remediation work, and

WHEREAS, there are currently 10 contractors that have supplied the necessary documentation that they are certified, trained, and licensed to perform lead hazard rehabilitation/remediation work, and

WHEREAS, the Health Department continues to advertise on its website and on social media for additional contractors that may be interested in performing lead hazard rehabilitation/remediation work, and

WHEREAS, any potential contractor seeking to perform lead hazard rehabilitation/remediation work under the HUD Lead Hazard Control Grant may apply with the Health Department, but it is the potential contractor's responsibility to acquire the requisite licenses, trainings, and certifications; and upon providing proper documentation, the potential contractor will be added to the queue of the current 10 pre-approved contractors, and

WHEREAS, for each project identified, one of the 10 pre-approved contractors will be selected in sequence to perform the work, and

WHEREAS, for each project identified, one of the pre-approved contractors will enter into a contract with the property owner, directly, to perform the rehabilitation/remediation work outlined therein, and the County will pay for the work completed in amounts not to exceed the below-delineated limits any remainder amount is the property owner's responsibility, and

WHEREAS, the contractor performing the lead hazard rehabilitation/remediation work will be paid after the Broome County Health Department conducts a successful inspection, and

Intro No. 12 C
Date 4/21/16
Reviewed by
Co. Attorney _____
Date _____

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-141
Date Adopted 4/21/16
Effective Date _____

WHEREAS, for each single-family, owner-occupied dwelling, the Health Department will pay the contractor an amount not to exceed \$17,500 for any single-family, owner-occupied residence, and

WHEREAS, for each dwelling that is not a single-family, owner-occupied residence, the Health Department will pay the contractor an amount not to exceed \$11,929, per rental unit, and

WHEREAS, the above procedures are necessary for the County to ensure it satisfies certain timelines and deadlines as established by HUD; and now therefore be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Health Department to administer the rehabilitation/remediation work of the HUD Lead Hazard Control Grant Program for the period of April 1, 2016 through September 30, 2018, and be it

FURTHER RESOLVED, that the Health Department pay for lead hazard rehabilitation/remediation projects in an aggregate amount not to exceed \$1,809,286, and be it

FURTHER RESOLVED, that for each individual project, the Health Department will pay an amount not to exceed either \$17,500 for single-family, owner-occupied dwellings, or \$11,929 for any rental unit, and be it

FURTHER RESOLVED, that the payments hereinabove authorized will be made from budget line 25010004.6004146.2510387 (Subcontracted Program Expenses), and be it

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

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016

Intro No. 13
Date 4/21/16
Reviewed by RL
Co. Attorney
Date 4/18/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-142
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR SHOPPER SERVICES FOR THE OFFICE FOR AGING FOR 2016

WHEREAS, this County Legislature, by Resolution 440 of 2015, authorized an agreement with the Southern Tier Chapter of the American Red Cross for shopper services for the Office for Aging at a cost not to exceed \$25,000 for the period January 1, 2016 through December 31, 2016, and

WHEREAS, said agreement is necessary to operate a volunteer shopper program for low income, homebound elderly persons in Broome County, and

WHEREAS, it is necessary to authorize the amendment of said agreement to decrease the not to exceed amount by \$12,500 and amend the period to January 1, 2016 through June 30, 2016, and

WHEREAS, the Director of the Office for Aging has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Southern Tier Chapter of the American Red Cross, 620 East Main Street, Endicott, New York 13760 to decrease the not to exceed amount by \$12,500 and amend the period to January 1, 2016 through June 30, 2016 for shopper services for the Office for Aging, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$12,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410567.1011 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 440 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 14
Date 4/21/16
Reviewed by
Co. Attorney jm
Date 3/23/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-143
Date Adopted 4/21/16
Effective Date 4/21/16

Sponsored by: Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION FROM THE CAPITAL DISTRICT PHYSICIANS HEALTH PROGRAM FOR THE OFFICE FOR AGING

WHEREAS, the Director of the Office for Aging requests authorization to accept a donation from the Capital District Physicians Health Program (CDPHP) in the amount of \$8,225, as shown on Exhibit "A" for the Office for Aging, and

WHEREAS, said donation will be used to support the Office for Aging's Senior Picnic & Funfest, Senior Games, the Volunteer Recognition dinner and exercise equipment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a donation from the Capital District Physicians Health Program (CDPHP), 500 Patroon Creek Boulevard, Albany, New York 12206-1057 in the amount of \$8,225 as shown on Exhibit "A" for the Office for Aging, and be it

FURTHER RESOLVED, that said donation shall be credited to various budget lines as shown on Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Capital District Physicians Health Plan Support

| <u>Support Category</u> | <u>Amount</u> | <u>Revenue Account Line</u> | | |
|------------------------------|---------------|-----------------------------|---------|---------|
| Support for Senior Games | \$775 | 34010006 | 5000161 | 3410570 |
| Support for Senior Picnic | \$650 | 34010006 | 5000161 | 3410568 |
| Volunteer Recognition dinner | \$2,000 | 34010006 | 5000213 | 3410569 |
| Exercise Equipment | \$4,800 | 34010006 | 5000183 | 2410568 |

Intro No. 15
Date 4/21/16
Reviewed by
Co. Attorney [Signature]
Date 3/18/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-144
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES – FAITH IN ACTION PROGRAM FOR SHOPPER SERVICES FOR THE OFFICE FOR AGING FOR 2016

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with the Broome County Council of Churches – Faith in Action Program for shopper services for the Office for Aging at a cost not to exceed \$12,500, for the period July 1, 2016 through December 31, 2016, and

WHEREAS, said agreement is necessary to operate a volunteer shopper program for low income, homebound elderly persons in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County Council of Churches, Inc., 3 Otseningo Street, Binghamton, New York 13903 for shopper services for the Office for Aging for the period July 1, 2016 through December 31, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 3410006.6004146.1011.3410567 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 16
Date 4/21/16
Reviewed by
Co. Attorney W
Date 3/18/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-145
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services, Personnel, and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS) GRANT FOR THE OFFICE OF THE AGING AND ADOPTING A PROGRAM BUDGET FOR 2016-2017

WHEREAS, this County Legislature, by Resolution 177 of 2015, 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 \$281,275 for the period July 1, 2015, through June 30, 2016, and

WHEREAS, said program grant is an intergenerational program that matches low-income elderly 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 \$281,764 for the period July 1, 2016 through June 30, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$251,680 from Corporation for National and Community Service (CNCS), 601 Walnut Street, Suite 876E, Philadelphia, Pennsylvania 18126 for the Office For Aging 's Foster Grandparents Program Corporation for National and Community Service (CNCS) Grant or the period July 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$281,764 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, 2016 through June 30, 2017, 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 her 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 her 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 her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

EXHIBIT "A"

**FOSTER GRANDPARENTS PROGRAM-
CORPORATION FOR NATIONAL SERVICE**

7/01/16 to 6/30/17

DEPT. ID #/PROJECT # 34010006 - 3410589
RENEWAL FY 2016-17 4/2016 LEG SESSION

**CURRENT
BUDGET
2015-16**

**PROPOSED
BUDGET
2016-17**

APPROPRIATIONS

Personnel

| | | | |
|------------------------|----------------------|-----------------|-----------------|
| 6001000 | Salaries - Full time | \$53,230 | \$53,720 |
| 6001001 | Salaries - Part time | \$21,621 | \$21,745 |
| Total Personnel | | \$74,851 | \$75,465 |

Contractual Expenses

| | | | |
|-----------------------------------|-------------------------------------|------------------|------------------|
| 6004012 | Office Supplies | \$150 | \$150 |
| 6004048 | Misc.Operational Expenses | \$544 | \$544 |
| 6004105 | Dues & Memberships | \$0 | \$0 |
| 6004131 | Photographic Supplies | \$0 | \$0 |
| 6004138 | Other Operational Expenses | \$2,800 | \$2,800 |
| 6004160 | Mileage & Parking - Local | \$1,000 | \$1,800 |
| 6004161 | Travel, Hotel & Meals | \$0 | \$0 |
| 6004162 | Education & Training | \$0 | \$0 |
| 6004164 | Non-Employee Travel, Hotel, & Meals | \$13,050 | \$13,500 |
| 6004167 | FGP/SCS Stipends | \$151,580 | \$151,580 |
| 6004201 | Insurance Premiums | \$387 | \$387 |
| 6004606 | Telephone Chargebacks | \$650 | \$650 |
| 6004610 | Personal Services Chargebacks | \$5,125 | \$5,125 |
| 6004617 | Printing/Duplicating Chargebacks | \$150 | \$150 |
| 6004618 | Postage Chargebacks | \$700 | \$700 |
| 6004625 | Nutrition Services Chargebacks | \$1,300 | \$1,300 |
| 6004627 | Single Audit Chargebacks | \$0 | \$0 |
| 6004400 | Medical & Physical Exams | \$500 | \$500 |
| Total Contractual Expenses | | \$177,936 | \$179,186 |

Fringe Benefits

| | | | |
|------------------------------|-----------------------|-----------------|-----------------|
| 6008001 | State Retirement | \$15,189 | \$14,187 |
| 6008002 | Social Security | \$5,607 | \$5,661 |
| 6008004 | Worker's Compensation | \$800 | \$1,043 |
| 6008006 | Life Insurance | \$30 | \$30 |
| 6008007 | Health Insurance | \$6,784 | \$6,097 |
| 6008010 | Disability Insurance | \$78 | \$95 |
| Total Fringe Benefits | | \$28,488 | \$27,113 |

Total Grant Program Appropriations **\$281,275** **\$281,764**

REVENUE

| | | | |
|------------------------------------|-----------------------------|------------------|------------------|
| 5000161 | OFA Fees | \$2,000 | \$2,000 |
| 5000183 | Miscellaneous Contributions | \$0 | \$0 |
| 5000562 | Transfer from General Fund | \$18,620 | \$18,620 |
| 5000324 | OFA Chargeback Revenue | \$8,975 | \$9,464 |
| 5000935 | FGP Program Federal Aid | \$251,680 | \$251,680 |
| Total Grant Program Revenue | | \$281,275 | \$281,764 |

OFFICE FOR AGING
 Foster Grandparents Program 34010006
 RENEWAL FY 2016-17

SUMMARY OF PERSONAL SERVICE POSITIONS

Full-Time Positions

| <u>Title of Position</u> | <u>Grade/Unit</u> | <u>Actual 2014-15</u> | <u>Currently Authorized 2015-16</u> | <u>Requested 2016-17</u> | <u>Recommended 2016-17</u> |
|--------------------------------------|-------------------|---------------------------|---|------------------------------|--------------------------------|
| Aging Services program Coordinator I | 17 BAPA | 1 | 1 | 1 | 1 |
| Total Full-Time Positions | | 1 | 1 | 1 | 1 |

Part-Time Positions

| | | | | | |
|----------------------------------|---------|----------|----------|----------|----------|
| Account Clerk (Not funded) | 7 CSEA | 1 | 1 | 1 | 1 |
| Field Supervisor | 12 CSEA | 1 | 1 | 1 | 1 |
| Total Part-Time Positions | | 2 | 2 | 2 | 2 |
| TOTAL POSITIONS | | 3 | 3 | 3 | 3 |

Intro No. 17
Date 4/21/16
Reviewed by
Co. Attorney HL
Date 3/23/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-146
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services and Finance Committees
Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS SOFA PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2016-2017

WHEREAS, this County Legislature, by Resolution 300 of 2015, 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, 2015 through March 31, 2016, 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, 2016 through March 31, 2017, 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, 2016 through March 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$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, 2016 through March 31, 2017, 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 her 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 her 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 her 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.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016
Approved [Signature]
County Executive
Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

EXHIBIT A

**BROOME COUNTY OFFICE AGING
FOSTER GRANDPARENTS - SOFA
4/01/16 TO 3/31/17
DEPT. ID/PROJECT CODE 34010006 - 3410587
RENEWAL 4/2016**

| | CURRENT BUDGET 2015-16 | PROPOSED BUDGET 2016-17 |
|-------------------------------------|---------------------------------------|--|
| <u>APPROPRIATIONS</u> | | |
| <u>CONTRACTUAL EXPENSES</u> | | |
| 6004048 MISC OPERATING SUPPLIES | \$0 | \$0 |
| 6004105 DUES & MEMBERSHIPS | \$0 | \$0 |
| 6004160 MILEAGE & PARKING | \$0 | \$0 |
| 6004164 NON-EMPLOYEE TRAVEL | \$6,135 | \$6,135 |
| 6004167 FGP STIPENDS | \$0 | \$0 |
| 6004201 INSURANCE PREMIUMS | \$0 | \$0 |
| 6004606 TELEPHONE BILLING ACCOUNT | \$0 (1) | \$0 |
| 6004610 PERSONAL SVC.CHGBKS. | \$1,082 (1) | \$1,082 (1) |
| 6004618 POSTAGE CHARGEBACKS | \$0 | \$0 |
| 6004625 FOOD SERVICE CHARGEBACKS | \$0 | \$0 |
| 6004400 MEDICAL & PHYSICAL EXAMS | \$0 | \$0 |
| TOTAL CONTRACTUAL EXPENSES | \$7,217 | \$7,217 |
| TOTAL GRANT APPROPRIATIONS | \$7,217 | \$7,217 |
| <u>REVENUES</u> | | |
| 5000868 FGP - STATE AID | \$7,217 (2) | \$7,217 (2) |
| TOTAL GRANT PROGRAM REVENUES | \$7,217 | \$7,217 |

(1) LINE INCLUDES SALARY & FRINGE BENEFITS AS A CHARGEBACK FROM FGP-CNCS.
BUDGET FOR PERSONNEL PERFORMING FUNCTIONS IN THE FOSTER
GRANDPARENT-SOFA PROGRAM.

(2) REVENUE FOR PROGRAM IS 100% STATE FUNDS

REIMBURSEMENT FROM STATE OFFICE FOR AGING IS RECEIVED IN APPROXIMATELY
30 DAYS FROM DATE VOUCHER IS SUBMITTED.

Intro No. 18
Date 4/21/16
Reviewed by hws
Co. Attorney
Date 4/13/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-147
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Personnel, Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION CONFIRMING THE APPOINTMENT OF SEAN J. BRITTON AS BROOME COUNTY DIRECTOR OF PUBLIC HEALTH

WHEREAS, Debra A. Preston, County Executive, pursuant to the authority vested in her by Article VII, Section C701 of the Broome County Charter, has duly designated and appointed, pending confirmation by this County Legislature, Sean J. Britton, 29 Beechknoll Road, Binghamton, New York 13903 as Broome County Director of Public Health, at the 2016 minimum annual salary of \$81,348 (Admin II, Grade I), effective April 30, 2016, and

WHEREAS Sean J. Britton is qualified to fill the position of Director of Public Health, and

WHEREAS, Sean J. Britton has received provisional approval for the position from the New York State Commissioner of Health, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article VII, Section C701 of the Broome County Charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Sean J. Britton 29 Beechknoll Road, Binghamton, New York 13903, as Broome County Director of Public Health at the 2016 minimum annual salary of \$81,348 (Admin II, Grade I), effective April 30, 2016, in accordance with his appointment by the County Executive.

COUNTY OF BROOME) ss:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Debra Preston
County Executive

Date 4/22, 2016

Clerk, County Legislature
County of Broome

Intro No. 19
Date 4/21/16
Reviewed by [Signature]
Co. Attorney
Date 3/25/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-148
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Personnel, Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF PUBLIC HEALTH

RESOLVED, that in accordance with a request contained in PCR# 16-98 from the Director of Public Health, this County Legislature hereby changes the position of Senior Account Clerk, Grade 9, Union Code 04 CSEA, minimum hourly rate \$13.2002, 37.5 hours weekly, budget line 25010004.6001000.1010 to Principal Account Clerk, Grade 13, Union Code 04, CSEA, minimum hourly salary \$16.0969, 40 hours weekly, budget line 25010004.6001000.1010 effective May 9, 2016, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 16-99 from the Director of Public Health, this County Legislature hereby changes the position of Senior Account Clerk, Grade 9, Union Code 04 CSEA, minimum hourly rate \$13.2002, 37.5 hours weekly, budget line 25010004.6001000.1010 to Senior Account Clerk, Grade 9, Union Code 08, CSEA Part-time, minimum hourly salary \$13.2002, 22.5 hours weekly, budget line 25010004.6001001.1010 effective May 9, 2016.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 20
Date 4/21/16
Reviewed by Luigi Schmidt
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-149
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Public Safety & Emergency Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CHEMUNG COUNTY SHERIFF'S OFFICE FOR HOUSING OF BROOME COUNTY INMATES FOR THE OFFICE OF THE SHERIFF FOR 2016-2017

WHEREAS, this County Legislature, by Resolution 127 of 2015, authorized renewal of an agreement with the Chemung County Sheriff's Office for housing of Broome County inmates for the Office of the Sheriff at the cost of \$80 per inmate per day, for the period May 2, 2015 through May 1, 2016, and

WHEREAS, said agreement is necessary to relieve overcrowding on an as-needed basis at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on May 1, 2016, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$80 per inmate per day for the period May 2, 2016 through May 1, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chemung County Sheriff's Office, 203 William Street, Elmira, New York 14901 for housing of Broome County inmates for the Office of the Sheriff for the period May 2, 2016 through May 1, 2017, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$80 per inmate per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004124.1010 (Inmate Expense-Other Facilities), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No.

21

Date

4/21/16

Reviewed by
Co. Attorney

Scott Schmitt

Date

4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No.

2016-150

Date Adopted

4/21/16

Effective Date

4/22/16

Sponsored by: Public Safety & Emergency Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CHENANGO COUNTY CORRECTIONAL FACILITY FOR HOUSING OF BROOME COUNTY INMATES FOR THE OFFICE OF THE SHERIFF FOR 2016-2017

WHEREAS, this County Legislature, by Resolution 128 of 2015, authorized renewal of an agreement with the Chenango County Correctional Facility for housing of Broome County inmates for the Office of the Sheriff at the cost of \$80 per inmate per day, for the period April 23, 2015 through April 22, 2016, and

WHEREAS, said agreement is necessary to relieve overcrowding on an as-needed basis at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on April 22, 2016, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$80 per inmate per day for the period April 23, 2016 through April 22, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chenango County Correctional Facility, 279 County Road 46, Norwich, New York 13815 for housing of Broome County inmates for the Office of the Sheriff for the period April 23, 2016 through April 22, 2017, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$80 per inmate per day, total amount not to exceed \$40,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004124.1010 (Inmate Expense-Other Facilities), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved

Debra Krest
County Executive

Date

4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 22
Date 4/21/16
Reviewed by Dietschmitt
Co. Attorney
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-151
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Public Safety & Emergency Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH PRISONER TRANSPORTATION SERVICES (PTS) OF AMERICA, LLC FOR THE TRANSPORTATION OF PRISONERS FOR THE OFFICE OF THE SHERIFF FOR 2016-2017

WHEREAS, RFP 2016-13 Interstate Transportation of Prisoners was advertised, and

WHEREAS, as a result of said RFP, the Sheriff requests authorization for an agreement with PTS of America for the transportation of prisoners for the Office of the Sheriff at a cost not to exceed \$25,000 per year, for the period May 1, 2016 through April 30, 2017 with the option for three one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary for the transportation of prisoners and fugitives from justice, now, therefore; be it

RESOLVED, that this County Legislature hereby authorizes an agreement with PTS of America, LLC, PO Box 121591, Nashville, Tennessee 37212, for the transportation of prisoners for the Office of the Sheriff for the period May 1, 2016 through April 30, 2017, with the option for three one-year renewals under the same terms and conditions, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004164.1010 (Non-Employee Travel, Hotel & Meals), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016

Intro No. 23c
Date 4/21/16
Reviewed by [Signature]
Co. Attorney
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-152
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Public Safety & Emergency Services and Finance Committees
Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM FUNDING FOR THE DIVISION OF SECURITY FOR 2012-2016

WHEREAS, this County Legislature, by Resolution 322 of 2013, authorized acceptance of Law Enforcement Officer Reimbursement Agreement Program Funding from the Transportation Security Administration in the amount of \$231,000 for the period October 1, 2012 through September 30, 2015, and

WHEREAS, said funding provides reimbursement to Broome County for Security Officers assigned to the Greater Binghamton Airport for the purpose of providing a law enforcement presence and capability that adequately insures the safety of passengers and national security, pursuant to 49 U.S.C. §44903c and 49 C.F.R. Part 1542, and

WHEREAS, it is necessary to authorize the amendment of said agreement to accept additional funding in the amount of \$24,000 and extend the term through March 31, 2016, and

WHEREAS, the Director of Security has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Transportation Security Administration, OLE/FMS/LEO Program, TSA-18,601 A.12th Avenue, E8-206S, Arlington, Virginia 22202 to accept additional funding in the amount of \$24,000 and extend the period through March 31, 2016 for the Division of Security's Law Enforcement Officer Reimbursement Agreement Program, and be it

FURTHER RESOLVED, that Resolution 322 of 2013 and Resolution 311 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016

Intro No. 24
Date 4/21/16
Reviewed by David Schmitt
Co. Attorney
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-153
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Public Works & Transportation and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH GHD CONSULTING ENGINEERS FOR PROFESSIONAL SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2010-2016

WHEREAS, this County Legislature, by Resolution 353 of 2004, last amended by Resolution 110 of 2015, authorized renewal of agreement with GHD Consulting Engineers for professional engineering services for the Division of Solid Waste Management at an amount not to exceed \$156,300 for the period September 1, 2010 through April 30, 2016, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$25,000 for assistance at the Leachate Pretreatment Facility and Landfill Section IV Cells 1, 2 & 3, and development of a matrix of operation and maintenance activities associated with the Old Landfill/Valley Fill/Section I and Section II/III landfill footprints, and extend the period through April 30, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with GHD Consulting Engineers, One Remington Park Drive, Cazenovia, New York, 13035, to increase the not to exceed amount by \$25,000 for assistance at the Leachate Pretreatment Facility and Landfill Section IV Cells 1, 2 & 3, and development of a matrix of operation and maintenance activities associated with the Old Landfill/Valley Fill/Section I and Section II/III landfill footprints, and extend the period through April 30, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$181,300 for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 353 of 2004, Resolution 400 of 2005, Resolution 738 of 2006, Resolution 524 of 2007, Resolution 458 of 2008, Resolution 395 of 2009, Resolutions 591 and 337 of 2010, Resolutions 306 and 154 of 2011, Resolution 168 of 2012, Resolution 253 of 2013, 165 of 2014, and 110 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Debra Presto
County Executive

Date 4/27, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 25
Date 4/21/16
Reviewed by Leah J. Schmitt
Co. Attorney
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-154
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Public Works & Transportation and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH i3 ELECTRONICS, INC., F/K/A HURON REAL ESTATE ASSOCIATES LLC FOR THE DISCHARGE 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 2014-2016

WHEREAS, this County Legislature, by Resolution 164 of 2014 authorized renewal of an agreement with i3 Electronics, Inc., f/k/a Huron Real Estate Associates LLC for a pilot treatment study for the discharge 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 \$18 per 1,000 gallons of leachate, plus reimbursement for any additional laboratory sampling and testing requirements deemed necessary by the New York State Department of Environmental conservation, above and beyond the routine sampling program, total amount not to exceed \$450,000 for the period May 1, 2014 through April 30, 2016, and

WHEREAS, said agreement is necessary to discharge raw leachate to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount to \$20 per 1,000 gallons of leachate, total amount not to exceed \$225,000 for the period May 1, 2016 through April 30, 2017, and

WHEREAS, the Commissioner of Public Works has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with i3 Electronics, Inc., Dept. 723, Lockbox 8000, Buffalo, New York 14267-0002 to increase the not to exceed amount to \$20 per 1,000 gallons of leachate, total amount not to exceed \$225,000 for the period May 1, 2016 through April 30, 2017, and be it

FURTHER RESOLVED, that Resolution 164 of 2014, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Debra Preston
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 26
 Date 4/21/16
 Reviewed by Lois Schmitt
 Co. Attorney
 Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
 BINGHAMTON, NEW YORK

Permanent No. 2016-155
 Date Adopted 4/21/16
 Effective Date 4/22/16

Sponsored by: Public Works & Transportation and Finance Committees
Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF AVIATION TO CANCEL UNCOLLECTIBLE ACCOUNTS

WHEREAS, the Commissioner of Aviation has requested authorization to cancel uncollectible accounts for the Department of Aviation, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Aviation to cancel uncollectible accounts as follows:

| Name | Amount | Dept. Account | Reason |
|--------------------------|------------|------------------|--|
| Sunnyfield Aviation | \$300 | 28160005.5000126 | Invoice dated 7/7/14 sent multiple times with no response |
| TAG Aviation | \$1,142.57 | 28160005.5000126 | Invoice dated 12/30/14 sent multiple times with no response |
| National Weather Service | \$2,541.01 | 28150005.5000137 | Invoices from 6/15 - 12/15. NWS Stopped paying 6/15 as discussed with Department of Aviation |

and be

FURTHER RESOLVED, that the Commissioner of Aviation, the Director of the Office of Management and Budget and the Comptroller are authorized to make all necessary accounting entries to effectuate the intent and purpose of this Resolution.

COUNTY OF BROOME) ss.:
 STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016
 Approved [Signature]
 County Executive
 Date 4/22, 2016

[Signature]
 Clerk, County Legislature
 County of Broome

Intro No. 27
Date 4/21/16
Reviewed by
Co. Attorney RLS
Date 3/28/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-156
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services Committee

Seconded by: Hon. Stephen J. Flagg

**RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY
OFFICE FOR AGING ADVISORY BOARD**

WHEREAS, Debra A. Preston, Broome County Executive, pursuant to the authority vested in her by Resolution 165 of 1973, has duly designated and appointed the following named individual to membership on the Broome County Office for Aging Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

| <u>NAME</u> | <u>TERM EXPIRING</u> |
|--|----------------------|
| Dr. Frederick J. Lacey 9 Oak Street Binghamton, New York 13905 | 12/31/2019 |

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 165 of 1973, confirms the appointment of the above-named individual to membership on the Broome County Office for Aging Advisory Board for the term indicated, in accordance with his appointment by the County Executive.

COUNTY OF BROOME) ss.:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved Debra Preston
County Executive

Date 4/21, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 28
Date 4/21/16
Reviewed by
Co. Attorney RCS
Date 3/25/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-157
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Health & Human Services and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2016

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with the Children's Home of Wyoming Conference for non-secure detention for the Department of Social Services at a cost not to exceed \$343,000, for the period May 1, 2016 through December 31, 2016, with the option for three one-year renewals, not to exceed approved budget appropriations, and

WHEREAS, said agreement is necessary to secure four beds for court ordered persons in need of supervision, juvenile delinquents and related detention services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901 for non-secure detention for the Department of Social Services for the period May 1, 2016 through December 31, 2016, with the option for three one-year renewals, not to exceed approved budget appropriations, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$343,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35070006.6004315.1010 (Foster Care NS Det), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 219
 Date 4/21/16
 Reviewed by RWS
 Date 3/29/16

RESOLUTION
BROOME COUNTY LEGISLATURE
 BINGHAMTON, NEW YORK

Permanent No. 2016-158
 Date Adopted 4/21/16
 Effective Date 4/22/16

Sponsored by: Finance and Public Works & Transportation Committees

Seconded by: Hon. Greg W. Baldwin

RESOLUTION AMENDING THE 2016 CAPITAL IMPROVEMENT PROGRAM RUNWAY 16/34 REHABILITATION CONSTRUCTION PROJECT

RESOLVED, that the 2016 Capital Improvement Program is hereby amended to create a new project for Aviation as follows:

| Code | Project Name | Total | Estimated Construction Cost: | | | County |
|---------|---------------------------------|-------------|------------------------------|-----------|--|-----------|
| | | | Federal | State | | |
| 2820060 | Runway 16/34 Rehab Construction | \$9,000,000 | \$8,100,000 | \$450,000 | | \$450,000 |

| Local Finance Law Section 11 | | | How Financed: | |
|------------------------------|-----|-----|---------------|-----------------|
| Year Start | YPU | LFL | Bond | Current Revenue |
| 2016 | 30 | 15 | \$9,000,000 | \$0 |

Description: To create a project for the Runway 16/34 Rehabilitation Construction.

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.

COUNTY OF BROOME) ss.:
 STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
 County Executive

Date 4/22, 2016

[Signature]
 Clerk, County Legislature
 County of Broome

Intro No. 30
Date 4/21/16
Reviewed by [Signature]
Co. Attorney
Date 4/4/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-159
Date Adopted 4/21/16
Effective Date _____

Sponsored by: County Administration and Finance Committees
Seconded by: Hon. Stephen J. Flagg

RESOLUTION ASSIGNING ALL BROOME COUNTY CONTRACTS WITH TW TELECOM TO LEVEL 3 COMMUNICATIONS, LLC

WHEREAS, Broome County currently has contracts with TW Telecom, including but not limited to 1236-320,1236-320-1,1236-320-2,1236-215,1236-316, 1236-386, 1236-396 and 1236-401, and

WHEREAS, on February 2, 2016 TW Telecom changed its name to Level 3 Communications, LLC, and

WHEREAS, Broome County wishes to assign all TW Telecom contracts including but not limited to 1236-320,1236-320-1,1236-320-2,1236-215,1236-316, 1236-386, 1236-396 and 1236-401 to Level 3 Communications, LLC, in accordance with the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the assignment of TW Telecom contracts including but not limited to 1236-320,1236-320-1,1236-320-2,1236-215,1236-316, 1236-386, 1236-396 and 1236-401 to Level 3 Communications, LLC, P.O. Box 910182, Denver, Colorado 80291-0182, in accordance with the same terms and conditions,

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/21, 2016

Intro No. 31
Date 4/21/16
Reviewed by
Co. Attorney Lisa D. Schmitt
Date 4/21/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-160
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: County Administration and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC FOR BANDWIDTH ON THE POINT-TO-POINT CONNECTION BETWEEN THE BROOME COUNTY OFFICE BUILDING AND THE PUBLIC SAFETY FACILITY FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2016

WHEREAS, the Director of Information Technology requests authorization for an agreement with Level 3 Communications, LLC for bandwidth on the Point-to-Point Connection between the Broome County Office Building and the Public Safety Facility for the Division of Information Technology at a cost not to exceed \$16,025 for the period May 1, 2016 through September 15, 2016, with the option to renew on a month to month basis at the rate of \$3,205 per month, total amount of initial term and any renewals not to exceed \$48,575, and

WHEREAS, said agreement is necessary for 300Mbps bandwidth on the Point-to-Point connection between the Broome County Office Building and the Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Level 3 Communications, LLC, P.O. Box 910182, Denver, CO 80291-0182 for bandwidth on the Point-to-Point connection between the Broome County Office Building and the Public Safety Facility for the Division of Information Technology for the period May 1, 2016 through September 15, 2016, with the option to renew on a month to month basis at the rate of \$3,205 per month, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$48,575 for the initial term and any renewals, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 10020001.6004505.1010 (Contracted Data Processing Services), and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 32
Date 4/21/16
Reviewed by
Co. Attorney AGS
Date 3/31/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-161
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Personnel and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH THE BROOME COUNTY ADMINISTRATIVE AND PROFESSIONAL ASSOCIATION FOR 2015-2019

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized the Broome County Administrative and Professional Association as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislature, by Resolution 317 of 2010, authorized a written agreement with the Broome County Administrative and Professional Association setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 2010 through December 31, 2014, and

WHEREAS, a tentative agreement has been reached with the Broome County Administrative and Professional Association for the period January 1, 2015 through December 31, 2019, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Administrative and Professional Association, setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 2015 through December 31, 2019, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 2010-2014 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, and be it

FURTHER RESOLVED, that the County Executive or her 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.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22/16, 20

[Signature]
Clerk, County Legislature
County of Broome

Exhibit A

**Broome County and Broome Administrative and Professional Association (BAPA)
Contract Negotiations
February 25, 2016
TENTATIVE AGREEMENT**

Amend Article 3 ("Recognition"), Add Section 4 as follows:

COVERED EMPLOYEES:

Full-time, Regular (1000 line) - Employees who work 37.5 or 40 hours/week, and have been appointed from a civil service list, on a permanent basis or are in an unclassified, non-competitive, labor or exempt class position where there is an expectation of continuing employment.

Part-time, Regular (1500 line) - Employees working at least 18-3/4 hours/week but less than full-time in a position with a full-time equivalent of 37.5 hours per week or 20 hours per week but less than a full-time equivalent of 40 hours per week and who are serving in positions as described above.

Amend Article 9 ("Compensation"), Section 2a as follows:

Each full-time employee who is at Step 4 or below shall receive a 3% performance step on his/her anniversary date in title, provided that he/she has received a satisfactory performance evaluation. For the purposes of this salary plan, the term "anniversary date in title" (current title or grade) shall mean the day upon which the employee assumed the duties and responsibilities of a particular title, whether on a temporary, provisional, probationary or permanent basis, unless the assumption of the particular position is in the same pay grade as the employee's previous title as reflected in the records on file in the Department of Personnel.

Employees hired after the ratification of this contract will receive step increases of 3% over a ten (10) year period. Those step increases will occur every other year starting with their second anniversary and occurring every other year after that for a total of five (5) steps over ten (10) years.

Amend Article 9 ("Compensation"), Section 3b as follows:

Where an employee covered by this Agreement is asked in writing by the County Executive to assume an acting position in a grade higher than his/her own in addition to his/her regular duties for a period in excess of thirty (30) working days cumulative per year, the employee shall be paid the minimum of the new grade, or have added to his/her

salary 7% of their base salary whichever is greater, for the period of assignment which extends beyond thirty (30) working days cumulative per year. Should the assignment extend a total of six (6) months, legislative authorization shall be required for additional remuneration beyond that period.

Amend Article 9 ("Compensation"), Section 4 as follows:

- a) If the majority of an employee's (exclusive of nurses* at WPNH) regularly scheduled hours per day fall between 3:00 pm and 11:00 pm, they shall be paid \$1.2500 per hour shift differential. Nurses* at WPNH shall receive \$1.00 per hour differential.
- b) If the majority of an employee's (exclusive of nurses* at WPNH) regularly scheduled hours per day fall between 11:00 pm and 7:00 am, they shall be paid \$1.2500 per hour shift differential. Nurses* at WPNH shall receive \$1.00 per hour differential.
- c) Nurses* at WPNH If the majority of an employee's shift who work falls anytime from Friday 11:00 PM to Sunday-Monday 5:00 APM, that employee shall receive an additional (weekend) differential of 7550 cents per hour.

*Nursing positions covered under this contract.

Amend Article 9 ("Compensation"), Section 5 as follows:

Nurses: Provisions for hiring above the minimum

| <u>Years Practical Experience</u> | <u>Hire at Step</u> |
|-----------------------------------|---------------------|
| 0 - 1.5 | 3 |
| 1.5 - 2.5 | 4 |
| 2.5 & above | 5 |

Nurses covered under this contract may be hired at the appropriate step level based on their years of service and qualifications.

Amend Article 9 ("Compensation"), Section 6 as follows:

All full-time and part-time permanent or provisional employees of this bargaining unit who have completed one or more years of service with the County, from date of hire, and who resign or, due to budgetary reforms, loss of funding, and/or job elimination, lose their employment, shall receive full payment for all accumulated vacation (so long as that payment is consistent with other articles in this contract). In addition, if such employee is returned to work with the County within six-twelve (126) months of the termination

he/she shall have restored all sick time benefits at the same accrual level the employee had accumulated prior to termination.

Amend Article 12 ("Work Schedule"), Section 3 as follows:

"On call" pay shall be established in order to provide 24-hour coverage. Employees required to be "on call" shall be paid at a rate of \$20 for each weekday of "on call" status (Monday-Friday). Each weekend day (Saturday and Sunday) of "on call" status shall be paid at a rate of \$30.00 per 12-hour shift and each holiday of "on call" status shall be paid at a rate of \$32.50 per 12-hour shift. Eight (8) hour shifts of "on call" shall be paid at the same rates as 2009—\$20 for each weekday (Mon-Fri); \$30 for each weekend day and \$32.50 for each holiday of "on call" status.

Effective January 1, 2011, employees required to be "on call" shall be paid at a rate of \$25 per 12 hour shift for each weekday of "on call" status (Monday-Friday). Each weekend day (Saturday and Sunday) of "on call" status shall be paid at a rate of \$35.00 per 12 hour shift and each holiday of "on call" status shall be paid at a rate of \$40.00 per 12 hour shift. Eight (8) hour shifts of "on-call" shall be paid at the same rates of as 2009—\$20 for each weekday (Mon-Fri); \$30 for each weekend day and \$32.50 for each holiday of "on-call" status.

Amend Article 12 ("Work Schedule"), Section 4 as follows:

An employee shall be "on call" when he/she is directed to be "on call" and is required to be available to respond to work related calls for a specified period of time. Any employee required to carry a pager and/or cell phone and is directed to be "on call" shall be deemed to be "on call", whereas voluntarily carrying a pager and/or cell phone does not place the employee "on call".

Amend Article 14 ("Vacation"), Section 5 as follows:

An employee who has completed one year of continuous service shall be entitled each year to a carry over of ten (10) days of accrued vacation. After five years of continuous service, an employee shall be entitled to carry over fifteen-twenty (20-15) days accrued vacation without department head approval and up to twenty-five (25) days accrued vacation with department head approval. Notification of the intent to carry over two weeks will be made well in advance of the end of the calendar year. Effective January 1, 2010, an employee shall be entitled to carry over twenty (20) days of accrued vacation without Department Head approval, and up to twenty-five (25) days with Department Head approval. Any authorized carry over days in excess of twenty-two (22) days must

be used or taken prior to any separation from employment and will not be paid at time of separation from employment.

Amend Article 14 ("Vacation"), Section 10 as follows:

Money for any vacation due an employee who resigns or retires (Including vacation earned but not yet received) will be paid to the employee. Similarly, the estate or beneficiary of a deceased employee will be paid for any unused vacation.

An employee terminated for cause shall not be paid for any unused vacation.

Amend Article 15 ("Sick Leave") as follows:

Upon completion of one (1) month of continuous service, full-time, and regular part-time employees shall begin to accumulate one (1) day of sick leave per month.

Amend Article 18 ("Health Insurance") as follows:

All employees eligible for health insurance coverage hired by Broome County subsequent to final ratification of this agreement will be eligible for medical insurance coverage in the Broome County RMSCO-Advantage Plan only on the first of the month following one month of employment. These employees electing to enroll in this Plan will be offered an opportunity to switch into another health plan offering, if desired, at the next open enrollment period following one year of enrollment in the Advantage Plans service. After this open enrollment period, employees will not be offered the opportunity to switch back into another plan offering.

~~Employees hired prior to the final ratification of this agreement may elect to enroll in the Advantage Plan beginning January 1, 2011. Any employees electing coverage under the Advantage Plan will have a one-time opportunity to switch back into another health plan offering at the next open enrollment period following one year of coverage under the Advantage Plan. After this open enrollment period, employees will not be offered the opportunity to switch back into another plan offering.~~

Insurance eligible employees hired on or after final ratification of this contract shall pay 220% of the premium cost for employee and dependent coverage for the life of the contract.

Current employees at the time of final ratification of this contract will continue to pay 2045% of the premium cost for employee and/or dependent coverage.

Delete reference to 2010 prescription co-pays.

Amend Article 19 ("Bereavement Leave"), Section 1 as follows:

The Public Employer agrees to grant a bereavement leave in the event of a death in the family of an employee covered by this Agreement. The employee shall be entitled, when such leave is so required, to the next three (3) scheduled workdays with regular pay to arrange for or attend the funeral and burial. Immediate family shall be deemed to be the husband, wife, children, stepchildren, mother, father, stepmother, stepfather, brother, sister, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law or daughter-in-law or grandparents of the employee and employee's spouse. One (1) workday bereavement leave will be allowed to attend the funeral and/or burial of a ~~sister-in-law, brother-in-law, an~~ aunt or uncle of the employee ~~and grandparents of employee's~~ spouse. The bereavement time to which an employee shall be entitled shall not be deducted from sick leave or vacation time.

Amend Article 21 ("Longevity Service Pay") as follows:

1) All full-time employees will be paid longevity service adjustments as follows:

Employees hired by Broome County before March 1, 2016 shall be eligible for longevity service payments upon the completion of each of the following years of service:

| <u>Years of Service</u> | <u>Payment</u> |
|-------------------------|----------------|
| 6-9 | \$850 |
| 10-14 | \$1,100 |
| 15-19 | \$1,300 |
| 20-24 | \$1,500 |
| 25-29 | \$1,700 |
| <u>30+30-35</u> | \$1,900 |

Employees hired by Broome County on or after March 1, 2016 shall be eligible for longevity service payments upon the completion of each of the following years of service:

| <u>Years of Service</u> | <u>Payment</u> |
|-------------------------|----------------|
| 15-19 | \$1,300 |
| 20-24 | \$1,500 |
| 25-29 | \$1,700 |
| 30+ | \$1,900 |

2) Payment shall be made, as close to November 1, of each year as is possible. The payment shall be made in a regular paycheck, ~~and a payroll factor will be used for tax purposes.~~

3) Payments made in November shall be for the appropriate years of service attained during that calendar year. e.g., an employee who completes their tenth year of service in July shall be paid the following November.

4) Employees who leave the service of the County after the completion of the necessary amount of years to receive a longevity payment but before the payment is made shall be eligible for prorated longevity benefits. The pro-rated payment is determined by applying the number of months worked between the employee's last anniversary date and the separation date. Employees completing more than half of the last month worked will be credited for a full month. Longevity credit is not allowed when an employee is on an unauthorized absence or an authorized absence without pay.

5) An employee who is terminated for cause shall not receive longevity.

Amend Article 22 ("Pensions"), Section 2 as follows:

2) Effective January 1, 1973, all employees covered under this Agreement shall be eligible to receive the benefits of 41 (j) (conversion of unused sick leave benefits) as provided by law. The entire premium for this benefit shall be paid by the employer. Any employee covered by this agreement shall be paid for any accumulated sick days in excess of the maximum number of days that can be applied to the years of service for retirement purposes under New York Retirement Law. Said payment shall be at the employee's rate of pay at the time of retirement. In the event that an active employee passes away before retirement, the employee's estate or beneficiary will be paid for any accumulated sick days in excess of the maximum number of days that can be applied to the years of service for retirement purposes under New York Retirement Law at the employee's rate of pay at the time of death.

Amend Article 26 ("Educational Leave"), Section 1 as follows:

Employees may be granted up to five (5) hours of education leave per week to attend job-related classes. Each year a fund of ~~\$3,500~~ \$5,000 will be established for the purpose of reimbursing employees for tuition only for job-related coursework. ~~Effective January 1, 2011, this will increase to \$5,000.~~ Such courses shall be credit bearing and shall directly affect the employee's current job or career development within Broome County. Reimbursement will be based on the attainment of at least a grade of C or better.

Amend Article 33 ("Payroll"), Section 1 as follows:

Remove the asterisk and delete the sentence attached to the asterisk:

~~*Normal gross pay consisting of an employee's hourly rate multiplied by the normal biweekly hours as designated in the MSA payroll system.~~

Amend Article 36 ("Uniforms") as follows:

Any employee who is required by their Department Head to wear a uniform in the performance of his/her job duties shall be provided with a sufficient number of said uniforms at County expense or shall be paid a uniform allowance of \$2590 per year. This will increase to \$300250 effective January 1, 2017~~4~~. BAPA employees assigned on a temporary or occasional basis to perform work ordinarily performed by uniformed employees shall either be provided with uniforms or with appropriate protective outer clothing. The decision to provide uniforms or pay the allowance will be made by the Department Head.

Amend Appendix A to reflect the BAPA positions represented as determined in a recent MOU. (language to be updated per MOU)

Amend Article 9 ("Compensation), Section 1 to reflect the following:

Wages: 2016: 1.25% General Wage Increase
2017: COLA* increase not to exceed 2.5%, but no less than 1.75%
2018: COLA* increase not to exceed 2.5%, but no less than 2%
2019: COLA* increase not to exceed 2.75%, but no less than 2.25%

* COLA increase shall be equal to the calculated Northeast CPI-U (All Urban Consumers) from the twelve month period of July through June of the preceding two years calculated out to the 100th place value.

- Minimum salaries on the BAPA schedule will increase in 2017 and 2019 by the same amount as the wage increase listed above for that year.
-

Upon ratification of this contract by BAPA and the Broome County Legislature, MOUs will be mutually agreed on by BAPA and the County to reflect the following:

- Article 26, Section 3 provides \$500 in the tuition reimbursement fund for BAPA employees to sponsor in-service training in a related area for management and professionals. The MOU will provide for an additional \$2000 so long as the training has been approved by the personnel department. This MOU will last for the duration of the CBA, and may be reassessed during the next contract negotiation.
- Amend sick bank rules on a trial basis to temporarily stop contributions of longer term employees so long as the sick bank has more the 2750 days in it. This MOU will last for the duration of the CBA, and may be reassessed during the next contract negotiation.

County and BAPA Tentative Agreement 2015-2019

Accepted and agreed to by:

BAPA

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

Broome County

[Handwritten Signature]

Jennifer L. B. Katz

Marie Kalber

Intro No. 34
Date 4/21/16
Reviewed by WNS
Date 3/31/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-163
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Finance Committee
Seconded by: Hon. Stephen J. Flagg

RESOLUTION APPROVING THE SALE OF COUNTY-OWNED REAL PROPERTY IN THE CITY OF BINGHAMTON

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

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

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

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

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

COUNTY OF BROOME) ss:
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016
Approved [Signature]
County Executive
Date 4/21, 2016

[Signature]
Clerk, County Legislature
County of Broome

Exhibit A

Prepared by: Chloe A. Riley-Haner

SALE OF REAL PROPERTY

Purchaser

City of Binghamton

38 Hawley St

Binghamton NY 13902

| Serial | Town | Address | Tax ID | Lot sz | Cl | assessor record | Purchase price |
|---------------|---------------------|---------------------|--------------------|---------------|------------|---------------------------|----------------|
| <u>13-212</u> | <u>C-Binghamton</u> | <u>17 Mygatt St</u> | <u>144.79-1-32</u> | <u>47*132</u> | <u>411</u> | <u>6 units 6285sf grg</u> | \$ 28,000.00 |
| <u>13-213</u> | <u>C-Binghamton</u> | <u>15 Mygatt St</u> | <u>144-79-1-33</u> | <u>50*132</u> | <u>411</u> | <u>6 units 6285sf grg</u> | \$ 28,000.00 |

Intro No. 35
Date 4/21/16
Reviewed by RCS
Co. Attorney
Date 3/31/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-164
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: Personnel and Finance Committees

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF PERSONNEL

RESOLVED, that in accordance with a request contained in PCR# 16-118 from the Personnel Officer, this County Legislature hereby funds the position of Senior Personnel Associate, Grade 18, Union Code 09 Admin I, minimum annual salary \$40,400, 37.5 hours weekly, budget line 13000001.6001000.1010, effective April 25, 2016, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 16-119 from the Personnel Officer, this County Legislature hereby changes the position of Personnel Associate, Grade 16, Union Code 09 Admin I, minimum annual salary \$36,611, 37.5 hours weekly, budget line 13000001.6001000.1010 to Senior Personnel Associate, Grade 18, Union Code 09 Admin I, minimum annual salary \$40,400, 37.5 hours weekly, budget line 13000001.6001000.1010, effective April 25, 2016, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 16-220 from the Personnel Officer, this County Legislature hereby abolishes the position of Personnel Associate, Grade 16, Union Code 09 Admin I, minimum annual salary \$36,611, 37.5 hours weekly, budget line 13000001.6001000.1010 effective April 25, 2016.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 36
Date 4/21/16
Reviewed by MMS
Co. Attorney
Date 4/5/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-165
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: County Administration Committee

Seconded by: Hon. Stephen J. Flagg

RESOLUTION OF CONDOLENCE ON THE DEATH OF JEFFREY P. KRAHAM

WHEREAS, former Broome County Legislature Chairman and County Executive Jeffrey P. Kraham passed away on March 4, 2016; and

WHEREAS, Jeffrey P. Kraham, a resident of the Town of Fenton, served the citizens of Broome County as a member of the Broome County Legislature representing former District 8, from 1977 through 1990, and as Chairman of the Broome County Legislature from 1981 through 1986, becoming the youngest County Legislature Chairman in New York State history at the age of 31; and

WHEREAS, Jeffrey P. Kraham also served his community as the Broome County Executive from 1997 to 2004 and most recently as a member of the Fenton Town Board; and

WHEREAS, Jeffrey P. Kraham's flagship project while serving as County Executive was the construction of a state-of-the-art public library, which now bears his name, designed to educate and energize the community and ensure that generations of residents had free access to the knowledge needed to prosper in life; and

WHEREAS, Jeffrey P. Kraham will long be remembered for his legacy of service to the Town of Fenton and Broome County, as a sincere and detail oriented public servant who was always looking out for what was best for Broome County and its residents; and

WHEREAS, Jeffrey P. Kraham also served his country in the U.S. Army Reserves in the medical supply division, where he organized the nation's first blood pressure screening clinic; and

WHEREAS, Jeffrey P. Kraham had success in the private sector with a furniture business and a travel agency because of his honest and detailed approach to customers; and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County Community, wishes to record its condolences in the official proceedings of this body, now, therefore, be it

RESOLVED, that the members of this County Legislature, hereby recognize the loss of Jeffrey P. Kraham, and extend its sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the County Legislature held on April 21, 2016 and to forward a copy of this Resolution to the family of the late Jeffrey P. Kraham.

COUNTY OF BROOME) ss.
STATE OF NEW YORK)

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved *Debra Presto*
County Executive

Date 4/22, 2016

[Signature]
Clerk, County Legislature
County of Broome

Intro No. 37
Date 4/21/16
Reviewed by
Co. Attorney [Signature]
Date 4/22/16

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2016-166
Date Adopted 4/21/16
Effective Date 4/22/16

Sponsored by: County Administration Committee

Seconded by: Hon. Stephen J. Flagg

RESOLUTION AUTHORIZING THE APPOINTMENT OF OLIVER N. BLAISE III, AS BROOME COUNTY COMMISSIONER OF ELECTIONS FOR THE TERM 2013-2016

WHEREAS, this County Legislature, by Resolution 418 of 2013, appointed Robert N. Nielsen Jr. as the Republican Election Commissioner of Broome County to serve the unexpired term of Eugene D. Faughnan which commenced on January 1, 2013 and extends through December 31, 2016, and

WHEREAS, Mr. Nielsen has retired from his position as Election Commissioner and according to Section 3-204 of the Election Law of the State of New York, County Legislative Boards shall fill any vacancy in the manner of a regular appointment for the remainder of the term of the commissioner in whose place he shall serve, and

WHEREAS, the Secretary of the Broome County Republican Committee has filed with the Clerk of this Legislature, on behalf of the Broome County Republican Committee and in compliance with the appropriate provisions of law, the required certificate recommending the appointment of Oliver N. Blaise III to serve the unexpired term as a Commissioner of Elections for Broome County, now, therefore, be it

RESOLVED, that in accordance with the appropriate provisions of law, and the Broome County Charter and Administrative Code, Oliver N. Blaise III, residing at 7 Stearns Road, Binghamton, New York 13901 be and hereby is appointed Republican Election Commissioner of Broome County, New York to serve the unexpired term, which commenced on January 1, 2013 and extends through December 31, 2016.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 21st day of April, 2016, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 22nd day of April, 2016.

Date sent to County Executive April 22, 2016

Approved [Signature]
County Executive

[Signature]
Clerk, County Legislature
County of Broome

Date 4/22, 2016