

COMMITTEE OF THE WHOLE BROOME COUNTY LEGISLATURE MEETING MINUTES
MAY 11, 2023

The Committee of the Whole Broome County Legislature met on Thursday, May 11, 2023 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: D. Reynolds (Chair), S. Flagg, S. Baker, K. Wildoner, K. Myers, G. Baldwin, J. Shaw, M. Hilderbrant, E. Micha, S. Ryan, L. Augostini, B. Weslar

Members Absent: M. Pasquale, M. Kaminsky, M. Whalen

Others Present: J. Garnar, M. Ponticiello, County Exec's Office; M. Heefner, Aviation; R. Behnke, Law; C. Hall, J. Scott, M. Tanzini, Legislature; R. Berkley, Z. Staff, M. Burke, S. Welliver, D. White, T. Sealer, Project Consultants; J. Wood, Laura, Visitors

The meeting was called to order by the Chairman at 5:02 p.m.

County's Response to the Potential Relocation of People Seeking Asylum

The County Executive briefed the Committee on the State of Emergency and Emergency Order that was issued regarding a housing crisis in Broome County and prohibiting hotels, motels and multiple housing dwellings from contracting with municipalities outside Broome County to house asylum seekers. (SOE & EO attached with the minutes)

Greater Binghamton Airport Rehabilitation Project Update

Mr. Heefner introduced Robert Berkley who along with Zach Staff, Meghan Burke, Stephen Welliver, Dan White and Tim Sealer gave a presentation on the Greater Binghamton Airport Rehabilitation Project. (Attached with the minutes)

There being no further business to come before the Committee at this time, Mr. Wildoner made a motion to adjourn, seconded by Mr. Baker. The meeting adjourned at 6:26 p.m.

STATE OF EMERGENCY DECLARATION

A State of Emergency is hereby declared in Broome County
effective at: (area within municipality, or entire municipality)

12:00PM on May 11, 2023
(time) (date)

This State of Emergency has been declared due to

The County of Broome is experiencing a housing crisis due to the limited number of temporary and permanent housing, furthermore

Broome County is not capable of receiving and sustaining any number of migrants and / or asylum seekers.

(description of situation)

This situation threatens the public safety.

This State of Emergency will remain in effect for thirty (30) days or until rescinded by a subsequent order.

As the Chief Executive of Broome County
(name of municipality)

I, Jason T. Garnar, exercise the authority given me under
(name of Chief Executive)

Section 24 of the New York State Executive Law, to preserve the public safety and hereby render all required and available assistance vital to the security, well-being, and health of the citizens of this Municipality.

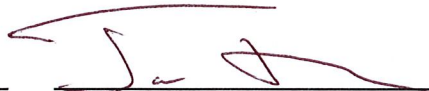
I hereby direct all departments and agencies of

Broome County to take whatever steps necessary to
(name of municipality)

protect life and property, public infrastructure, and provide such emergency assistance deemed necessary.

Jason T. Garnar

(Name)


(Signature)

County Executive

(Title)

May 11, 2023

(Date)

EMERGENCY ORDER

Local Emergency Order for Broome County:

I, Jason T. Garnar, the Chief Executive of Broome County, in accordance with a declaration of a State of Emergency issued on May 11, 2023, and pursuant to Section 24 of New York State Executive Law, do hereby order:

Prohibition of foreign municipal programs that burden the County.

- A. No municipality may make contracts with persons, businesses, or entities doing business within the County to transport migrants or asylum seekers to locations in the County, or to house persons at locations in the County for any length of time without the express written permission of the County Executive or his designee. In addition, no person or entity may act on behalf of any municipality or in performance of a municipal program, or other act funded by a municipality, to perform an act in violation of this subsection.

- B. No hotel, motel, owner of a multiple dwelling, or shelter in Broome County is permitted to contract or otherwise engage in business with any other municipality other than the County of Broome (an "external municipality") for the purpose of providing housing or accommodations for migrants or asylum seekers without a license granted by the County. This prohibition extends to any person or entity participating in an external municipality's government program, or a contract or service funded by an external municipality or acting on behalf of any external municipality.
 1. Licenses will be granted only by the Broome County's Health Department Director (the Director). The Director may enlist the services of any other agency within the executive branch of the County government to perform the duties necessary to affect this provision.
 2. Licenses will only be granted where, to the satisfaction of the Director, both the applicant and the foreign municipality demonstrate that:
 - i. The contract provides that the migrants or asylum seekers will be returned to the foreign municipality from which they arrived or another location outside the County, within fifteen days; and
 - ii. The foreign municipality demonstrates to the County that it has sufficient funding to sustain the needs of the migrants or asylum seekers during the time of their stay; and
 - iii. The foreign municipality agrees to assume any costs expended by any municipality in the County ("domestic municipalities") including the County itself, for the care, welfare, law enforcement interactions, or other expenses related to municipal interaction with the migrants or asylum seekers upon demand;
 - iv. The applicant and the foreign municipality each have a performance bond for the conditions set by the license in the amount of \$2,000 per migrant or asylum seeker being housed or boarded at the applicant's facility.
 3. The conditions described in this section will not apply to any contract directly between the foreign municipality and the County.

4. License renewal will be at the sole discretion of the Director, after consideration of the purpose and intent of the State of Emergency that instigated this Emergency Order.

C. Remedies.

1. Appearance tickets. The Broome County Sheriff's Office is authorized to issue appearance tickets for any violation of this Emergency Order for the penalty prescribed by NYS Executive Law § 24(5).
2. Civil penalties. In addition to those penalties prescribed by NYS Executive Law § 24(5), any person who violates any provision of this Emergency Order or any term or condition of any license issued pursuant to this Emergency Order, shall be liable to a civil penalty, to be determined by a process set by the Director, of not more than \$2,000 per migrant/asylum seeker housed by the foreign municipality or other violator, for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this County and initiated by the Director.
3. Abatement. Regardless of any other remedy or relief brought by the County for any violation, the Director is authorized to direct the County Attorney to commence actions or proceedings in the name of the County, in a court of competent jurisdiction, to abate any violation of, or to enforce any provision of this Emergency Order.

D. Remedies not exclusive.

1. No remedy or penalty specified in this Emergency Order shall be the exclusive remedy or remedy available to address any violation described in this Emergency Order.
2. Each remedy or penalty specified in this Emergency Order shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Emergency Order or in any other applicable law.
3. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this Emergency Order or in any other applicable law.
4. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in NYS Executive Law § 24, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in NYS Executive Law § 24.

Section 3. Punishment

In accordance with Executive Law Section § 24, any person who knowingly violates the provisions of this order shall be guilty of a Class B Misdemeanor.

Section 4. Effective Date

This Executive Order shall take effect immediately.

Section 4. Duration of Local Emergency Order

The Local Emergency Order shall remain in effect for five days unless sooner modified, extended, or revoked, and may be extended for additional periods not to exceed five days during the pendency of the local state of emergency.

Failure to obey this order is a criminal offense, punishable by law under New York State Executive Law §24(5).

Signed this the 11th day of May 2023, at 12:00 o'clock P.M. in, Broome County, New York.

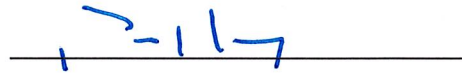
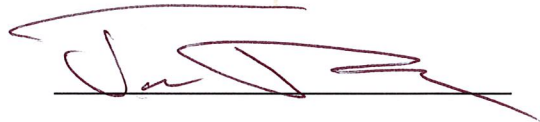
Jason T. Garnar

County Executive

Patrick Dewing

(Witness)

Director, Office of Emergency Services





Greater Binghamton Airport
“top of the tier”

May 18, 2023

introductions

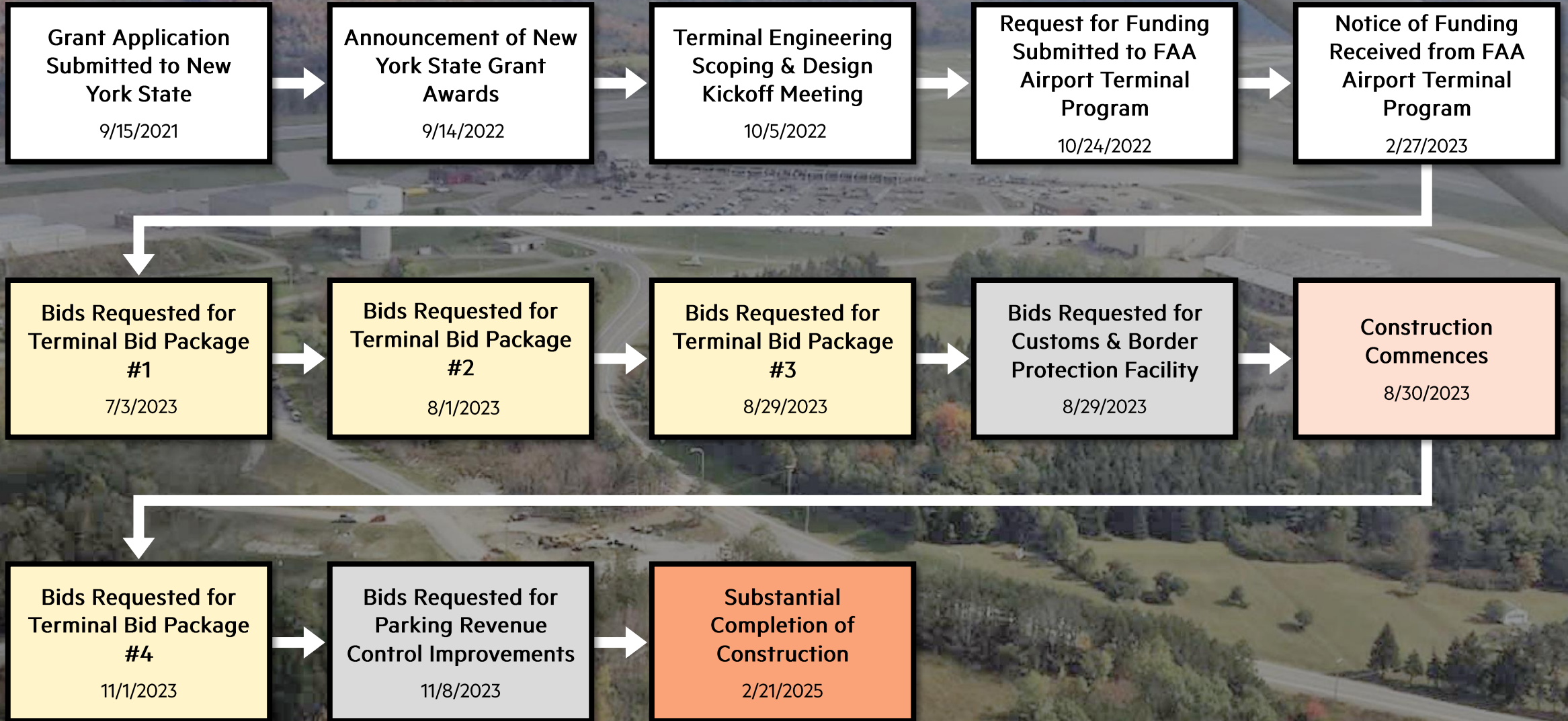
FLY BGM



GREATER BINGHAMTON AIRPORT

Mark Heefner – Commissioner of Aviation

project timeline





design team



McFarland-Johnson, Inc - Engineering

*Robert Buerkle, PE, Project Manager
Zach Staff, AICP, Program Manager*



Fennick McCredie Architecture Ltd - Architecture

Meghan Burke, AIA, Project Architect



Welliver McGuire Inc – Cost Estimating and Scheduling

*Stephen Welliver, Executive Vice President
Dan White, Project Superintendent*



design scope – terminal improvements

- **airport road approach**
landscape & signage
- **entrance canopy and entry portals**
- **terminal spaces:**
new passenger lounge and restrooms
new TSA checkpoint
renovated ticketing, baggage claim, rental car counters, restrooms
new general aviation terminal space
new multipurpose room
new wayfinding signage
- **upgrade building systems:**
mechanical, electrical, security, plumbing, fire protection systems
- **new geothermal heating / cooling system**
- **new video displays**
- **new passenger boarding bridges**

BGM terminal improvements



1

4

3

1 new airport signage

2 repainted water tower

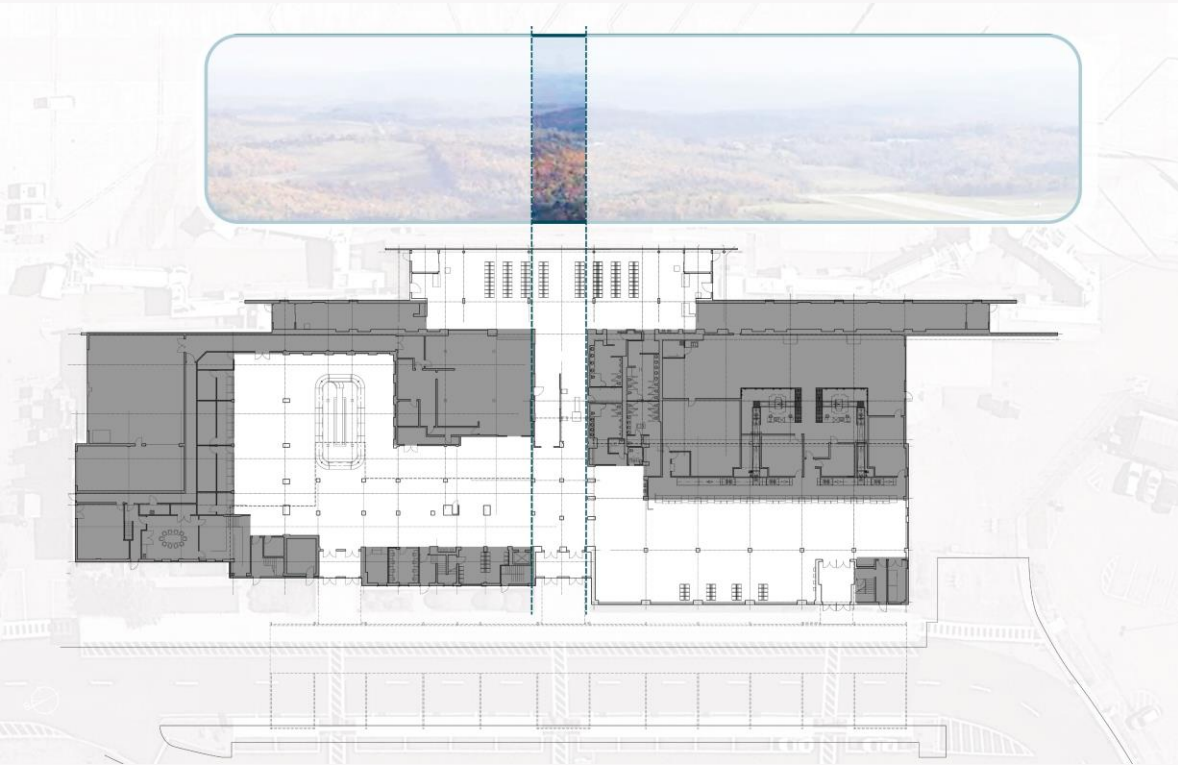
3 strategic landscape improvements

4 landmark canopy

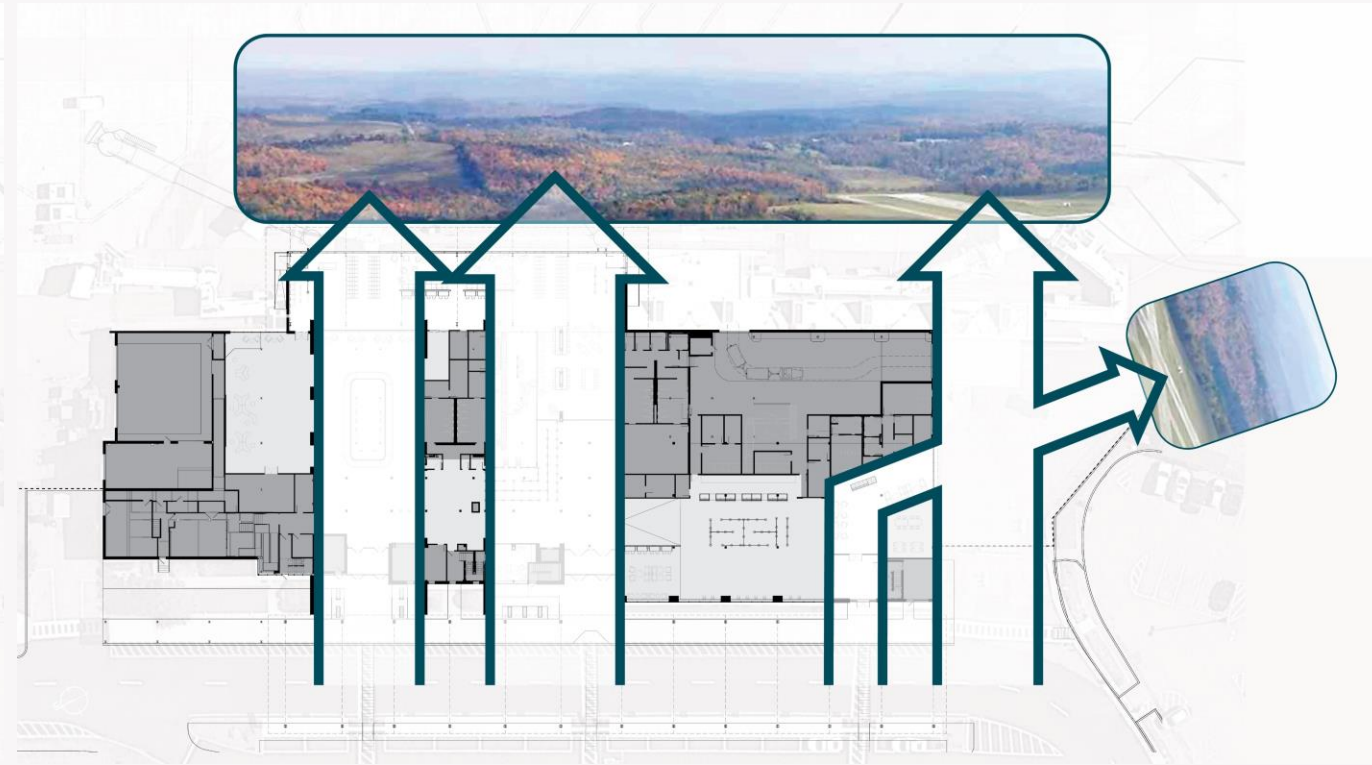
5 control tower signage

6 terminal renovation

renovation concept

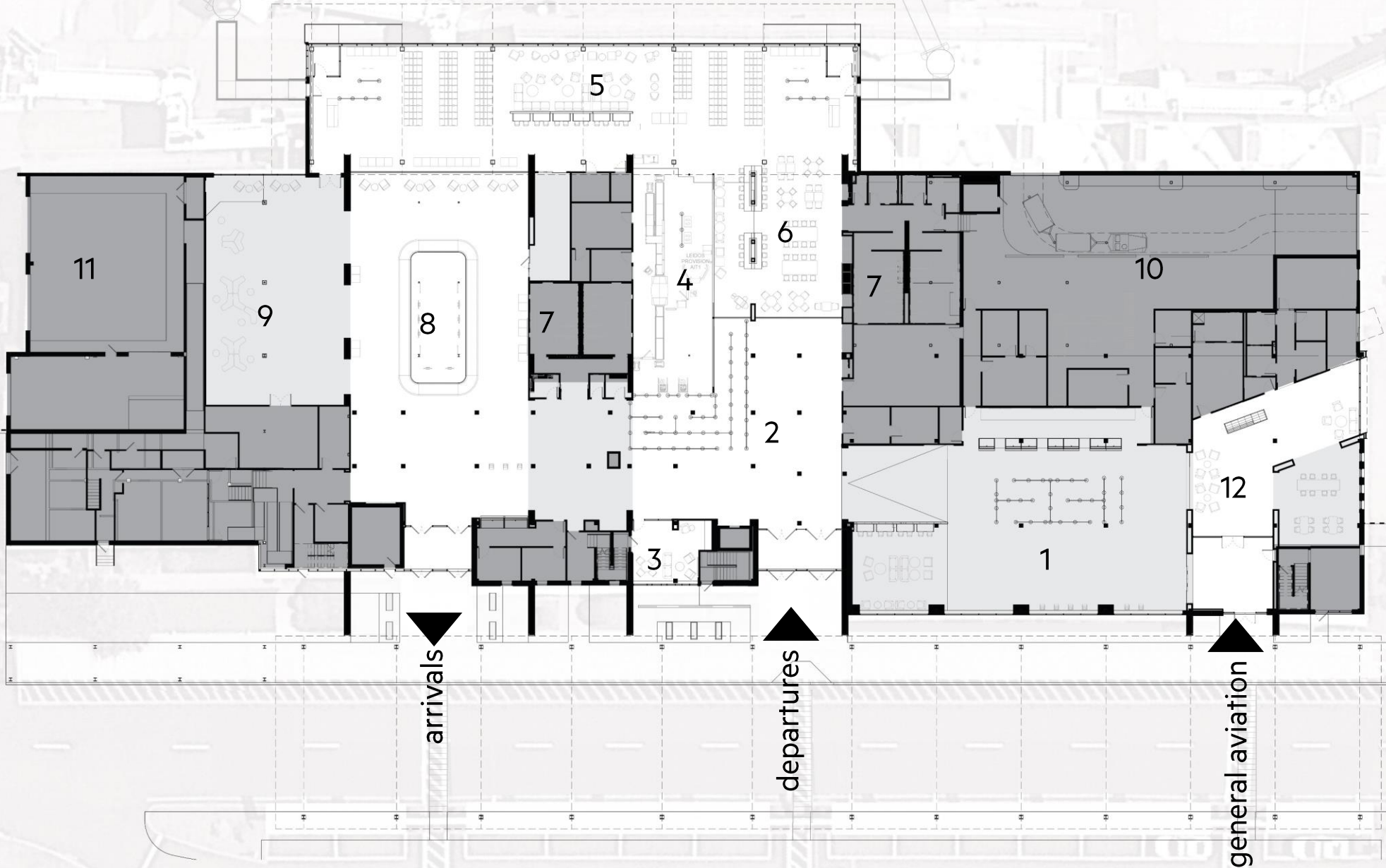


existing terminal: minimal views and light



proposed renovation: view and light channels

floor plan



- 1 check in
- 2 lobby
- 3 military lounge
- 4 security
- 5 departures lounge
- 6 flex seating
- 7 restrooms
- 8 bag claim
- 9 multipurpose
- 10 outbound bags
- 11 inbound bags
- 12 general aviation



new canopy



CONCEPTUAL RENDERING
DESIGN IN-PROGRESS

drop off



DEPARTURES

ARRIVALS

3

2



CONCEPTUAL RENDERING
DESIGN IN-PROGRESS

bag claim

view to departures lounge and airfield



Binghamton, NY

Arrivals

Time	Origin	Number	Status
12:00 pm	Atlanta	1489	On Time
12:30 pm	New York (LGA)	2015	Delayed
1:00 pm	Atlanta	1489	On Time

Departures

Time	Destination	Number	Status
1:00 pm	Atlanta	1489	On Time
1:30 pm	Denver	1489	Delayed
2:00 pm	Atlanta	1489	On Time

3:15 pm

Binghamton, NY

7

3:15 pm

CONCEPTUAL RENDERING
DESIGN IN-PROGRESS

departures lounge

warmth, comfort, views



CONCEPTUAL RENDERING
DESIGN IN-PROGRESS

phase 1: temporary departures lounge

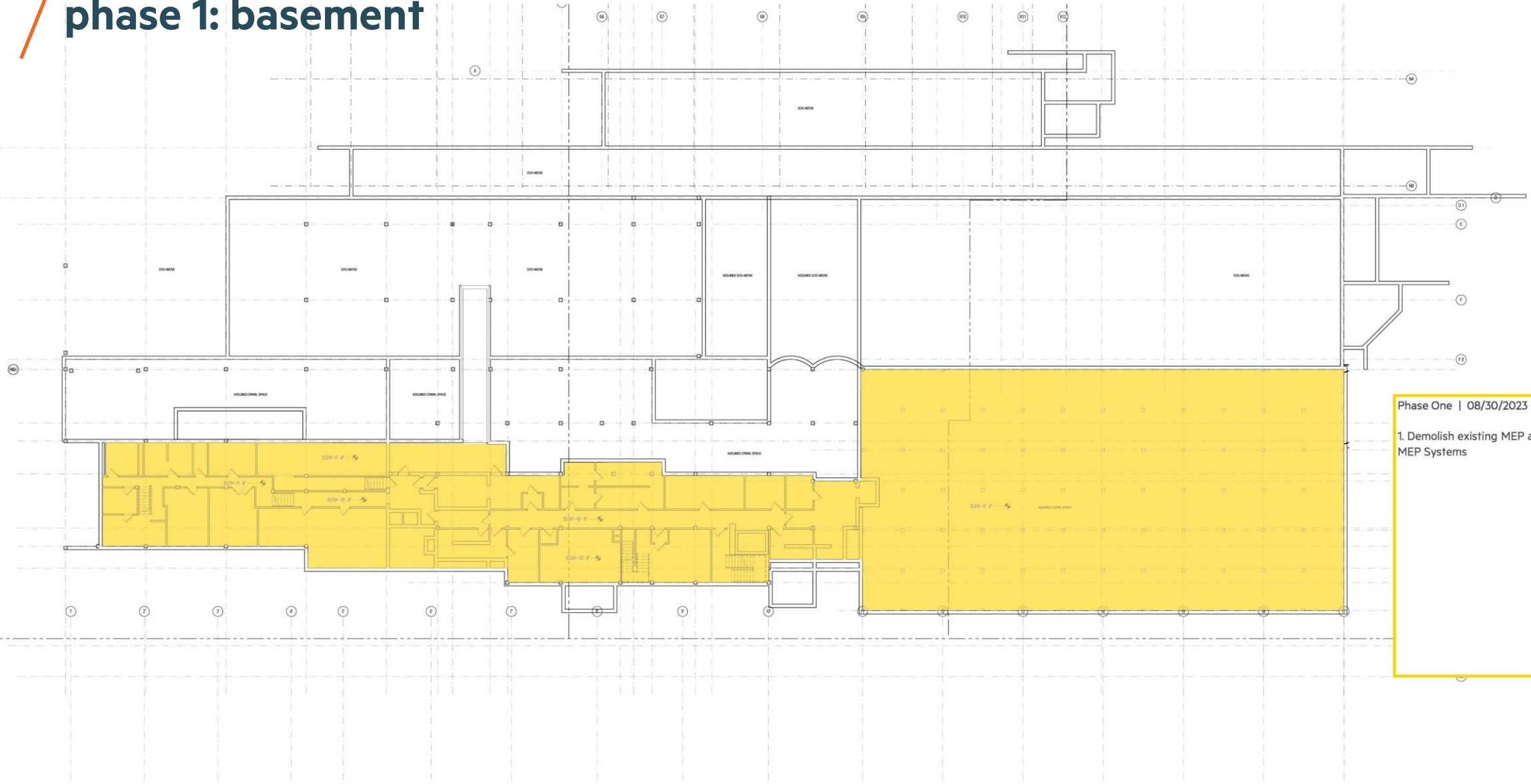
TEMP
GATE + PBB

TSA
EXIT

TSA
ENTRY

- Phase One | 08/30/2023 - 04/01/2024
1. Demolish existing restaurant, business center, and visitors center
 2. Build shell for temporary hold room + toilet rooms
 3. Mitigation Work
- Not Shown on Plan
4. Geothermal Field Well and associated site-work restoration
 5. Temporary Passenger Boarding Bridges

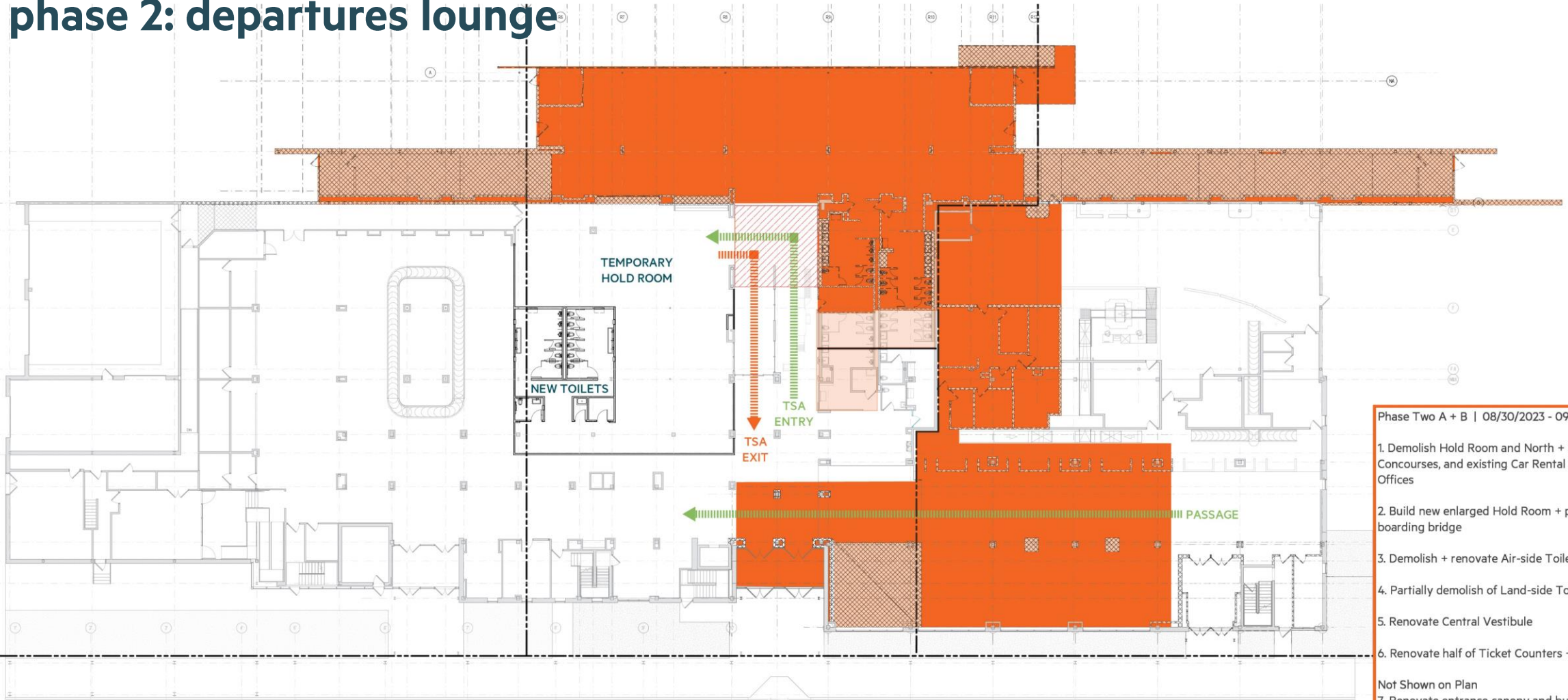
phase 1: basement



Phase One | 08/30/2023 - 04/01/2024

1. Demolish existing MEP and replace with New MEP Systems

phase 2: departures lounge



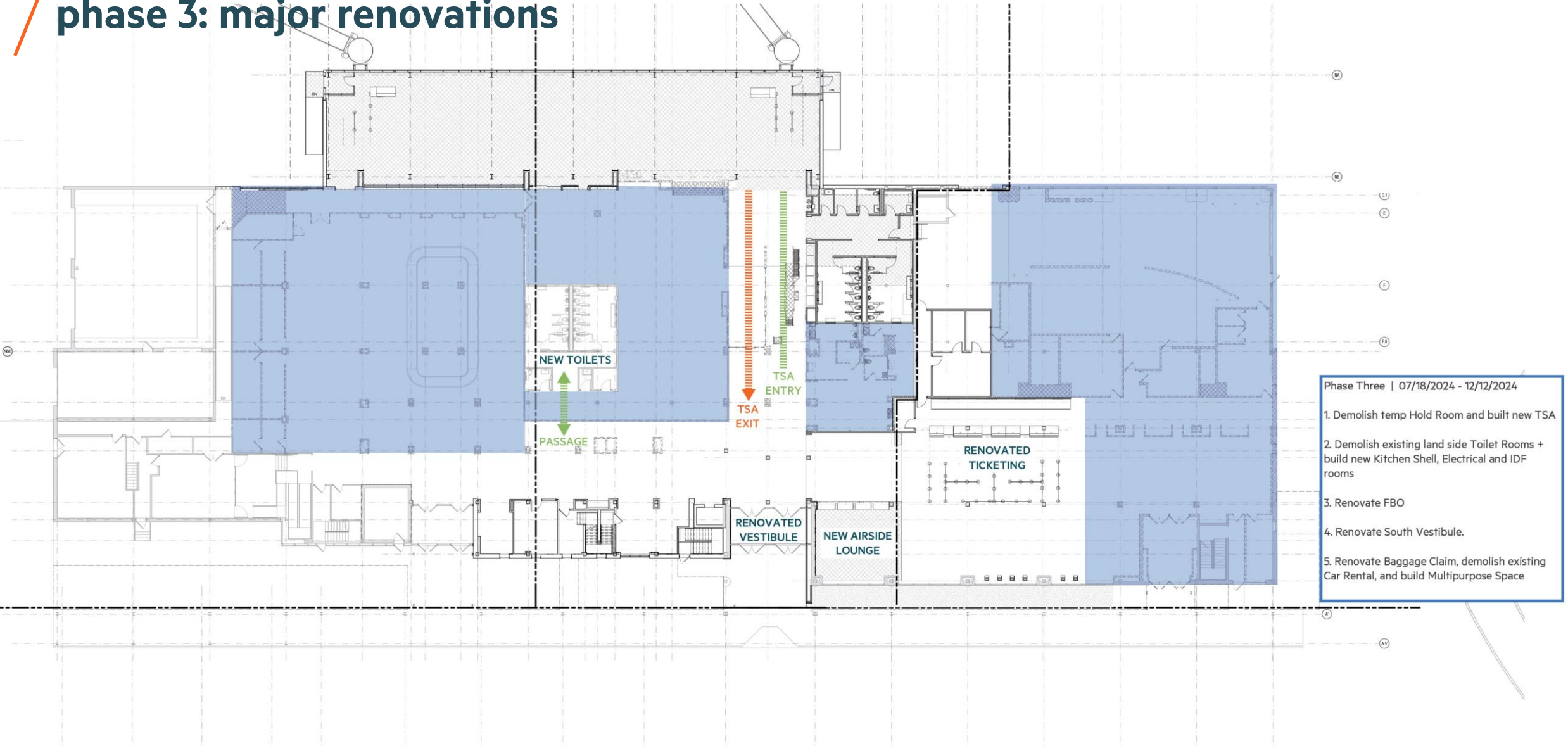
Phase Two A + B | 08/30/2023 - 09/18/2024

1. Demolish Hold Room and North + South Concourses, and existing Car Rental Counters + Offices
2. Build new enlarged Hold Room + passenger boarding bridge
3. Demolish + renovate Air-side Toilet rooms.
4. Partially demolish of Land-side Toilets
5. Renovate Central Vestibule
6. Renovate half of Ticket Counters + Lobby

Not Shown on Plan
7. Renovate entrance canopy and build new sloped roofs

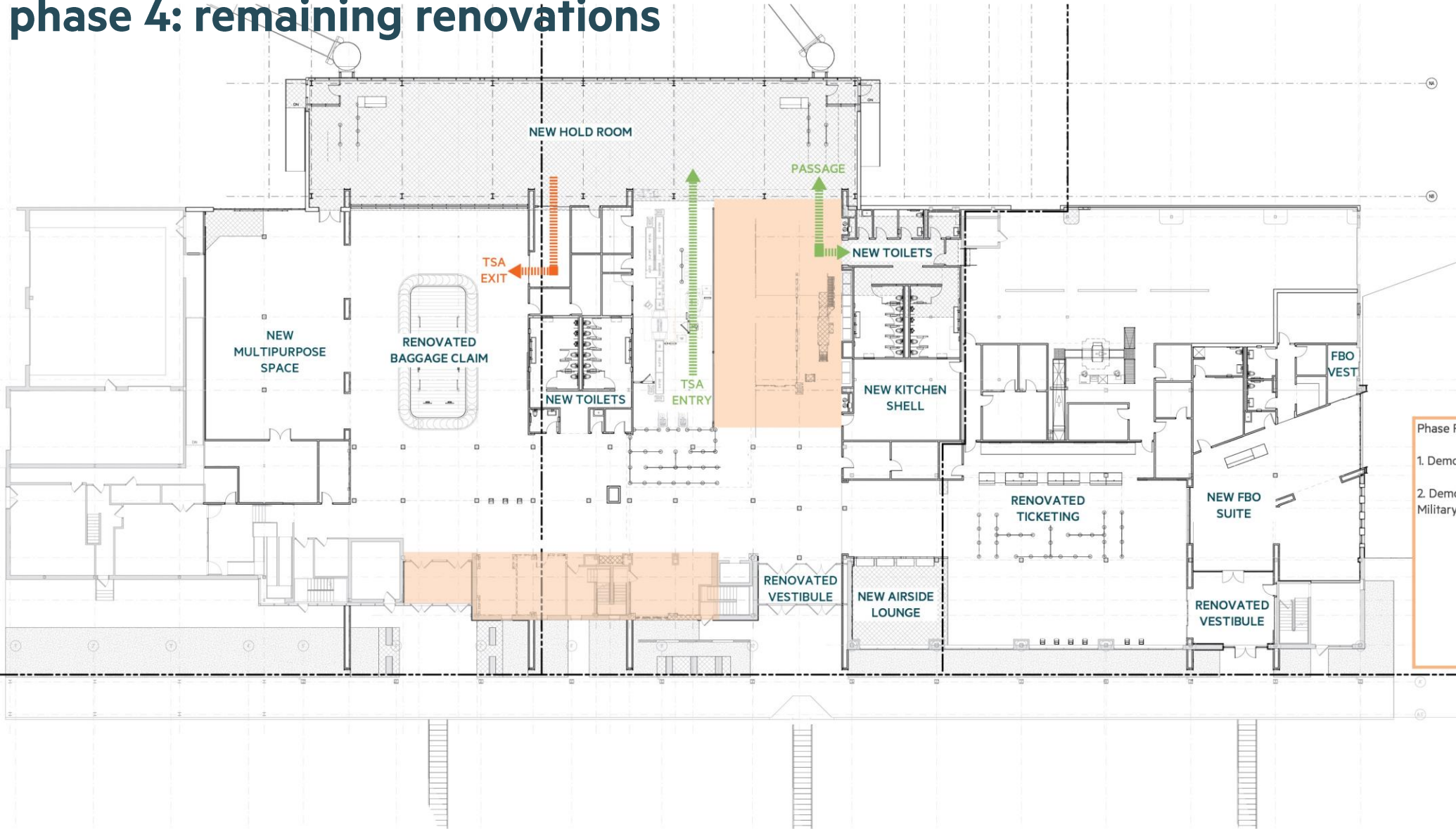
8. Renovate the exterior tower facade
9. Civil and Landscape improvements at airfield and land side

phase 3: major renovations



- Phase Three | 07/18/2024 - 12/12/2024
1. Demolish temp Hold Room and built new TSA
 2. Demolish existing land side Toilet Rooms + build new Kitchen Shell, Electrical and IDF rooms
 3. Renovate FBO
 4. Renovate South Vestibule.
 5. Renovate Baggage Claim, demolishing existing Car Rental, and build Multipurpose Space

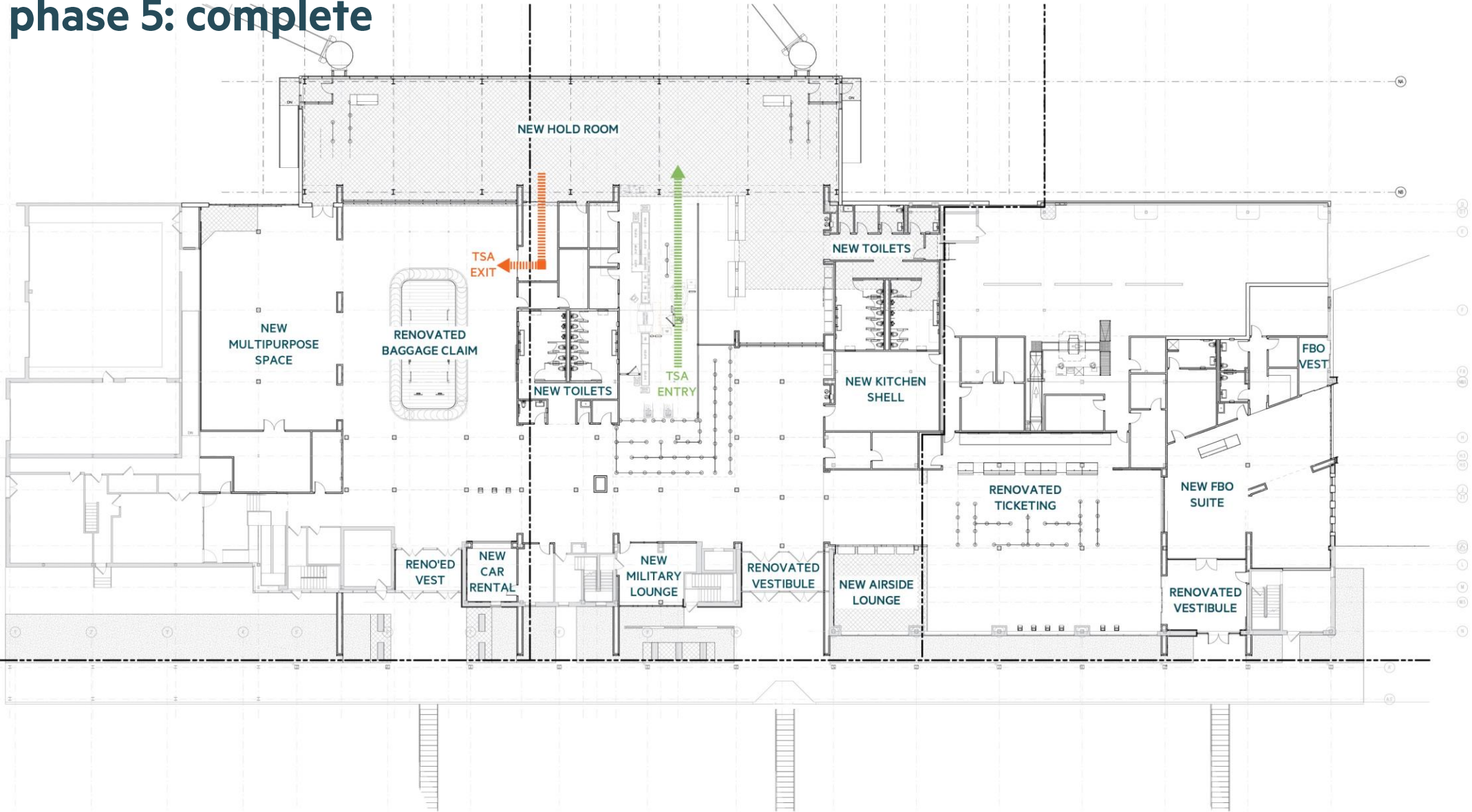
phase 4: remaining renovations



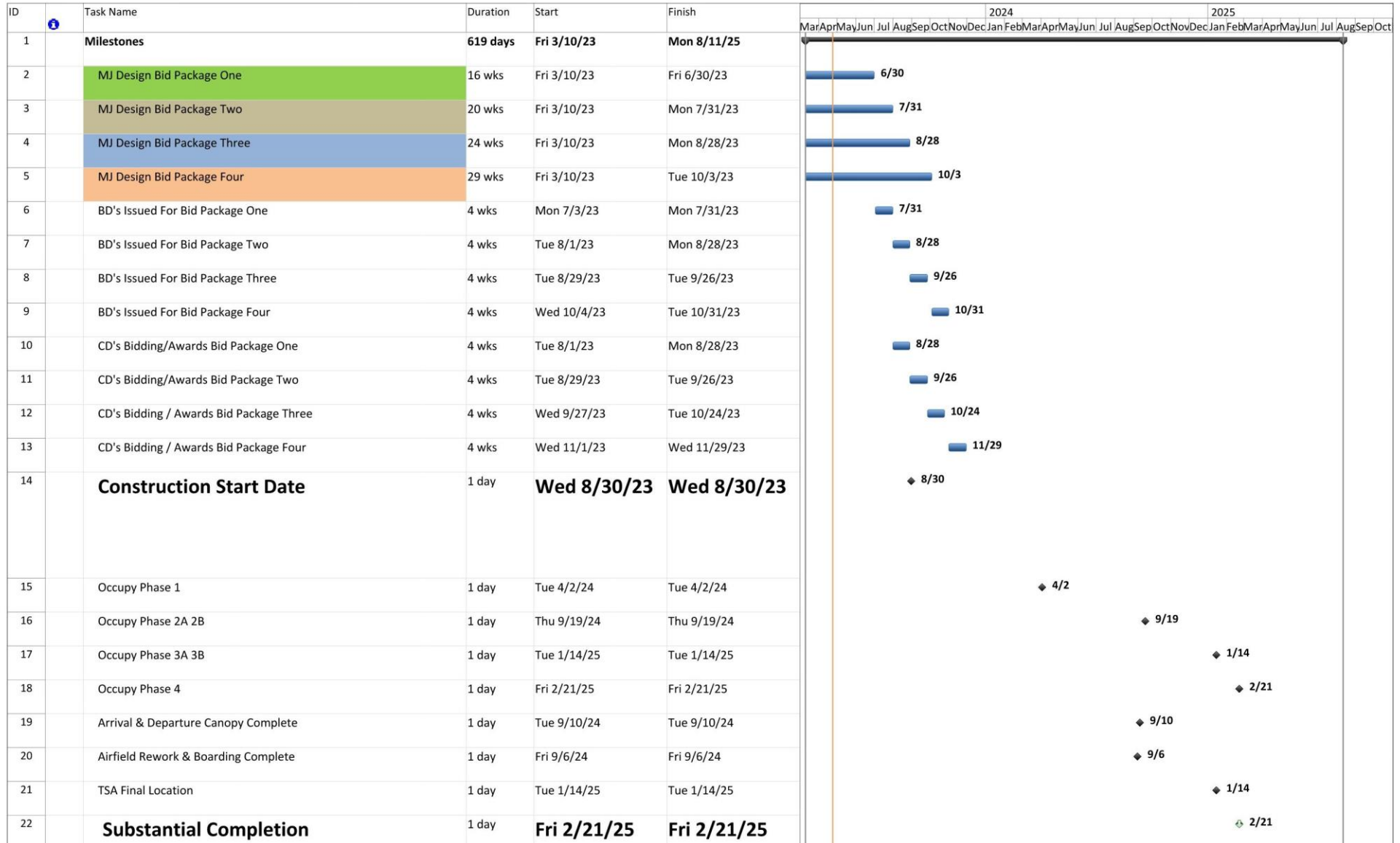
Phase Four | 11/29/2024 - 02/20/2025

1. Demolish existing TSA and build Flex Lounge
2. Demolish + build new Car Rental desk + office, Military Lounge, and North Vestibule

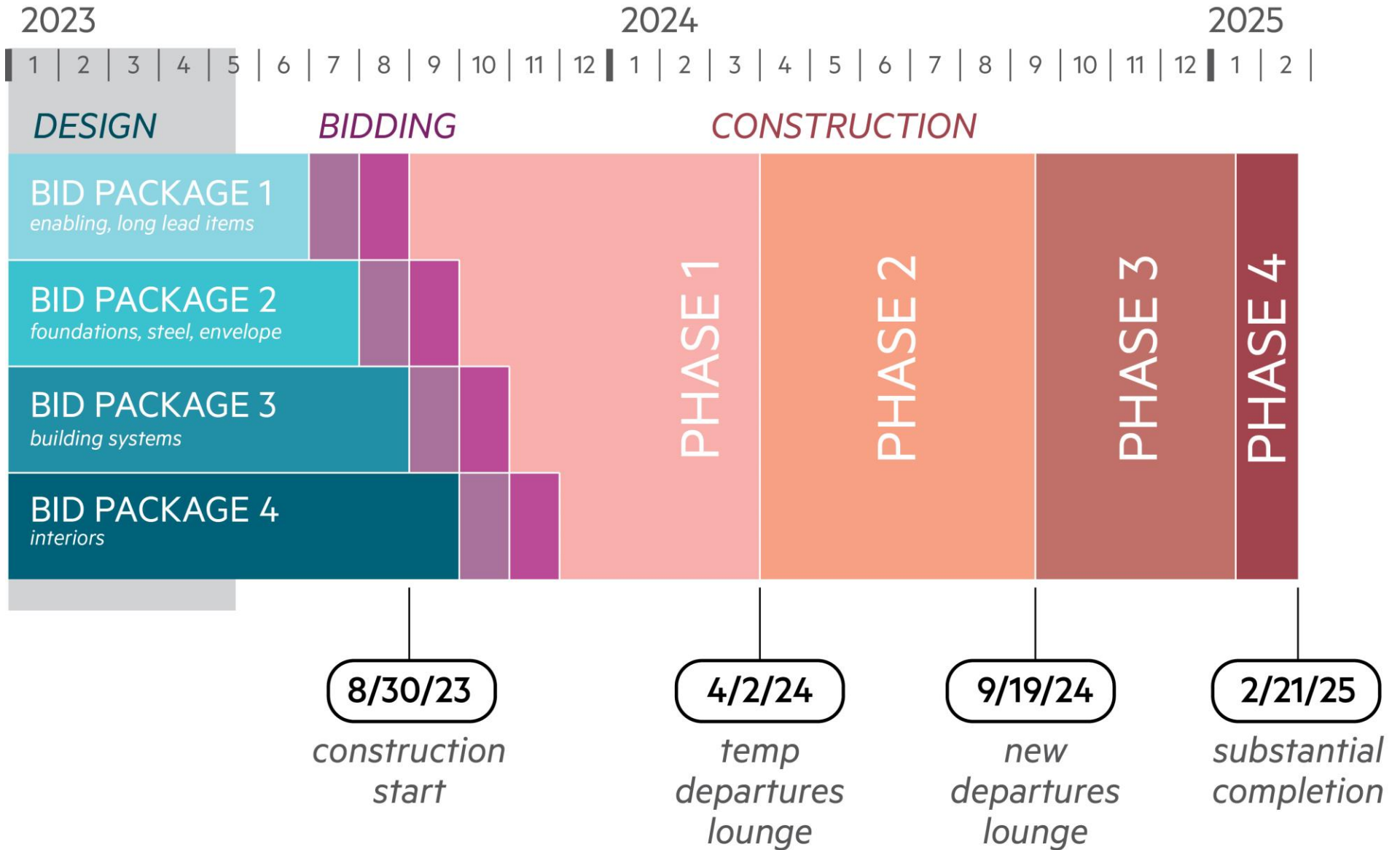
phase 5: complete



project schedule



project schedule



project labor agreement

- Project evaluated for potential benefits of a Project Labor Agreement consistent with NYS Labor Law section 222
- Assessment and findings documented in April 14, 2023 draft report:
 - **In this \$30m+ Terminal Rehabilitation:**
 - 140,300 Labor Hours, 17 different crafts*
 - \$8,100,000 Salary and Benefits mandated by prevailing wage*
 - **Identified PLA Benefits:**
 - *\$1.1m potential cost savings*
 - *Labor cost concessions*
 - *Assured labor supply in a rapidly tightening market*
 - *Uninterrupted project progress through “no strike” provisions*
 - *Uninterrupted project progress through standardized work rules and uniform mechanism for resolution of disputes that do not impact work progress*
 - **PLA recommended**

NY Airport PLA project precedents:

Ithaca

one completed

Syracuse

three completed

Rochester

one completed

one in negotiation

Albany

one completed

one underway

Saratoga

one in negotiation

Plattsburgh

one completed

terminal improvements cost estimate

construction cost of work and contingencies

<i>cost of work</i>	25,084,772
<i>design contingency - 10%</i>	2,508,477
<i>escalation contingency – 2%</i>	551,865
<i>subtotal</i>	28,145,114
<i>construction contingency – 5%</i>	1,983,359
<i>total cost of work and contingencies</i>	30,128,473

contractor fees

<i>payment and performance bonds</i>	281,451
<i>general liability insurance</i>	140,726
<i>overhead and profit</i>	1,125,805
<i>total fees</i>	1,547,981

construction cost total

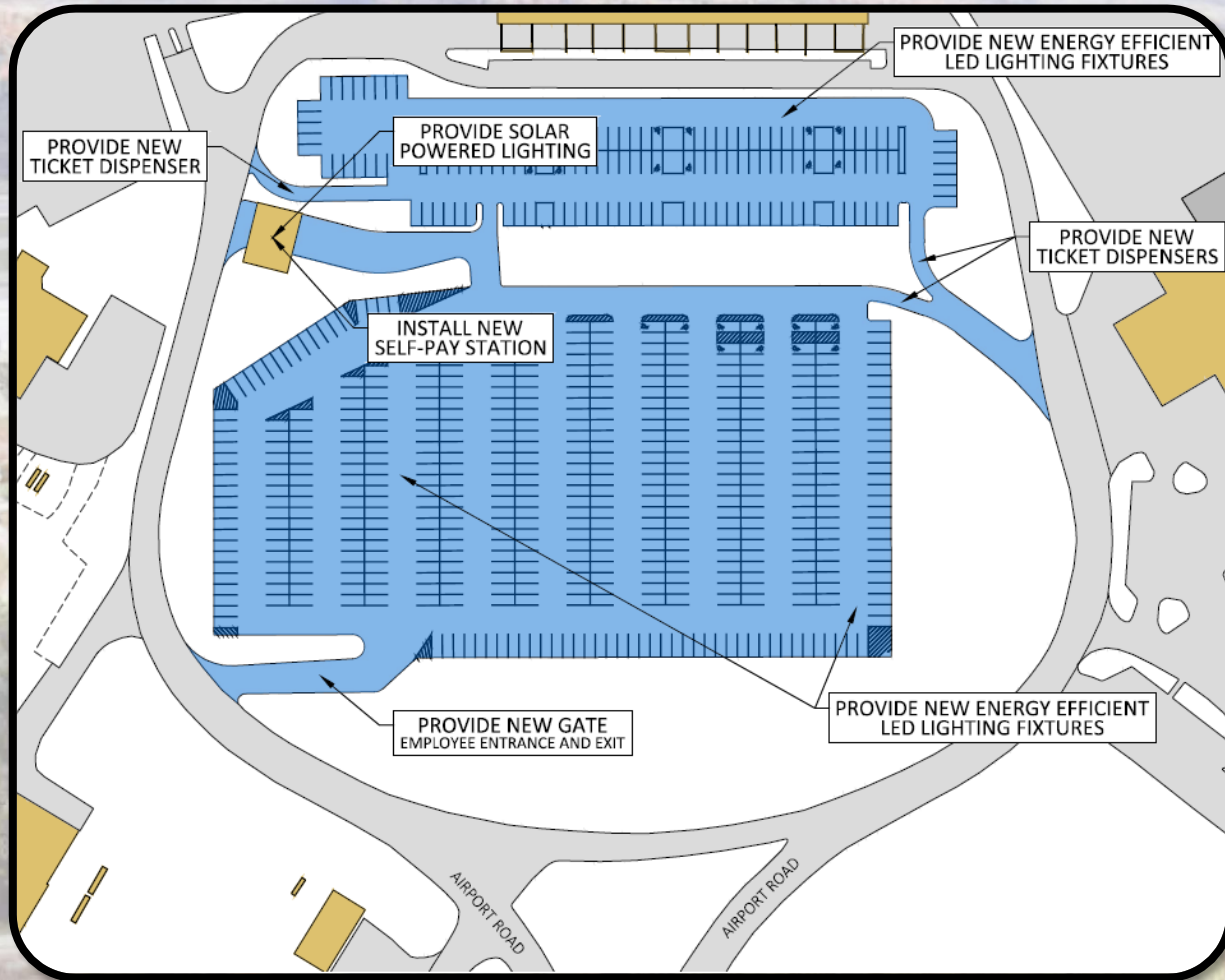
\$ 31,676,454

project budget

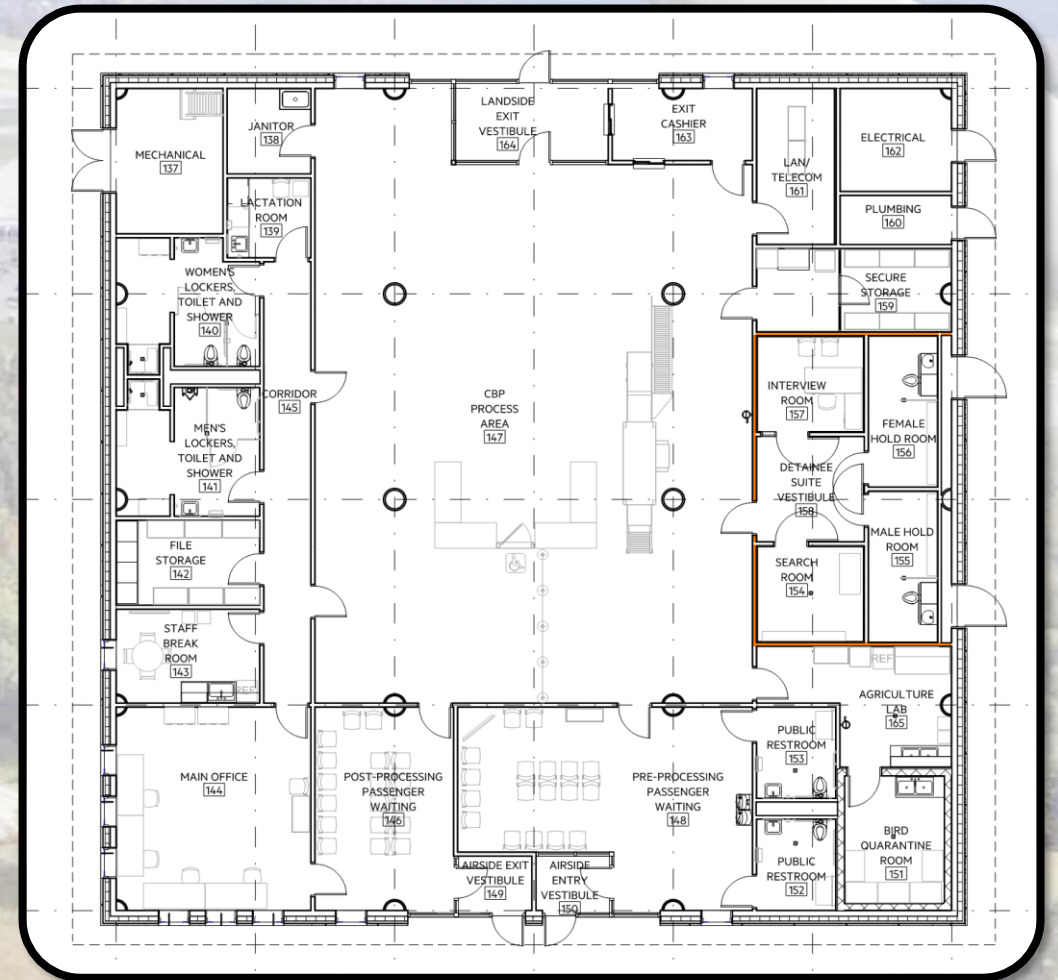
Project Budget (May 2023)

Component	Federal	State	Local	Total
Passenger Terminal Improvements	\$5,528,800	\$23,858,327	\$612,873	\$30,000,000
Customs & Border Protection Building	\$0	\$5,000,000	\$0	\$5,000,000
Parking Revenue Control Improvements	\$0	\$1,259,814	\$139,979	\$1,399,793
Engineering/Architecture/Administration	\$4,025,000	\$4,407,949	\$299,668	\$8,732,617
	\$9,553,800	\$34,526,090	\$1,052,520	\$45,132,410

parking and CBP building



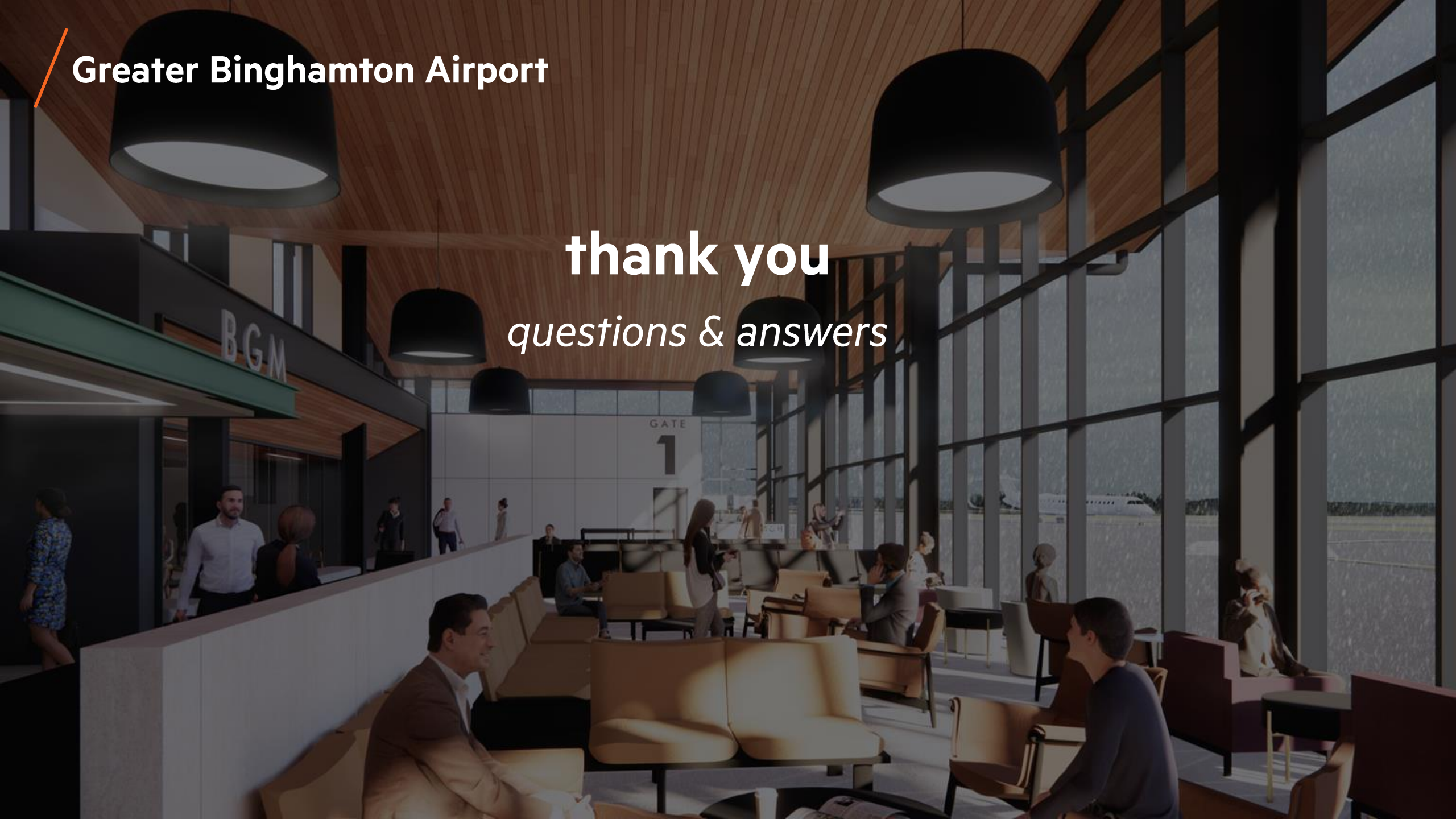
parking revenue control improvements



customs and border protection building

Greater Binghamton Airport

thank you
questions & answers





Greater Binghamton Airport
“top of the tier”

thank you