

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JULY 16, 2020**

The Legislature convened at 5:07 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin, called the Attendance Roll, Present-15, Absent-0.

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

ANNOUNCEMENTS FROM THE CHAIR

Mrs. O'Brien and Mrs. Kaminsky were designated with Chairman Reynolds as participants in the "Short Roll Call".

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

- A. Letters from the County Executive, Jason T. Garnar:
1. State of Emergency Declaration Notice and Extension Letter
 2. Emergency Order #6 – Closure of Various County Offices to the Public and Extension Letter
 3. Emergency Order #9 – Redemption Fee Waiver for the Broome County Dog Shelter and Extension Letter
 4. Emergency Order #15 – Permission of Temporary Employment Services for Registered Nurses, Licensed Practical Nurses and Certified Nurse Assistants

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

1. Special Public Works & Transportation Committee Meeting Notice
2. SUNY Broome Community College Recommended Budget Public Hearing Notice
3. Inclusion of Agricultural Parcels in Certified Broome County Agricultural Districts Public Hearing Notice

PUBLIC HEARING

Mr. Reynolds opened the Public Hearing on the Inclusion of Agricultural Parcels in Certified Broome County Agricultural Districts at 5:10 p.m. and asked the Clerk to read the notice. The Clerk read the notice as follows: AMENDED NOTICE OF PUBLIC HEARING CONCERNING THE INCLUSION OF AGRICULTURAL PARCELS IN CERTIFIED BROOME COUNTY AGRICULTURAL DISTRICTS IN VARIOUS TOWNS, IN THE COUNTY OF BROOME, NEW YORK

PLEASE TAKE NOTICE, that pursuant to Section 303 of Article 25-AA of the New York State Agriculture and Markets Law, a Public Hearing will be held by the Broome County Legislature on **Thursday, July 16, 2020** at 5:00 p.m. or thereafter by Zoom Videoconferencing on the question of including agricultural parcels in certified Broome County Agricultural Districts

PLEASE TAKE FURTHER NOTICE, that during the statutory thirty day period for during which landowners could submit proposals to include viable land within a certified agricultural district, commencing December 1, 2019, 9 parcels were submitted for inclusion in Broome County Agricultural Districts.

PLEASE TAKE FURTHER NOTICE, that the Broome County Agricultural and Farmland Protection Board, by report duly filed, have recommended that 7 parcels be added to Broome County Agricultural Districts as follows:
Parcels to be added:

Parcel Address	Parcel #	Municipality	Ag District #
120 Knight Rd	188.04-1-19.2	Vestal	4
208 Thompson Rd	149.00-2-46	Windsor	4
240 Squedunk Rd	032.00-1-1.112	Lisle	5
72 Bardwell Rd	032.00-1-10	Lisle	5
398 Popple Hill Rd	025.00-1-2.11	Lisle	5
420 Popple Hill Rd	025.00-1-47	Lisle	5
150 Keibel Rd	027.08-1-2.2	Triangle	5

PLEASE TAKE FURTHER NOTICE, that all interested parties and citizens will be heard by the Broome County Legislature at the Public Hearing to be held as aforesaid. Written comments may also be submitted to the Clerk of the Legislature by email at LegClerk@broomecounty.us or by mail to Broome County Legislature, PO Box 1766, Binghamton, NY 13902 until July 15th.

AARON M. MARTIN, CLERK
BROOME COUNTY LEGISLATURE.
Published in the Press & Sun-Bulletin.

The Chairman asked for any speakers. Seeing none he closed the public hearing at 5:13 p.m.

Mr. Weslar made a motion, seconded by Mr. Baker that the Session minutes of June 18, 2020 be approved as prepared and presented by the Clerk.

Carried. Ayes-15, Nays-0.

Mr. Reynolds noted that the committee minutes from June 29, 2020 and July 9, 2020 had been distributed to all members for review and that they are also on file in the Clerk's Office. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Baldwin, seconded by Mrs. Ryan.

Carried. Ayes-15, Nays-0.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

1. Transit – 2018-2021 Employment Agreement between Broome County and Amalgamated Transit Union Local #1145
2. SUNY Broome – 2020-2021 Recommended Budget
3. SUNY Broome – Operating Ledger Report

RESOLUTIONS HELD OVER OR TABLED FROM A PREVIOUS SESSION

RESOLUTION NO. 90

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

RESOLUTION ADOPTING A PLAN FOR THE MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICTS NOS. 4 AND 5 PURSUANT TO SECTION 303-B OF THE AGRICULTURE AND MARKETS LAW

Carried. Ayes-15. Nays-0

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 248

By All Members Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING A MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN BROOME COUNTY INFORMATION TECHNOLOGY AND THE NEW YORK STATE PARK POLICE – CENTRAL ZONE FOR 2020-2021

WHEREAS, the Director of Information Technology requests authorization for a Maintenance and Support Memorandum of Understanding Agreement between Broome County Information Technology and the New York State Park Police – Central Zone for the period January 1, 2020 through December 31, 2021, with the option for yearly renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary to provide New York State Park Police – Central Zone access to the Broome County Public Safety Network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Maintenance and Support Memorandum of Understanding agreement between Broome County Information Technology and the New York State Park Police – Central Zone, 6105 E Seneca Turnpike, Jamesville, New York 13078 for the period January 1, 2020 through December 31, 2021, with the option for yearly renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that support outside normal maintenance as described in the agreement may be billed at the rate of \$70 per hour, and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 249

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING THE CORRECTION OF ERRORS ON DELINQUENT TAXES ON VARIOUS PARCELS IN BROOME COUNTY

WHEREAS, the Director of Real Property Tax Service is requesting authorization for the Director of the Office of Management and Budget to execute any and all adjustments to tax bills, tax records and property records in accordance with all applicable laws for the properties listed on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby approves authorization for the Director of the Office of Management and Budget to execute any and all adjustments to tax bills, tax records and property records on the properties attached on Exhibit "A".

Carried. Ayes-15. Nays-0

RESOLUTION NO. 250

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING CANCELLATION OF TAXES PLUS ACCRUED INTEREST AND PENALTIES ON COUNTY OWNED PARCELS IN THE VILLAGE OF ENDICOTT AND THE VILLAGE OF JOHNSON CITY

WHEREAS, the Director of Real Property Tax Service is requesting authorization to cancel taxes, plus accrued interest and penalties on County owned parcels in the Village of Endicott and the Village of Johnson City as shown on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of taxes, plus accrued interest and penalties on County owned parcels in the Village of Endicott and the Village of Johnson City as shown on Exhibit "A", and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 251

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING THE REINSTATEMENT OF CANCELLED TAXES ON A PARCEL IN THE TOWN OF UNION

WHEREAS, this County Legislature, by Resolution 140 of 2020 authorized the Director of the Office of Management and Budget to cancel taxes, plus accrued interest and penalties on 3106 Malverne Road in the Town of Union, and

WHEREAS, said taxes were paid on said property and the Director of Real Property Tax Service is requesting authorization for the Director of the Office of Management and Budget to reinstate cancelled taxes on 3103 Malverne Road in the Town of Union, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of the Office of Management and Budget to reinstate cancelled taxes plus interest and penalties as follows:

<u>Tax Map#</u>	<u>Address</u>	<u>Base amount</u>
158.05-6-13	3106 Malverne Road	\$5,539.65 (2016: \$1,368.56 plus interest and penalties) (2017: \$4,171.09 plus interest and penalties)

Carried. Ayes-15. Nays-0

RESOLUTION NO. 252

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING THE REINSTATEMENT OF CANCELLED TAXES ON A PARCEL IN THE CITY OF BINGHAMTON

WHEREAS, this County Legislature, by Resolution 141 of 2020 authorized the Director of the Office of Management and Budget to cancel taxes, plus accrued interest and penalties on 6.5 Sturges Street in the City of Binghamton, and

WHEREAS, said taxes were paid on said property and the Director of Real Property Tax Service is requesting authorization for the Director of the Office of Management and Budget to reinstate cancelled taxes on 6.5 Sturges Street in the City of Binghamton, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of the Office of Management and Budget to reinstate cancelled taxes plus interest and penalties as follows:

<u>Tax Map#</u>	<u>Address</u>	<u>Base amount</u>
144.59-3-8	6.5 Sturges Street	\$798.69 (plus interest and penalties)

Carried. Ayes-15. Nays-0

RESOLUTION NO. 253

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TETRA TECH, INC., TO PROVIDE EMERGENCY PLANNING EXERCISE, RESPONSE AND COST RECOVERY FOR THE OFFICE OF EMERGENCY SERVICES FOR 2015-2016

WHEREAS, this County Legislature, by Resolution 17 of 2016, authorized an agreement with Tetra Tech, Inc., for assistance in emergency planning, exercise, response and cost recovery on an as needed basis at the rates listed on Exhibit "A" for the period June 19, 2015 through June 18, 2016, with the option for four one-year renewals under the same terms and conditions, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through June 18, 2021, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Tetra Tech, Inc., 1000 The American Road, Morris Plains, New Jersey 07950 to extend the period through June 18, 2021, and be it

FURTHER RESOLVED, that Resolution 17 of 2016, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 254

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 39 OF 2020 AUTHORIZING ACCEPTANCE OF THE 2019 STATEWIDE INTEROPERABLE COMMUNICATIONS PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2020-2021

WHEREAS, this County Legislature, by Resolution 39 of 2020, authorized acceptance of the 2019 Statewide Interoperable Communications Program Grant for the Office of Emergency Services and adopted a program budget in the amount of \$685,422 for the period January 1, 2020 through December 31, 2021 and

WHEREAS, it is necessary to amend said Resolution to authorize the Part-time position of Radio Technician – Emergency Services as shown on the Personal Services Summary, attached as Exhibit “A”, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 39 of 2020 to authorize the Part-time position of Radio Technician – Emergency Services as shown on the Personal Services Summary, attached as Exhibit “A” for the Office of Emergency Services 2019 Statewide Interoperable Communications Program Grant for the period January 1, 2020 through December 31, 2021, and be it

FURTHER RESOLVED, that Resolution 39 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 255

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING VISIT BINGHAMTON (GREATER BINGHAMTON CONVENTION AND VISITORS BUREAU) TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 2021

WHEREAS, the Acting Director of Planning requests authorization for an agreement with Visit Binghamton (Greater Binghamton Convention and Visitors Bureau) to act as the agency in Broome County for tourism and convention promotion for January 1, 2021 through December 31, 2021, and

WHEREAS, said agreement is necessary for tourism and convention promotion in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Visit Binghamton (Greater Binghamton Convention and Visitors Bureau), 5 South College Drive, Suite 102, Binghamton, New York 13905, to be the tourism and convention promoter for Broome County for January 1, 2021 through December 31, 2021, and be it

FURTHER RESOLVED, that Visit Binghamton (Greater Binghamton Convention and Visitors Bureau) is hereby authorized to make applications for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the Greater Binghamton Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.
Carried. Ayes-15. Nays-0

RESOLUTION NO. 256

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ITHACA AREA WASTEWATER TREATMENT FACILITY TO ACCEPT AND TREAT RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2019-2024

WHEREAS, this County Legislature, by Resolution 370 of 2019, authorized an agreement with Ithaca Area Wastewater Treatment Facility to accept and treat raw leachate from the leachate collection system at the Broome County Landfill for the Department of Public Works Division of Solid Waste Management at the rate of \$30 per thousand gallons, plus an administrative fee of \$1, total amount not to exceed budgeted appropriations of \$75,000 per year for the period September 1, 2019 through August 31, 2024, and

WHEREAS, said agreement is necessary to have a contingency disposal plan for raw leachate treatment, as required by the DEC, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$55,000 for the period September 1, 2019 through August 31, 2020, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Ithaca Area Wastewater Treatment Facility to increase the not to exceed amount by \$55,000 for the period September 1, 2019 through August 31, 2020, and be it

FURTHER RESOLVED, that Resolution 370 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 257

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE BROOME COUNTY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2020-2025

WHEREAS, this County Legislature, by Resolution 261 of 2015, authorized renewal of the agreement with the Village of Endicott for the final treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill at a formula based cost, plus the necessary lab analysis fees, for the period September 1, 2015 through August 31, 2020, and

WHEREAS, said agreement is necessary to dispose of effluent from the County leachate treatment facility at an approved wastewater treatment plant, and

WHEREAS, said agreement expires by its terms on August 31, 2020, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rates based on the following formulas, for the period September 1, 2020 through August 31, 2025:

1. \$12 per 1,000 gallons for those discharges to the Endicott facility in excess of 70 percent of the total monthly leachate production from the pre-treatment facility.
2. \$13 per 1,000 gallons for those discharges to the Endicott facility greater than 50 percent, but less than or equal to 70 percent of the total monthly leachate production from the pre-treatment facility.

3. \$14 per 1,000 gallons for those discharges to the Endicott facility greater than 30 percent but less than or equal to 50 percent of the total monthly leachate production from the pre-treatment facility.
4. \$15 per 1,000 gallons for those discharges to the Endicott facility less than or equal to 30 percent of the total monthly leachate production from the pre-treatment facility, and

WHEREAS, laboratory expenditures incurred as a result of leachate disposal and treatment shall be paid by Broome County in an amount not to exceed \$1,000,000 for the term of the agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York 13760, for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill, for the Division of Solid Waste Management for the period September 1, 2020 through August 31, 2025, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount based on the above formulas, plus necessary lab analysis fees, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6002206.3800001 (Landfill), and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO.258

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING AN AGREEMENT WITH MARK AND STACEY PHILLIPS FOR THE LEASE OF COUNTY OWNED PROPERTY IN THE TOWN OF MAINE FOR THE DEPARTMENT OF AVIATION FOR 2020-2021

WHEREAS, the County of Broome owns a vacant property located at 2488 Airport Road, Johnson City, and

WEREAS, the County of Broome desires to lease the single-family residence to a private citizen, and

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Mark and Stacey Phillips to lease said property at an amount of \$1,000 per month for the period July 1, 2020 through June 30, 2021, with the option for yearly renewals under the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mark and Stacey Phillips, 356 Oak Street, Vestal, New York 13850, for the lease of 2488 Airport Road, Johnson City, New York 13790, for the Department of Aviation for the period July 1, 2020 through June 30, 2021, with the option for yearly renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$1,000 per month, total amount not to exceed \$12,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28010005.5000137.2010 (Space Rental – Other), and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO.259

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DATROSE FOR PROFESSIONAL SERVICES FOR THE OFFICE OF THE COUNTY CLERK FOR 2020

WHEREAS, RPF 2017-061 On-site Scanning Center Staffing for County Clerk was issued, and

WHEREAS, this County Legislature, by Resolution 313 of 2017, as amended by Resolutions 313 of 2017, and 181, 411 and 452 of 2018, authorized an agreement with Datrose for scanning services for the Office of the County Clerk at an amount not to exceed \$270,643 for the period October 1, 2017 through December 31, 2019, and

WHEREAS, said agreement is necessary to continue the preparation, scanning, indexing and proofing of records to the County's Hyland OnBase management system, and

WHEREAS, said agreement expired by its terms on December 31, 2019, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$164,000, for the period January 1, 2020 through December 31, 2020 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Datrose, 660 Basket Road, Webster, New York 14580 on substantially similar terms and conditions for the Office of the County Clerk for the period January 1, 2020 through December 31, 2020, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$164,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 04030001.6004255. 0420008 (Contracted Services), and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO.260

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2020-2021

WHEREAS, this County Legislature, by Resolution 340 of 2019, authorized and approved renewal of the DSS/BU Credit and Non-Credit Training Program for the Department of Social Services and adopted a program budget in the amount of \$45,000 for the period August 1, 2019 through July 31, 2020 and

WHEREAS, said program grant provides employees with educational opportunities and workshops geared toward enhancing their skills on the job and in preparing them for promotional opportunities within the department and

WHEREAS, it is desired to renew said program grant in the amount of \$45,000 for the period August 1, 2020 through July 31, 2021, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,000 from the New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 122144 for the DSS/BU Credit and Non-Credit Training Program for the period August 1, 2020 through July 31, 2021 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 \$45,000 and authorizes the Commissioner of Social Services to transfer funds between Binghamton University and

Broome Community College employee contracts without further legislative approval as long as the total amount does not exceed \$90,500 and be it

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

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

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 261

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2020-2021

WHEREAS, this County Legislature, by Resolution 339 of 2019, authorized and approved renewal of the DSS/BCC Credit and Non-Credit Training Program for the Department of Social Services and adopted a program budget in the amount of \$45,500 for the period July 31, 2019 through July 31, 2020, and

WHEREAS, said program grant provides employees with educational opportunities and workshops geared toward enhancing their skills on the job and in preparing them for promotional opportunities within the department, and

WHEREAS, it is desired to renew said program grant in the amount of \$45,500 for the period August 1, 2020 through July 31, 2021, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,500 from the New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 122144 for the DSS/BCC Credit and Non-Credit Training Program for the period August 1, 2020 through July 31, 2021 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 \$45,500 and authorizes the Commissioner of Social Services to transfer funds between Binghamton University and Broome Community College employee contracts without further legislative approval as long as the total amount does not exceed \$90,500 and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided

that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-15. Nays-0

RESOLUTION NO. 262

By All Members

Seconded by Mr. Shaw

RESOLUTION AUTHORIZING ACCEPTANCE OF THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) PROVIDER RELIEF FUND PROGRAM GRANT FOR THE WILLOW POINT REHABILITATION AND NURSING CENTER AND ADOPTING A PROGRAM BUDGET FOR 2020-2021

WHEREAS, the Administrator of the Willow Point Rehabilitation and Nursing Center requests authorization to accept a Coronavirus Aid, Relief and Economic security (CARES) provider Relief Fund Program Grant for the Willow Point Rehabilitation and Nursing Center and adopt a program budget in the amount of \$1,414,277.89 for the period April 17, 2020 through December 31, 2021, and

WHEREAS, said program grant provides funding for equipment, supplies and related expenses necessary to treat and respond to COVID-19, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,414,277.89 from the U.S. Department of Health and Human Services, 200 Independence Avenue, S.W. Washington, D.C. 20201, for the Willow Point Rehabilitation and Nursing Center's Coronavirus Aid, Relief and Economic Security (CARES) Provider Relief Fund Program Grant for the period April 17, 2020 through December 31, 2021, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,414,277.89, and be it

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

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

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 263

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING ACCEPTANCE OF THE ELECTIONS CYBERSECURITY REMEDIATION PROGRAM GRANT FOR THE BOARD OF ELECTIONS AND ADOPTING A PROGRAM BUDGET FOR 2019-2021

WHEREAS, the Director of Information Technology requests authorization to accept the Elections Cybersecurity Remediation Program Grant for the Board of Elections and adopt a program budget in the amount of \$114,533.85 for the period December 21, 2019 through December 31, 2021, and

WHEREAS, said program grant reimburses County Boards of Elections for local dollars spent to implement cybersecurity remediation and mitigation services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$114,533.85 from the New York State Board of Elections, 40 N. Pearl Street, 5th Floor,

Albany, New York 12207 for the Elections Cybersecurity Remediation Program Grant for the Board of Elections for the period December 21, 2019 through December 31, 2021, 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 \$114,533.85, and be it

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

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

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

Carried. Ayes-15. Nays-0

RESOLUTION NO.264

By All Members

Seconded by Mr. Wildoner

RESOLUTION AMENDING THE 2020 CAPITAL IMPROVEMENT PROGRAM HIGHWAY RECONSTRUCTION/ REHABILITATION PROJECT

RESOLVED, that the 2020 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Other</u>	<u>County</u>
2920104	Highway Reconstruction/ Rehabilitation	\$2,500,000	\$0	\$0	\$2,500,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2020	15	20(c)	\$2,500,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Other*</u>	<u>County</u>
2920104	Highway Reconstruction/ Rehabilitation	\$3,070,055	\$570,055	\$0	\$2,500,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2020	15	20(c)	\$3,070,055	\$0

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

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

Carried. Ayes-14. Nays-0, Abstain-1 (O'Brien)

RESOLUTION NO. 265

By All Members

Seconded by Mr. Baker

RESOLUTION AMENDING THE 2020 HIGHWAY CONTINUING BUDGET

RESOLVED, that the 2020 Highway Continuing Budget is hereby amended as follows to include 2020 Extreme Winter Recovery (EWR) Apportionment from New York State Department of Transportation:

INCREASE REVENUE

<u>Account Code</u>	<u>Name</u>	<u>Amount:</u>
3120.29010205.5000856	CONSOLIDATED HIGHWAY AID	\$280,448

INCREASE APPROPRIATIONS

<u>Account Code</u>	<u>Name</u>	<u>Amount:</u>
3120.29010305.6004005	SNOW REMOVAL MATERIAL & SUPPLIES	\$200,000
3120.29010205.6004004	MATERIAL & SUPPLIES OTHER	\$80,448

INCREASE REVENUE

<u>Account Code</u>	<u>Name</u>	<u>Amount</u>
3160.30020105.5000856	CONSOLIDATED HIGHWAY AID	\$40,000

INCREASE APPROPRIATIONS

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

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 266

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, Jason Garnar, Broome County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, as amended by Resolutions 277 of 1990 and 171 of 1999, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Luann Kida 129 Kida Lane Oxford, NY 13830	6/30/2022 New Appointment (Filling vacancy)
Jessica Krohn 161 South Washington Street Binghamton, NY 13903	6/30/2022 New Appointment (Filling vacancy)

Lynette Bellmore 6/30/2022
200 Main Street New Appointment
Windsor, NY 13565 (Filling vacancy)

Elizabeth Woitd 6/30/2022
20 Murray Street New Appointment
Binghamton, NY 13905 (Filling vacancy)

Karyn Palmer 6/30/2022
89 Carlin Road New Appointment
Conklin, NY 13748 (Filling vacancy)

and

WHEREAS, it is desired at this time to confirm said appointments, and
WHEREAS, Section 17-3 of the Broome County Charter & Code mandates that it shall be a requirement for membership on all boards of the County of Broome that each individual member be a resident of Broome County unless an exemption is granted by the Broome County Legislature, and

WHEREAS, the County Executive has submitted the nomination of Luann Kida, who is not a resident of Broome County, and has requested an exemption of the residency requirement, and

WHEREAS, upon review of the County Executive's request and associated justification, it is the desire of this Legislature to grant an exemption of the residency requirement for Luann Kida, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 477 of 1985, as amended by Resolutions 277 of 1990 and 171 of 1999, confirms the appointments of the above-named individuals to membership on the Broome County Family Violence Prevention Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-15. Nays-0

RESOLUTION NO. 267

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

SECTION 1. The first sentence of Section Two of Resolution No 180 of 1965, as amended, is amended to read as follows:

Section 2. Imposition of sales tax.

On and after June 1, 1974, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March 1, 1994, and ending November 30, 2023, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (e) of Section Three of Resolution No. 180 of 1965, as amended, is amended to read as follows:

(e) With respect to the additional tax of one percent imposed for the period commencing March 1, 1994, and ending November 30, 2023, the provisions of subdivision, (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to March 1, 1994, all references

in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1994. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1994, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section Four of Resolution No. 180 of 1965, as amended, is amended to read as follows:

Section 4. Imposition of compensating use tax.

- (a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1994, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.
- (b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.
- (c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994 and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.
- (d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or

assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

- (e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an additional or capital improvement to such real property, property or land.

- (f) For purposes of clauses (C), (D), and (E) of subdivision (a) of this section, for the period March 1, 1994, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance for the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

- (g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2023, the tax shall be at the rate of four percent, and on and after December 1, 2023, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of Section Six of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections two and four, respectively, of this resolution for the period commencing March 1, 1994, and ending November 30, 2023.

SECTION 5. Paragraph (B) of subdivision One of Section Eleven of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (B) With respect to the additional tax of one percent imposed for the period beginning March 1, 1994 and ending November 30, 2023, in respect to the use of property used by the purchaser in this County prior to March 1, 1994.

SECTION 6. Subdivision (e) of Section 14 of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (e) Notwithstanding any other provision of this section to the contrary, one hundred percent of the net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2007 through November 30, 2023, is hereby set aside for county purposes and shall be available for any county purpose.

SECTION 7. This enactment shall take effect December 1, 2020.

Carried. Ayes-15. Nays-0

RESOLUTION NO. 268

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM FUNDING FOR THE DIVISION OF SECURITY FOR 2016-2019

WHEREAS, this County Legislature, by Resolution 124 of 2018, as amended by Resolution 184 of 2019, authorized an agreement with the Transportation Security Administration for Law Enforcement Officer Reimbursement Program funding in the amount of \$166,139.71 for the Division of Security for the period April 1, 2016 through December 31, 2019, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$14,560 and extend the period through March 31, 2020, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Transportation Security Administration, 701 S. 12th Hayes Street, Arlington, Virginia 20598-6025 to increase the not to exceed amount by \$14,560 and extend the period through March 31, 2020 for Law Enforcement Officer Reimbursement Program Funding for the Division of Security, and be it

FURTHER RESOLVED, that Resolutions 124 of 2018 and 184 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 269

By All Members

Seconded by Mrs. Kaminsky

RESOLUTION AUTHORIZING ACCEPTANCE OF THE COVID 19 BUREAU OF JUSTICE PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2020-2022

WHEREAS, the Director of Probation requests authorization to accept a COVID 19 Bureau of Justice Program Grant for the Department of Probation and adopt a program budget in the amount of \$58,008 for the period January 20, 2020 through January 31, 2022, and

WHEREAS, said grant program provides funding that will be used for overtime salaries and supplies in relation to the COVID 19 pandemic, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$58,008 from the Department of Justice Office of Civil Rights, Washington, DC 20531, for

the Department of Probation's Bureau of Justice Program Grant for the period January 20, 2020 through January 31, 2022, 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 \$58,008, and be it

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

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

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

Carried. Ayes-15. Nays-0

RESOLUTION NO. 270

By All Members

Seconded by Mr. Pasquale

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 OF 2020 ENTITLED: "A LOCAL LAW AMENDING CHAPTER 341 OF THE BROOME COUNTY CHARTER AND CODE TO INCLUDE A UNIFORM TOWING FEE SCHEDULE FOR NON-TRACTOR TRAILER VEHICLES"

WHEREAS, the Sheriff requests an amendment of Chapter § 341 of the Broome County Charter and Code to incorporate uniform towing fees to be implemented when a vehicle is serviced, towed and/or impounded by any tow company on the Broome County towing list to regulate actions of owners and operators based on recognized practices of neighboring counties, now, therefore be it

RESOLVED, that Local Law Intro. No. 2 of 2020, entitled: "A Local Law Amending Chapter 341 of the Broome County Charter and Code to Include a Uniform Towing Fee Schedule for Non-Tractor Trailer Vehicles," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 2 Of 2020

A LOCAL LAW AMENDING CHAPTER 341 OF THE BROOME COUNTY CHARTER AND CODE TO INCLUDE A UNIFORM TOWING FEE SCHEDULE FOR NON-TRACTOR TRAILER VEHICLES

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

Section 1 Chapter § 341 is amended to add a new subsection 9 as follows:

§ 341-9. Uniform Towing Fee Schedule for Non-Tractor Trailer Vehicles

A. All tow companies on the towing list must incorporate the uniform fee schedule and any failure to comply with this Section may result in a suspension and/or permanent removal from the towing list.

- (1) \$125 maximum fee is charged for standard tows if requested between 8:00 AM to 5:00 PM and a \$150 maximum fee is charged for standard tows if requested between 5:00 PM and 8:00 AM.
- (2) \$175 per hour winch out fee is charged if requested between 8:00 AM to 5:00 PM and a \$200 per hour winch out fee is charged if requested between 5:00 PM and 8:00 AM. Winch out fees are only applicable for tows performed 25 feet or greater

- from the road to recognize the use of time and resources necessary for such tows. If a second truck is necessary, a \$100 maximum fee shall be charged.
- (3) \$90 maximum fee is charged for service calls. Service calls do not include tows. Service calls include services for assistance involving a battery, fuel, tire, lockouts, etc. There shall be separate fees for storage and gate services. Storage of vehicles kept outside shall cost \$40 per business day and storage of vehicles kept inside shall cost \$50 per business day. Storage fees apply after 24 hours of a completed tow only once the owner has been provided an opportunity to retrieve their vehicle. A gate fee of \$60 shall be charged in the event the owner retrieves his or her vehicle during non-business hours. However, the storage fee is waived on the date of pick up if the owner is charged a gate fee.
- (4) There shall be a separate fee for mileage in the amount of \$4.00 per miles applicable in the event the mileage from the tow scene to the tow company exceeds a five mile radius and also applicable in the event the mileage from the tow scene to the site of vehicle drop off, if it not a tow company facility, exceeds a five mile radius.

Section 2 This Local Law shall take effect upon filing with the State.
Heldover under the Rules.

Mr. Weslar commented on his recent visit to the jail.

Mr. Pasquale made a motion to adjourn, seconded by Mr. Wildoner. **Motion to adjourn carried.** Ayes-15, Nays-0. The meeting was adjourned at 5:46 p.m.