

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MAY 18, 2023**

The Legislature convened at 4:35 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Legislative Assistant, Michael V. Tanzini called the Attendance Roll, Present-13, Absent-2 (Myers, Baldwin).

The Broome County Veterans Memorial Association Color Guard Posted the Colors.

Colonel Benjamin W. Margolius led The Pledge of Allegiance to the Flag.

Walter Loveless offered the Invocation.

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

The following Veterans of Distinction Certificates were presented:

Veteran Is Richard Long
Nominated By Dave Williams & American Legion Post 1700.
Accompanied By Legislator Jason E. Shaw

Veteran Jeffrey S. Hurst
Nominated By Walter Loveless & Broome County Veterans Memorial Association
Accompanied By Legislator Scott D. Baker

Veteran Steven Doyle
Nominated By Benjamin W. Margolius & Military Officers Association Of America
Accompanied By Legislator Matthew J. Hilderbrant

Veteran Is Michael Reistetter
Nominated By Brian Brown & Joseph P. Mangan, American Legion Post 1194
Accompanied By Legislator Erin V. Micha

Veteran Michael Pichura
Nominated By Walter Loveless & Broome County Veterans Memorial Association
Accompanied By Legislator Matthew J. Pasquale

Elvin F. Jeffrey
Nominated By Ross Woodrow & Amvets Post 722
Accompanied By Legislator Stephen J. Flagg

Veteran George R. Pichura
Nominated By Walter Loveless & Broome County Veterans Memorial Association
Accompanied By Legislator Louis P. Augostini

Veteran Dale B. Harrison
Nominated By Ralph Luciani & Korea War Veterans Of The Southern Tier
Accompanied By Legislator Kelly F. Wildoner

Veteran Is Clifford A. Post (Being Recognized Posthumously)
Nominated By Eric Fetterman & Marine Corp League
Accompanied By Legislator Mark R. Whalen

Veteran George S. Light III
Nominated By Benjamin W. Margolius & Military Officers Association Of America
Accompanied By Legislator Daniel J. Reynolds

Chairman Reynolds gave closing remarks and recognized the students and teachers from Chenango Valley Central School district and Susquehanna Valley Central School district for providing the Veteran themed artwork on display in the Legislative Conference Room.

The Chairman called for a short recess.
The meeting reconvened at 5:23 p.m. Present-13, Absent-2 (Myers, Baldwin)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

- A. Letters from the County Executive, Jason T. Garnar:
1. Emergency Orders – Willow Point Rehabilitation and Nursing Center
 2. State of Emergency – Willow Point Rehabilitation and Nursing Center
 3. State of Emergency – Willow Point Rehabilitation and Nursing Center Cancellation
 4. State of Emergency – Housing Shortage
 5. Emergency Order – Prohibition of Foreign Municipal Programs that Burden the County
 6. Appointment Letter – Roger Brown as Acting Commissioner of the Department of Public Works and Parks, Recreation & Youth Services
 7. Order of Succession – County Executive

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel J. Reynolds:
1. Designation Letter – Myers
 2. Designation Letter - Kaminsky
 3. Notice – Committee of the Whole Legislature April 20, 2023 Cancellation
 4. Notice – Committee of the Whole Legislature May 11, 2023

Mr. Wildoner made a motion, seconded by Mrs. Kaminsky that the Session minutes of April 20, 2023 be approved as prepared and presented by the Clerk.

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

Mr. Reynolds noted that the committee minutes for April 20, 2023 through May 17, 2023 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mrs. Micha, seconded by Mr. Augustini.

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

RESOLUTIONS INTRODUCED AT THIS SESSION

1. Visit Binghamton – April 2023 Monthly Report
2. Broome County Health Department– 2022 Annual Report
3. SUNY Broome Board of Trustees – March Meeting Minutes
4. Broome County 2023 Salary Schedule
5. Broome County Soil & Water District – March & April Directors Meeting Minutes
6. Notice – Broome County Board of Ethics meeting, May 12, 2023
7. State Assembly – Confirmation of Receipt of Resolution 2023-187
8. Order of Succession –Office of Management & Budget

RESOLUTION NO. 188

By County Administration and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NURSE CONNECTION STAFFING, INC., FOR A COMPUTER MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2023

WHEREAS, the Chief Information Officer requests authorization for an agreement with The Nurse Connection Staffing, Inc., for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and

WHEREAS, said agreement is necessary to define the service expectations for computer maintenance and support for employees accessing County equipment and network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Nurse Connection Staffing, Inc., 1 Computer Drive West, Albany, New York 12205, for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and be it

FURTHER RESOLVED, that support outside normal maintenance described in the Memorandum of Understanding 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 189

By County Administration and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH ALL AMERICAN HEALTHCARE SERVICES, INC., FOR A COMPUTER MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2023

WHEREAS, the Chief Information Officer requests authorization for an agreement with All American Healthcare Services, Inc., for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and

WHEREAS, said agreement is necessary to define the service expectations for computer maintenance and support for employees accessing County equipment and network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with All American Healthcare Services, Inc., 494 Broad Street, Newark, New Jersey 07102, for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and be it

FURTHER RESOLVED, that support outside normal maintenance described in the Memorandum of Understanding 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 190

By County Administration and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH CEDAR PARK GROUP, INC. FOR A COMPUTER MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2023

WHEREAS, the Chief Information Officer requests authorization for an agreement with Cedar Park Group, Inc., for a Computer Maintenance and Support Memorandum of

Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and

WHEREAS, said agreement is necessary to define the service expectations for computer maintenance and support for employees accessing County equipment and network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cedar Park Group, Inc., 2 Lawson Avenue, Suite 11, East Rockaway, New York 11518, for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and be it

FURTHER RESOLVED, that support outside normal maintenance described in the Memorandum of Understanding 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 191

By County Administration and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH GHR TRAVEL NURSING FOR A COMPUTER MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2023

WHEREAS, the Chief Information Officer requests authorization for an agreement with GHR Travel Nursing for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and

WHEREAS, said agreement is necessary to define the service expectations for computer maintenance and support for employees accessing County equipment and network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with GHR Travel Nursing, 2250 Hickory Road, Suite 240, Plymouth Meeting, Pennsylvania 19462, for a Computer Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period January 1, 2023 through December 31, 2023, and be it

FURTHER RESOLVED, that support outside normal maintenance described in the Memorandum of Understanding 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 192

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIEDIE FEST AND BALLOON RALLY EXPO, INC. FOR USE OF OTSININGO PARK FOR THE 2023 SPIEDIE FEST & BALLOON RALLY

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization for an agreement with Spiedie Fest and Balloon Rally Expo, Inc. for the use of Otsiningo Park for the 2023 Spiedie Fest & Balloon Rally, for the period July 27, 2023 through August 9, 2023, and

WHEREAS, said Spiedie Fest is a community event that is enjoyed by many Broome County residents, attracts visitors from around the world, and enhances the quality of life in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Spiedie Fest and Balloon Rally Expo, Inc., P.O. Box 275, Westview Station, Binghamton, New York 13905, for the use of Otsiningo Park for the Spiedie Fest during the period July 27, 2023 through August 9, 2023, and be it

FURTHER RESOLVED, that in-kind services will be provided by the Department of Parks, Recreation & Youth Services in the amount of \$27,500; the Office of Emergency Services in the amount of \$9,000; the Division of Security in the amount of \$25,000; the Department of Public Works Buildings and Grounds in the amount of \$15,000; and the Office of the Sheriff in the amount of \$10,000; total amount of all aforementioned departments not to exceed \$86,500, and should the value of services provided by the County exceed \$86,500, the Spiedie Fest Balloon and Rally Expo, Inc. will provide up to \$7,000 in aggregate reimbursement for such additional expenses, and be it

FURTHER RESOLVED, the Spiedie Fest will provide, at its own expense, insurance, transportation to the site, programs, set up of tents, traffic coordination, traffic control on County highways in and around the festival site provided by the Office of the Sheriff, on-site emergency services and temporary restroom facilities, and be it

FURTHER RESOLVED, that any reimbursement revenue hereinabove authorized shall be credited to the unclassified revenue line for the relevant Department various.5000533 (Unclassified Revenue), and be it

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

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

RESOLUTION NO. 193

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIEDIE FEST AND BALLOON RALLY EXPO, INC. FOR USE OF OTSININGO PARK FOR THE FESTIVAL OF LIGHTS FOR 2023-2024

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization for an agreement with Spiedie Fest and Balloon Rally Expo, Inc. for use of Otsiningo Park for the Festival of Lights for the period October 23, 2023 through January 31, 2024, and

WHEREAS, said agreement is necessary for the Spiedie Fest and Balloon Rally to operate the Broome County Festival of Lights display in Otsiningo Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Spiedie Fest and Balloon Rally Expo, Inc., P.O. Box 275 WVS, Binghamton, New York 13905 for use of Otsiningo Park for the Festival of Lights for the period October 23, 2023 through January 31, 2024, and be it

FURTHER RESOLVED, that the County will provide in-kind services from DPW/Parks in the amount of \$22,000 for plowing, electric, set-up of electric and teardown, and Security in the amount of \$5,000 for security services, total amount not to exceed \$27,000, and be it

FURTHER RESOLVED, that should the value of services provided by the County exceed \$27,000, Spiedie Fest and Balloon Rally Expo, Inc., will provide up to \$10,000 in aggregate reimbursement for such additional expenses, and be it

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

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

RESOLUTION NO. 194

By Economic Development, Education & Culture and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH QUALITY COUNTS, LLC FOR PROFESSIONAL TRAFFIC DATA COLLECTION SERVICES FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY FOR 2023-2026

WHEREAS, RFP 2023-017 BMTS Roadway Segment and Turning Movement Traffic Count Program was advertised, and

WHEREAS, the Executive Director of Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an agreement with Quality Counts, LLC for professional traffic data collection services for the Binghamton Metropolitan Transportation Study a cost not to exceed \$97,000, for the period August 1, 2023 through July 31, 2026, with the option for up to three one-year renewals under the same terms and conditions, and

WHEREAS, said services are necessary for accurate transportation data to forecast future traffic levels throughout the Southern Tier and for reliable data to advance transportation programs, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Quality Counts, LLC 621 Carlisle Drive, Herndon, Virginia 20170 for professional traffic data collection services for the Binghamton Metropolitan Transportation Study for the period August 1, 2023 through July 31, 2026, with the option for up to 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 \$97,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.6004573.1011.3710117 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 195

By Economic Development, Education & Culture and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR ADMINISTRATION OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT'S COMMUNITY DEVELOPMENT BLOCK-CV GRANT FOR 2021-2023

WHEREAS, this County Legislature, by Resolution 382 of 2021, as amended by Resolution 358 of 2022, authorized the Department of Planning and Economic Development to accept a Community Development Block-CV Grant, adopt a program budget in the amount of \$1,000,000 and enter into an agreement with the Broome County Industrial Development Agency to administer said program for the period September 1, 2021 through April 30, 2023, and

WHEREAS, said program grant will support the deployment of assistance for customer and staff safety and improves business resiliency related to the COVID-19 pandemic and future occurrences, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through August 31, 2023, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Broome County Industrial Development Agency, 5 South College Drive, Suite 201, Binghamton, New York 13905 to extend the period through August 31, 2023 for administration of the Department of Planning and Economic Development's Community Development Block-CV Grant, and be it

FURTHER RESOLVED, that Resolution 382 of 2021 and 358 of 2022, 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 196

By Economic Development, Education & Culture Committee Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AGREEMENTS WITH PROPERTY OWNERS WITHIN THE BINGHAMTON, JOHNSON CITY AND ENDICOTT IDISTRICTS

WHEREAS, this County Legislature, by Resolution 398 of 2019 authorized and approved the iDistrict Art Parks and Murals/Mosaics Program Grant for the Department of Planning and Economic Development and adopted a program budget in the amount of \$1,560,000 for the period June 1, 2019 through May 31, 2024, and

WHEREAS, said program allows for the installation and construction of iDistrict Art Parks in the three Innovation Districts in the City of Binghamton, Village of Johnson City and Village of Endicott, and

WHEREAS, the Director of Planning and Economic Development requests authorization for agreements with property owners within the Binghamton, Johnson City and Endicott iDistricts to receive and display public art through the iDistricts Murals and Mosaics Public Art Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various property owners within the Binghamton, Johnson City and Endicott iDistricts, attached as Exhibit "A" to receive and display public art through the iDistricts Murals and Mosaics Public Art Program, and be it

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

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

RESOLUTION NO. 197

By Economic Development, Education & Culture and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENTS WITH ARTISTS TO DISPLAY PUBLIC ART THROUGH THE IDISTRICTS MURALS AND MOSAICS PUBLIC ART PROGRAM FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2022-2024

WHEREAS, this County Legislature, by Resolution 398 of 2019 authorized and approved the iDistrict Art Parks and Murals/Mosaics Program Grant for the Department of Planning and Economic Development and adopted a program budget in the amount of \$1,560,000 for the period June 1, 2019 through May 31, 2024, and

WHEREAS, the Director of Planning and Economic Development requests authorization for agreements with artists, as shown on Exhibit "A" to display public art through the iDistricts Murals and Mosaics Public Art Program, for the Department of Planning and Economic Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with artists, as shown on Exhibit "A" to display public art through the iDistricts Murals and Mosaics Public Art Program, for the Department of Planning, for the period March 1, 2023 through May 31, 2024 and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.6004255.3710101.1011 (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

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

RESOLUTION NO. 198

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

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE OTSININGO NORTH DOG PARK PROJECT AND RENDERING A "NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE" WITH RESPECT THERETO

WHEREAS, the County desires to advance the Otsiningo North Dog Park Project, and WHEREAS, it has been determined that the Otsiningo North Dog Park Project is subject to the requirements of the State Environmental Quality Review Act (SEQRA) and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this is an Unlisted Action pursuant to the New York State Environmental Review Act (SEQRA) which requires review, and

WHEREAS, this County Legislature is an involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, 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, said Project may have an impact on the environment, now, therefore, be it

WHEREAS, the County Legislature has reviewed all the pertinent information with regard to SEQR, including Part I of the Short EAF, and

RESOLVED, the County Legislature has designated in itself as lead agency with respect to the Otsiningo North Dog Park Project and be it

FURTHER RESOLVED, that this County Legislature, based on the Short Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the Otsiningo North Dog Park Project will not have a significant adverse effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby issues a "Negative Declaration of Environmental Significance".

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

RESOLUTION NO. 199

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

RESOLUTION APPROVING THE BYLAWS OF THE BOARD OF DIRECTORS OF THE BROOME COUNTY VETERANS MEMORIAL ARENA AND THE BROOME COUNTY PERFORMING ARTS THEATRE

WHEREAS, Section 2408 of the Broome County Charter and Code establishes a Board of Directors of the Broome County Veterans Memorial Arena and Broome County Performing Arts Theatre (The Forum), with the terms and powers of the Board determined by the County Legislature, and

WHEREAS, Resolutions 364 of 1972, and 321 of 1987 approved the bylaws of the Board of Directors of the Broome County Veterans Memorial Arena and Broome County Performing Arts Theater (The Forum), and

WHEREAS, the Board of Directors has identified and approved revisions to said bylaws, attached as Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby approves the Bylaws of the Board of Directors of the Broome County Veterans Memorial Arena and Broome County Performing Arts Theater (The Forum) attached as Exhibit "A".

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

RESOLUTION NO. 200

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CAROUSEL SPORTS, LLC FOR A PROFESSIONAL HOCKEY FRANCHISE AT THE VISIONS FEDERAL CREDIT UNION VETERANS MEMORIAL ARENA FOR 2024-2027

WHEREAS, this County Legislature, by Resolution 222 of 2021, authorized an agreement with Carousel Sports, LLC for a professional hockey franchise at the Visions Federal Credit Union Veterans Memorial Arena for the period on or about June 1, 2021 through the conclusion of any 2023-2024 season Hockey club playoff games, and

WHEREAS it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Carousel Sports, LLC, 51 Stuart Street, Binghamton, New York 13901 for a professional hockey franchise at the Visions Federal Credit Union Veterans Memorial Arena for the period June 1, 2024 through May 31, 2027, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Hockey Club shall pay for 2023-2024 season rent at the current rates in effect of \$3,000 per game (\$1 per ticket, less 100 free comps for games where distributed tickets exceed 3,500) and at the beginning of the 2024-2025 season and thereafter, the Hockey Club shall pay rent for the use of the Arena for each exhibition, pre-season, regular season of playoff games in the amount of \$3,500 per game; if the number of distributed tickets exceeds 3,750 for any game, rent will increase to \$1.25 per distributed ticket (\$1.25 per ticket, less 100 free comps for games where distributed tickets exceed 3,750), and be it

FURTHER RESOLVED, all tickets sold from any location will be included in the calculation of additional rent. The Hockey Club agrees that for the purposes of the calculation of additional rent, there will be a per game cap on complimentary tickets given by the Hockey Club of 100. If the amount of complimentary tickets for any game exceeds the cap, the amount of complimentary tickets that exceeds the cap will be treated as tickets distributed for the purpose of calculation additional rent, and be it

FURTHER RESOLVED, the Hockey Club shall also reimburse the county for any and all direct expenses incurred by the County in conjunction with events put on by or on behalf of the Hockey Club at the Arena, subject to the Approval of the Arena Manager, and be it

FURTHER RESOLVED, the County shall furnish, at its own expense, for each scheduled hockey game, Arena staff adequate to serve the needs of the public. The Arena staff shall consist of all personnel not directly related to the presentation of the hockey game, including, among others, ticket takers, ushers, security officers, rink attendants, and personnel to resurface ice before and during each game, and be it

FURTHER RESOLVED, the Hockey Club shall furnish, at its own expense, all personnel directly related to and necessary for the proper and safe presentation of each scheduled hockey game. Such personnel may include, among others, players, officials, referees, linesmen, scorers, timers, statisticians, goal judges, announcers, organists and two or three municipal police officers based on anticipated attendance. All personnel furnished by the Hockey Club shall be subject to the reasonable requirements of the Arena Manager or his designee regarding standards of conduct and use of the Arena premises as a public facility, and be it

FURTHER RESOLVED, at the beginning of the 2023-2024 Season, the County agrees to assign to the Hockey Club ten (10) percent concession revenue resulting from Hockey Club events (exclusive of sales and use taxes imposed on concession sales) pursuant to the agreement between Food Consultants, Inc. and the County, and be it

FURTHER RESOLVED, that the County may, if it so elects, at any time terminate this Agreement and the term hereof in the event that an agreement is entered into for an AHL hockey team to play in the Arena, provided that the County gives written notice to the Hockey Club on or before January 15th for the following season, and be it

FURTHER RESOLVED, that in the event that Hockey club undergoes a change in control the County may terminate this agreement immediately upon written notice to the Hockey Club. "Change of Control "means the occurrence of one or more of the following: (i) the acquisition by any person or related groups of persons whether by tender or exchange offer made directly to the shareholders or partners, open market purchases, or any other transaction or series of transactions of 50% or more of the stock or other ownership interest of the Hockey Club, (ii) a merger or consolidation in which the Hockey Club is not the surviving entity or (iii) any reverse merger in which the Hockey Club is the surviving entity but in which the securities or other ownership interest of such Hockey Club immediately prior the consummation of such reverse merger represent less than 50% of the combined total voting power of such entities stock or other ownership interest immediately after consummation of such merger, and be it

FURTHER RESOLVED, that the Hockey Club shall not retain the "poring rights" for food and beverage products sold within the Arena, and be it

FURTHER RESOLVED, that the Hockey Club shall have the exclusive right to market Arena skyboxes, including "all event" rental arrangements. The County reserves the right to charge separate prices for skybox tickets at non-Hockey Club events. Purchasers of skybox tickets from the Hockey Club shall have the right of first refusal on tickets for non-Hockey Club events for a three-week period after the announced on-sale date for the non-hockey event. If the purchaser has not exercised the option within that time period, the Arena Box Office Staff may sell the rights to use those boxes at non-Hockey Club events. The County shall be entitled to one hundred percent (100%) of all non-Hockey Club event skybox ticket payments and non-Hockey Club rental payments, and be it

FURTHER RESOLVED, that Resolution 222 of 2021, 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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 201

By Finance and Economic Development, Education & Culture Committees
 Seconded by Mr. Pasquale

RESOLUTION AMENDING THE 2023 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2023 Capital Improvement Program is hereby amended as follows:
 Estimated Construction Cost:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>
4020017	Library Improvements	\$100,000	\$0	\$0	\$100,000

<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>	
2023	5	35	\$100,000	\$0	

Description: Library Improvements

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, the Department of Health is authorized to accept and allocate additional Healthy Families Broome Program funds, for the period July 1, 2023 through June 30, 2024, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

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

RESOLUTION NO. 206

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH VARIOUS VENDORS FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR THE FOR 2023-2024

WHEREAS, the Director of Public Health requests authorization for an agreement with various vendors for services related to the Department of Health's Creating Healthy Schools and Communities Grant, at a cost not to exceed \$112,400, for the period June 1, 2023 through May 31, 2024, and

WHEREAS, said agreements are necessary to implement sustainable policy, system and environmental changes to address access to healthy, affordable foods and physical activity opportunities in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Binghamton City School District, 164 Hawley Street, Binghamton, NY 13901, Broome-Tioga BOCES Food Service Program, 1 North Loder Avenue, Endicott, NY 13760, City of Binghamton, 38 Hawley Street, Binghamton, NY 13901, Cornell Cooperative Extension of Broome County, 840 Upper Front Street, Binghamton, NY 13905, and Tioga County Health Department, 1062 State Route 38, PO Box 120, Owego, NY 13827 for services related to the Department of Health's Creating Healthy Schools and Communities Program, for the period June 1, 2023 through May 31, 2024, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the various vendors in accordance with "Exhibit A", total amount not to exceed \$112,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.1011.2510703 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 207

By Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH LICENSED CHILD CARING INSTITUTIONS FOR FOSTER CARE, HOME FINDING AND ADOPTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2023-2024

WHEREAS, this County Legislature, by Resolution 192 of 2022, authorized an agreement with any or all Child Caring Institutions licensed and approved by New York State Office of Children & Family Services for foster care, home finding and adoption services at rates according to the Maximum State Reimbursement set by New York State, total amount not to exceed \$16,458,166 for the period July 1, 2022 through June 30, 2023, and

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

WHEREAS, said agreements expire by their terms on June 30, 2023, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$17,225,847, for the period July 1, 2023 through June 30, 2024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with any or all Child Caring Institutions licensed and approved by New York State Office of Children & Family Services, including but not limited to those listed on Exhibit "A" for foster care, home finding and adoption services the Department of Social Services for the period July 1, 2023 through June 30, 2024, and

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an aggregate amount not to exceed \$17,225,847 for the term of the agreement, and be it

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

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

RESOLUTION NO. 208

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF THE TOBACCO CONTROL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2023-2024

WHEREAS, this County Legislature, by Resolution 215 of 2022, authorized and approved renewal of the Tobacco Control Program Grant for the Department of Health and adopted a program budget in the amount of \$325,000 for the period July 1, 2022 through June 30, 2023, and

WHEREAS, said program is necessary to prevent initiation of tobacco use, educate the public about tobacco industry marketing tactics, prevent exposure to second-hand smoke, and promote the New York State Smoker's Quitline, and

WHEREAS, it is desired to renew said program grant in the amount of \$325,000 for the period July 1, 2023 through June 30, 2024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$325,000 from the New York State Department of Health, Corning Tower, Rockefeller Empire State Plaza, Albany, New York 12237 for the Department of Health's Tobacco Control Program Grant for the period July 1, 2023 through June 30, 2024, 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 \$325,000, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Tobacco Control Program funds for the period July 1, 2023 through June 30, 2024,

provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

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

RESOLUTION NO. 209

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE HIRING OF KATHLEEN HAWK AS NURSING HOME ADMINISTRATOR AT A SALARY ABOVE THE MINIMUM

WHEREAS, the County needs to hire a Nursing Home Administrator for the Willow Point Rehabilitation and Nursing Center, and

WHEREAS, the County Executive has appointed, pending confirmation, Kathleen Hawk as Nursing Home Administrator at the annual salary of \$163,200.00 per year, which is above the minimum for the position, and

RESOLVED, that this County Legislature confirms the appointment of Kathleen Hawk as Nursing Home Administrator, and be it

FURTHER RESOLVED, that the County Legislature hereby authorizes the salary of Kathleen Hawk as Nursing Home Administrator at the annual salary of \$163,200.00 per year, effective March 20, 2023, and be it

FURTHER RESOLVED, that the County Legislature grants a waiver of the residency requirement for the position of Nursing Home Administrator.

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

RESOLUTION NO. 210

By Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REOPENING SECTION 552 OF THE RETIREMENT AND SOCIAL SECURITY LAW PURSUANT TO CHAPTER 609 OF THE LAWS OF 2022

WHEREAS, this County Legislature, by Resolution 148 of 2022, authorized a Home Rule Request to authorize the County of Broome to offer an optional twenty-year retirement plan to Joshua Quinn, a Deputy Sheriff employed by Broome County, and

WHEREAS, Chapter 609 of the Laws of 2022 authorized the County of Broome to offer an optional twenty year retirement plan to Joshua Quinn, a deputy sheriff employed by such county and

WHEREAS, the County of Broome does hereby elect to reopen Section 552 of the Retirement and Social Security Law, pursuant to Chapter 609 of the Laws of 2022 for the benefit of offering Joshua Quinn enrollment in the 20-year plan of Section 552 of the Retirement and Social Security Law, now, therefore, be it

RESOLVED, that the governing board of the County of Broome does hereby elect to reopen Section 552 of the Retirement and Social Security Law, pursuant to Chapter 609 of the Laws of 2022, and be it

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

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

RESOLUTION NO. 211

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE BROOME COUNTY HEALTH DEPARTMENT

WHEREAS, the Broome County Health Department seeks to create 2 part-time Health Program Director positions to complete public work as directed by the grant workplans and New York State Article 6 Public Health Law, and

WHEREAS, related duties include care coordination of children with elevated blood lead levels, public outreach about lead poisoning prevention and promotion of immunizations, and provider engagement related to lead testing and immunization work practices to increase vaccine rates in the community, now, therefore, be it

RESOLVED, that in accordance with a request contained in PCR #4081 from the Broome County Health Department, this County Legislature hereby creates the position of Health Program Director, Grade 17s, Union Code 07, BAPA, minimum hourly salary of \$23.77, 26.25 hours weekly, Part-Time, budget line 6001001.1011.25010004.2510687 effective May 22, 2023, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR #4082 from the Broome County Health Department, this County Legislature hereby creates the position of Health Program Director, Grade 17s, Union Code 57, BAPA, minimum hourly salary of \$23.77, 11.25 hours weekly, Part-Time, budget line 6001001.1011.25010004.2510698 effective May 22, 2023.

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

RESOLUTION NO. 212

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, in an effort to fill vacancies within the Department of Social Services, the Commissioner of Social Services requests authorization to abolish one full time Caseworker position and create two part time Caseworker positions, now, therefore, be it

RESOLVED, that in accordance with a request contained PCR #4100 from DSS, this County Legislature hereby creates the position of Caseworker-DSS, Grade 18, Union Code 08 CSEA, Part-time, minimum hourly rate \$23.2064, 18.75 hours weekly, budget line 35050006.6001001.1010 effective May 1, 2023, and be it

FURTHER RESOLVED, that in accordance with a request contained PCR #4101 from DSS, this County Legislature hereby creates the position of Caseworker-DSS, Grade 18, Union Code 08 CSEA, Part-time, minimum hourly rate \$23.2064, 18.75 hours weekly, budget line 35050006.6001001.1010 effective May 1, 2023, and be it

FURTHER RESOLVED, that in accordance with a request contained PCR #4102 from DSS, this County Legislature hereby abolishes the position of Caseworker-DSS, Grade 18, Union Code 04 CSEA, Full-time, minimum hourly rate \$23.2064, 37.5 hours weekly, budget line 35050006.6001000.1010 effective May 1, 2023.

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

RESOLUTION NO. 213

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH TRAILWAYS OF NEW YORK FOR BUS SLIP RENTAL AT THE GREATER BINGHAMTON TRANSPORTATION CENTER FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2023-2028

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Trailways of New York for bus slip rental at the Greater Binghamton Transportation Center for the Department of Public Transportation with revenue to the County for the period June 1, 2023 through May 31, 2028, and

WHEREAS, said agreement is necessary for Adirondack Trailways to rent two bus slips at the Greater Binghamton Transportation Center, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Trailways of New York, 499 Hurley Avenue, Hurley, New York 12443 for bus slip rental at the Greater Binghamton Transportation Center for the Department of Public Transportation for the period June 1, 2023 through May 31, 2028, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County as follows:

- \$2,295 per month for the period June 1, 2023 through May 31, 2025
- \$2,341 per month for the period June 1, 2025 through May 31, 2026
- \$2,388 per month for the period June 1, 2026 through May 31, 2027
- \$2,436 per month for the period June 1, 2027 through May 31, 2028

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 31010305.5000137.2040 (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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 214

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization for an easement agreement with New York State Electric and Gas for the Department of Public Works, at no cost to the County, and

WHEREAS, said easement agreement is necessary for an additional electric pole for charging the electric bus fleet scheduled to arrive in 2024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an easement agreement with New York State Electric and Gas, 4425 Old Vestal Road, PO Box 3607, Binghamton, New York 13902-3607 for the Department of Public Transportation, as indicated on Exhibit "A", at no cost to the County, and be it

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

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

RESOLUTION NO. 215

By Public Works & Transportation and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR STUDENT TRANSPORTATION SERVICES FOR 2023-2026

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with the Binghamton City School District for student transportation services during the 2023-2024, 2024-2025, 2025-2026 school calendars, and

WHEREAS, said agreement is necessary to provide transportation for eligible students to and from school, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton City School District, 164 Hawley Street, Binghamton, New York 13901 for student transportation services for the 2023-2024, 2024-2025, 2025-2026 school calendar years, and be it

FURTHER RESOLVED, that in consideration of said services, the School District shall pay the County \$318,206.70 for the 2023-2024 school calendar year, \$324,570.80 for 2024-2025 school calendar year and \$331,062.20 for 2025-2026 school calendar year, and be it

FURTHER RESOLVED, the payments hereinabove authorized shall be credited to budget line 31010105.5000421.2040 (Binghamton School District Contract), and be it

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

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

RESOLUTION NO. 216

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT FOR 2023-2028

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with the Transportation Security Administration for the lease of approximately 936 square feet of space in the terminal building at the Greater Binghamton Airport at an annual rate of \$58,506.57, for the period February 1, 2023 through January 31, 2028, and

WHEREAS, said agreement is necessary for office space for the Transportation Security Administration, which has responsibility for administering aviation security at U.S. Airports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with U.S. General Services Administration-PBS, One World Trade Center, 55th Floor, Room 55W09, New York, New York 10007 for lease of approximately 936 square feet of space in the terminal building of the Greater Binghamton Airport for the period February 1, 2023 through January 31, 2028, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$58,506.57 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28150005.5000137.2010 (TSA Space Rental), and be it

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

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

RESOLUTION NO. 217

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF THE HURRELL-HARRING ASSIGNED COUNSEL PROGRAM GRANT FOR THE OFFICE OF THE ASSIGNED COUNSEL PROGRAM AND ADOPTING A PROGRAM BUDGET FOR 2023-2024

WHEREAS, the Assigned Counsel Program Administrator requests authorization to accept a Hurrell-Harring Assigned Counsel Program Grant for the Office of the Assigned

Counsel Program and adopt a program budget in the amount of \$3,183,845.80 for the period April 1, 2023 through March 31, 2024, and

WHEREAS, said program grant funds the administration, management, and operation of the Office of the Assigned Counsel Program as required under Section 722 of the New York County Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,183,845.80 from the New York State Office of Indigent Legal Services, with an address of A.E. Smith Office Building, 11th Floor, 80 South Swan Street, Albany, New York 12210 for the Office of the Assigned Counsel Program for the period April 1, 2023 through March 31, 2024, 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 \$3,183,845.80, and be it

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

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

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

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

RESOLUTION NO. 218

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE OFFICE OF THE SHERIFF

WHEREAS, the Sheriff desires to broaden the pool of eligible candidates and hire the best candidate to oversee the operations of the Broome County Correctional Facility that shares the vision of reducing recidivism, expanding educational, vocational and rehabilitative programming opportunities, providing essential jail-based substance abuse and mental health treatment, and transforming the current correctional culture and addressing the systemic and deep-rooted challenges to ensure that those incarcerated have access to the tools and services they need to become successful upon re-entry into society, now, therefore, be it

RESOLVED, that in accordance with a request contained in PCR #4096 from the Broome County Office of the Sheriff, this County Legislature hereby abolishes the position of Corrections Major, Grade 29, Union Code 07, BAPA, minimum annual salary of \$88,670.00, 40 hours weekly, Full-Time, budget line 6001000.1010.23010003 effective April 29, 2023, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR #4098 from the Broome County Sheriff, this County Legislature hereby creates the position of Jail Administrator, Grade H, Union Code 02, Admin II, minimum annual salary of \$95,370.00, 40 hours weekly, Full-Time, budget line 6001000.1010.23010003 effective April 29, 2023.

Heldover under the Rules by Mr. Reynolds

RESOLUTION NO. 219

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, the County Clerk and the Director of the Office of Management and Budget have presented their report concerning mortgage tax receipts for the period October 2022 through March 2023 pursuant to Section 261 of the Tax Law of the State of New York, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

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

SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION

October 2022 through March 2023

Dickinson	Village of Port Dickinson	\$2,449.42
	Outside	\$14,959.81
Lisle	Village of Lisle	\$375.11
	Outside	\$8,527.47
Sanford	Village of Deposit	\$1,377.63
	Outside	\$21,673.17
Triangle	Village of Whitney Point	\$5,988.99
	Outside	\$33,157.68
Union	Village of Johnson City	\$33,947.81
	Village of Endicott	\$25,027.65
	Outside	\$224,754.52
Windsor	Village of Windsor	\$1,813.27
	Outside	\$40,433.21
Barker		\$7,426.65
Binghamton (Town)		\$35,630.97
Chenango		\$62,215.74
Colesville		\$19,069.39
Conklin		\$32,000.19
Fenton		\$41,851.47
Kirkwood		\$36,953.80
Maine		\$24,039.36
Nanticoke		\$4,402.65
Vestal		\$182,128.21
City of Binghamton		\$303,631.33
Total		\$1,163,835.50

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

RESOLUTION NO. 220

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE CORRECTION OF ERRORS ON 2023 TAX BILLS

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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 221

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION APPROVING THE TRANSFER OF TITLE FOR 17 MUNSELL STREET TO THE CITY OF BINGHAMTON

WHEREAS, the County of Broome owns 17 Munsell Street, Tax Map #144.83-1-32 in the City of Binghamton by virtue of the completion of proceedings and foreclosure in-rem, and

WHEREAS, the Acting Director of Real Property Tax Service advises that the City of Binghamton desires to acquire said property which is a vacant lot and the Director recommends that such request be granted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the transfer of title for 17 Munsell Street, Tax Map #144.83-1-32 to the City of Binghamton, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the property listed above to the City of Binghamton, together with other such documents as may be necessary to implement the intent of this Resolution.

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

RESOLUTION NO. 222

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF UNION

WHEREAS, the County of Broome owns a vacant piece of land (0.01 acres) at 817 Leroy-Inside Lot in the Town of Union, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Services to sell such property in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Acting Director of Real Property Tax Services desires to sell 817 Leroy-Inside Lot, Tax Map #141.47-2-13.11 (0.01 acres) to adjoining property owner Ms. Renee Trecansky for the purchase price of \$1 plus recording costs, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the sale of 817 Leroy-Inside Lot, Tax map #141.47-2-13.11 to Ms. Renee Trecansky, 703 Milan Avenue, Endicott, New York 13760 for the purchase price of \$1 plus recording costs, and be it

FURTHER RESOLVED, that the County Executive or his 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 former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

RESOLUTION NO. 223

By Public Works and Transportation Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE COUNTY TO NEGOTIATE A PROJECT LABOR AGREEMENT FOR THE CONSTRUCTION OF THE TERMINAL REHABILITATION PROJECT FOR THE DEPARTMENT OF AVIATION

WHEREAS, the Commissioner of Aviation requests authorization for the County to negotiate a Project Labor Agreement for the construction of the Terminal Rehabilitation Project for the Department of Aviation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County to negotiate a Project Labor Agreement for the construction of the Terminal Rehabilitation Project for the Department of Aviation, and be it

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

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

RESOLUTION NO. 224

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF A PETS SAFE GRANT AWARD FOR THE DEPARTMENT OF PARKS, RECREATION AND YOUTH SERVICES

WHEREAS, the Director of Parks, Recreation and Youth Services requests authorization to accept a PetSafe Grant award in the amount of \$25,000 for the Department of Parks, Recreation and Youth Services Otsiningo North Dog Park Construction Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,000 from PetSafe Brand, 10427 PetSafe Way, Knoxville, Tennessee 37932 for the Department of Parks, Recreation and Youth Services Otsiningo North Dog Park Construction Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to Capital Project 4320060, and be it

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

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

RESOLUTION NO. 225

By Finance Committee

Seconded by Mr. Pasquale

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

WHEREAS, this County Legislature authorized the Director of the Office of Management and Budget to cancel taxes, plus accrued interest and penalties on Tax Map #143.68-1-6, 89 Glenwood Avenue in the City of Binghamton, and

WHEREAS, this County Legislature, authorized the sale of 89 Glenwood Avenue to the former owner and the Director of Real Property Tax Service is requesting authorization for the Director of the Office of Management and Budget to reinstate cancelled 2023 taxes in the amount of \$1,648.36 on Tax Map #143.68-1-6, 89 Glenwood Avenue 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 2023 taxes in the amount of \$1,648.36 on Tax Map #143.68-1-6, 89 Glenwood Avenue in the City of Binghamton.

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

RESOLUTION NO. 226

By County Administration and Finance Committees
Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH TIERNO DEVELOPMENT, LLC, FOR LEASE OF SPACE FOR THE BROOME COUNTY DEPARTMENT OF MOTOR VEHICLES FOR 2022-2027

WHEREAS, the Broome County Clerk requests authorization to invoke the first of two renewal options to extend the agreement with Tierno Development, LLC, for lease of space for the Broome County Department of Motor Vehicles Endicott Office, to be located at 137 Washington Avenue at the cost of \$31,500 per year, total amount not to exceed \$157,500, for the period February 6, 2022 through February 6, 2027, and

WHEREAS, said agreement is necessary to operate a motor vehicle department in western Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tierno Development, LLC, 71 Pratt Avenue, Johnson City, New York 13790, for lease of space for the Broome County Department of Motor Vehicles Endicott Office, to be located at 137 Washington Avenue, for the period February 6, 2022 through February 6, 2027 with the option of one further additional five year renewal, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31,500 per year, total cost not to exceed \$157,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 04020001.6004111 (Building and Land Rental), and be it

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

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

RESOLUTION NO. 227

By Economic Development, Education & Culture and Finance Committees
Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS AND AGENCIES FOR FUNDS TO SUPPORT ECONOMIC DEVELOPMENT AND COMMUNITY PROJECTS IN BROOME COUNTY FOR 2023-2024

WHEREAS, the County budgeted \$545,000 to support Marketing & Economic Development and \$1,150,000 for the Small Community Grant Program and wishes to use this funding to support various community projects in Broome County, and

WHEREAS, the Director of Planning requests authorization for agreements with Various Vendors for funding to support economic development and community projects in Broome County for 2023-2024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors, attached as Exhibit "A" for funding from the Marketing and Economic Development allocation of the occupancy tax budget line 90000099.6005026 (Marketing & Economic Development), for various community projects in Broome County, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with various vendors, attached as Exhibit "B" for funding from the Small Community Grant Program budget line 90000099.6005041 (Small Community Grant Program), for various community projects in Broome County, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with various vendors, attached as Exhibit "C" for funding from the American Rescue Plan Act, budget line 45010001.6004255.4510001.1011 (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-13, Nays-0, Absent-2 (Myers, Baldwin)

RESOLUTION NO. 228

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

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

WHEREAS, the position of Secretary to the District Attorney is currently vacant, and

WHEREAS, in an effort to expand on the pool of qualified candidates, the Office of the District Attorney is recommending that the position of Secretary to the District Attorney be changed to Secretary, now, therefore, be it

RESOLVED, that in accordance with a request contained in PCR# 4049 from the District Attorney, this County Legislature hereby changes the position of Secretary to District Attorney, Grade 14, Union Code 09, ADMIN I, Full-time, minimum salary \$38,317.00; 37.5 hours weekly, budget line 06000001.1010.6001000 to Secretary, Grade 14, Union Code 09, ADMIN I, Full-time, minimum salary \$38,317.00; 37.5 hours weekly, budget line 06000001.1010.6001000, effective May 29, 2023.

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

RESOLUTION NO. 229

By Personnel Committee

Seconded by Mr. Pasquale

ADOPTING A STANDARD WORK DAY AND REPORTING RESOLUTION AS REQUIRED BY THE STATE OF NEW YORK

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

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

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

LEGISLATORS COMMENTS

Mrs. Kaminsky stated that she enjoyed the Veterans of Distinction video and thanked Mr. Tanzini for putting it together.

Mr. Augostini stated that this was his first Veterans of Distinction ceremony and he was honored to present a certificate to his constituent, Veteran George Pichura. He also pointed out some of the great projects that are being done in his district, including the Victory Building, the Oakdale Commons, and UHS Hospital.

Mrs. Ryan stated she would be participating in a Together for Ukraine 5K in Vestal this weekend.

Mrs. Micha stated her tour of the Children's Home of Wyoming Conference was an eye-opening experience.

Mr. Weslar stated that May 1st was Police Week and next week is EMS week.

Mr. Reynolds thanked the staff for all of their work on the Veterans of Distinction Ceremony, with special recognition to Mr. Tanzini for putting together the great video.

Mr. Pasquale made a motion to adjourn, seconded by Mrs. Kaminsky. **Motion to adjourn carried.** Ayes-13, Nays-0, Absent-2 (Myers, Baldwin). The meeting was adjourned at 5:31 p.m.

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