

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
DECEMBER 30, 2025**

The Legislature convened at 5:37 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin called the Attendance Roll, Present-13 Absent-2 (Myers, Pasquale).

The Chairman, Daniel J. Reynolds, 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

Mr. Baldwin and Mrs. Kaminsky were designated with Chairman Reynolds as participants in the "Short Roll Call".

Mr. Baldwin made a motion, seconded by Mrs. Ryan, that the Session minutes of December 18, 2025 be approved as prepared and presented by the Clerk.

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

Mr. Reynolds noted that the committee minutes for December 18, 2025 through December 29, 2025, 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. Baker.

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

1. Town of Fenton – 2026 Budget
2. SUNY Broome Community College - Quarterly Income Statement
3. SUNY Broome Community College – Board of Trustees Meeting Minutes 10/23/2025

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 498

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION OF CONDOLENCE ON THE DEATH OF EUGENE "GENE" EDWARD LABARE

WHEREAS, former Broome County Legislator Eugene "Gene" Edward LaBare passed away on August 26, 2025 at St. Anthony's Hospital in St. Petersburg Florida, and

WHEREAS, Gene is survived by his wife Nancy of 54 years, and their son Byron, and was predeceased by his daughter Kelly, and

WHEREAS, Gene is also survived by his sister, Lizabeth, sisters-in-law Helen and Diane, brother-in-law Daniel and several nieces, nephews and cousins, and

WHEREAS, Gene was born in Johnson City, New York and lived most of his life in Endicott, where he had a dedicated career of 34 years with IBM and then worked for 15 years with William H. Lane Inc., and

WHEREAS, Gene served his community in leadership roles with Union-Endicott School District Board and the citizens of Broome County as a member of the Broome County Legislature from 2007 through 2010 representing former District 15, and

WHEREAS, during his time on the Legislature, Gene was elected as Majority Leader and served on several standing committees, including Chair of County Administration and as a member of the Finance, Health & Human Services and Public Health & Environmental Protection committees, and

WHEREAS, Gene coached Pee Wee football and youth basketball and devoted his time to Action for Older Persons, Southern Tier Economic Development, the Boys and Girls Club of Western

Broome, the Chamber of Commerce and the Spiedie Fest & Balloon Rally, where he served as both board member and president, and

WHEREAS, Gene will long be remembered as a dedicated public servant to the residents of the Town of Union and all of Broome County, and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County community, wishes to record its condolences in the official proceedings of this body, now, therefore, be it

RESOLVED, that the members of this County Legislature, hereby recognize the loss of Eugene "Gene" Edward LaBare and extend its sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the County Legislature held on December 30, 2025 and to forward a certified copy of this Resolution to the family of the late Eugene "Gene" Edward LaBare.

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

Mr. Shaw presented the Resolution of Condolence to Grace Tabeek and Anthony Paniccia on behalf of the LaBare family.

RESOLUTION NO. 499

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY AGRICULTURAL AND FARM LAND PROTECTION BOARD

WHEREAS, Daniel J. Reynolds, Chairman of the Broome County Legislature, pursuant to the authority vested in him by Article 25AA of the Agriculture and Markets Law, has duly designated and appointed the following named individual to membership on the Broome County Agricultural and Farm Land Protection Board, subject to confirmation by this County Legislature:

Name	Term Expiring
Andrea Eichorn	Reappointment
2859 NY Route 26	Agriculture Land Preservation
Glen Aubrey, NY 13777	December 31, 2027

and

WHEREAS, it is desired to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article 25AA of the Agriculture and Markets Law, does hereby confirm the appointment of the above-named individual to membership on the Broome County Agricultural and Farm Land Protection Board for the terms indicated, in accordance with her appointment by the Legislative Chair.

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

RESOLUTION NO. 500

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS

WHEREAS, Daniel J. Reynolds, Chairman, pursuant to the authority vested in him by Resolution 78 of 2018, has duly designated and appointed the following named individual to membership on the Broome County Veterans Memorial Arena Board of Directors, for the term indicated, subject to confirmation by this County Legislature:

NAME	TERM EXPIRING
Michael V. Tanzini	12/31/2026
117 N. Roosevelt Avenue	Reappointment
Endicott, NY 13760	

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 78 of 2018, confirms the appointment of the above-named individual to membership on the Broome

County Veterans Memorial Arena Board of Directors for the term indicated, in accordance with his appointment by the County Legislature.
Carried. Ayes-13, Nays-0, Absent-2 (Myers, Pasquale).

RESOLUTION NO. 501

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, Daniel J. Reynolds, Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution 27 adopted February 1, 1972, has duly designated and appointed the following named individuals to membership on the Broome County Soil and Water Conservation District for the terms indicated, subject to confirmation by this County Legislature:

<u>Name</u>	<u>Term</u>
Kelly Wildoner	December 31, 2026
4288 Brady Hill Road	(Legislative Representative)
Binghamton, New York 13903	Reappointment
Matthew J. Hilderbrant	December 31, 2026
7314 Academy Street	(Legislative Representative)
Whitney Point, New York 13862	Reappointment
Erin Heard	12/31/2028
176 Depot Hill Road	Reappointment
Port Crane, New York 13833	

and

WHEREAS, it is desired to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 27 adopted February 1, 1972, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Soil and Water Conservation District for the terms indicated, in accordance with their appointment by the Legislative Chair.

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

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Daniel J. Reynolds, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, Resolution No. 388, adopted November 20, 2014 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated:

<u>Names</u>	<u>Term Expires</u>
Kevin McManus	December 31, 2028
979 Taft Avenue	Reappointment
Endicott, NY 13760	
James Peduto	December 31, 2028
1505 Buffalo Street	Reappointment
Endicott, NY 13760	
Nicholas Buono	December 31, 2028
49 Rogers Mountain Way	New Appointment

Binghamton, NY 13901 (Replacing Richard Bucci)
and

WHEREAS, it is desired at this time to confirm said appointments, and
WHEREAS, these appointments, upon an affirmative vote by the full Legislature on this Resolution, shall become effective January 1, 2026 and continue through the terms indicated or until such time as the person is replaced, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, Resolution No. 388, adopted November 20, 2014 and Article 18-A of the New York State General Municipal Law, confirms the appointments of the above-named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated, in accordance with their appointment by the Legislative Chairman.

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

RESOLUTION NO. 503

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION APPOINTING MEMBERS TO THE BROOME COUNTY LOCAL DEVELOPMENT CORPORATION PURSUANT TO THE NOT-FOR-PROFIT CORPORATION LAW OF THE STATE OF NEW YORK

WHEREAS, this County Legislature, by Resolution 463 of 2010 authorized the formation of the Broome County Local Development Corporation (LDC), pursuant to the Not-For-Profit Corporation Law of the State of New York, to promote and conduct economic development activities in the County, and

WHEREAS, according to the Certificate of Incorporation and the By-laws, the Legislature is authorized to nominate the members of the LDC's Board of Directors to serve with terms indicated below or until their successor is elected and has been qualified, and

WHEREAS, this County Legislature, by Resolution 497 of 2020 adopted amended By-laws, and

WHEREAS, this County Legislature desires to nominate and elect the members of the Local Development Corporation Board of Directors as follows:

<u>NAMES</u>	<u>TERM EXPIRING</u>
Kevin McManus	December 31, 2028
979 Taft Avenue	Reappointment
Endicott, NY 13760	
James Peduto	December 31, 2028
1505 Buffalo Street	Reappointment
Endicott, NY 13760	
Nicholas Buono	December 31, 2028
49 Rogers Mountain Way	New Appointment
Binghamton, NY 13901	(Replacing Richard Bucci)

and

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

RESOLVED, that the above-named individuals are duly nominated and elected as members of the LDC's Board of Directors, with terms as indicated or to serve until their successor is elected by the Broome County Legislature and has been qualified.

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

RESOLUTION NO. 504

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CONFIRMING APPOINTMENT OF DAVID P. GOGUEN AS EMPLOYMENT AND TRAINING DIRECTOR I

WHEREAS, the County Executive, pursuant to the authority vested in him by Article III, Section C311 of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this County Legislature, David P. Goguen as Employment and Training Director I, at the annual salary of \$96,927, effective December 31, 2025, and

WHEREAS, David P. Goguen is fully qualified to fill the position of Employment and Training Director I, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article III, Section C311 of the Broome County Charter and Administrative Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, hereby confirms the appointment of David P. Goguen, 37 Brewster Street, Johnson City, New York 13790 as Employment and Training Director I, at the annual salary of \$96,927, effective December 31, 2025, in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 505

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION ADOPTING THE SCHEDULE OF LEGISLATIVE SESSIONS FOR 2026

RESOLVED, that, in accordance with Rule III of the Rules of Order, this County Legislature hereby adopts the following schedule of Legislative Sessions for 2026:

Day	Date	Meeting Type	Meeting Time
Thursday	January 22	Regular	5:00 p.m.
Thursday	February 19	Regular	5:00 p.m.
Thursday	March 19	Regular	5:00 p.m.
Thursday	April 16	Regular	5:00 p.m.
Thursday	May 21	Regular	5:00 p.m.
Thursday	June 18	Regular	5:00 p.m.
Thursday	July 16	Regular	5:00 p.m.
Thursday	August 20	Regular	5:00 p.m.
Thursday	September 17	Regular	5:00 p.m.
Thursday	October 22	Regular	5:00 p.m.
Thursday	November 19	Regular	5:00 p.m.
Thursday	December 17	Regular	5:00 p.m.
Tuesday	December 29	Regular	5:00 p.m.

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

RESOLUTION NO. 506

By Finance Committee

Seconded by Mr. Baldwin

RESOLUTION APPOINTING MICHAEL V. TANZINI AS CLERK OF THE LEGISLATURE

WHEREAS, pursuant to Section 205 of the Broome County Administrative Code, the County Legislature appoints a Clerk of its body for a term for which the members of the County Legislature were elected, and

WHEREAS, this County Legislature, by Resolution 1 of 2026 appointed Aaron M. Martin to serve as Clerk of the Legislature for the term January 1, 2025 through December 31, 2026, and

WHEREAS, Aaron M. Martin will resign from the position of Clerk of the Legislature on December 31, 2025, and

WHEREAS, it is desired at this time, in accordance with the provisions of said Administrative Code, to fill the unexpired term of Aaron M. Martin, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Section 205 of the Broome County Administrative Code does hereby appoint Michael V. Tanzini, 117 N. Roosevelt

Avenue, Endicott, NY 13760 as Clerk of the Legislature for a term of January 1, 2026 through December 31, 2026.

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

State Supreme Court Justice, Cheryl Insigna, administered the Oath of Office to Mr. Tanzini.

RESOLUTION NO. 507

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION ESTABLISHING EQUALIZATION RATES FOR THE 2026 COUNTY TAX LEVY

RESOLVED, that pursuant to Article III, Section 302 D of the Broome County Charter, the percentages hereinafter indicated after the names of the Towns and the City of Binghamton be and the same hereby are adopted as the ratio percentages which the assessed value of real property of each municipality bears to its full value:

<u>Municipality</u>	<u>Equalization Rate</u>
City of Binghamton	52.40
Town of Barker	71.50
Town of Binghamton	47.50
Town of Chenango	42.90
Town of Colesville	5.50
Town of Conklin	46.00
Town of Dickinson	48.25
Town of Fenton	44.00
Town of Kirkwood	54.25
Town of Lisle	76.20
Town of Maine	39.00
Town of Nanticoke	40.50
Town of Sanford	41.20
Town of Triangle	69.96
Town of Union	2.78
Town of Vestal	100.00
Town of Windsor	42.50

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

RESOLUTION NO. 508

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER, ON THE CITY OF BINGHAMTON FOR 2026

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax - \$11,770,210.85 and be it

FURTHER RESOLVED, that the payment to the Director of the Office of Management and Budget of Broome County be made pursuant to the City's Charter, one-half on March 1, 2026, and one-half on September 1, 2026, up to the amount collected.

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

RESOLUTION NO. 509

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION LEVYING COUNTY TAXES, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER

WHEREAS, this County Legislature, by Resolution 417 of 2025, has adopted a budget for the fiscal year 2026, and

WHEREAS, this County Legislature, by Resolution 418 of 2025, made appropriations for the conduct of the Broome County Government for the fiscal year 2026, now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$76,851,085.

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

RESOLUTION NO. 510

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 2025

RESOLVED, that the Certificate of Returned School Taxes as reported by the Director of the Office of Management and Budget, as set forth in Exhibit "A" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Director of the Office of Management and Budget to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of returned Village Taxes, as reported by the Director of the Office of Management and Budget, as set forth in Exhibit "B" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected, the same be returned to the Director of the Office of Management and Budget to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

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

RESOLUTION NO. 511

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and by the several resolutions of the County Legislature, and the same completed Tax Rolls have been laid down before this County Legislature for its approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and that the tax is so extended upon the Tax Rolls and the several amounts extended against each parcel of property upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants be signed by the County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants annexed therefore be forthwith delivered to the respective Collectors of the several tax districts in the County, and be it

FURTHER RESOLVED, that upon the effective date of this resolution or any thereafter, on or before January 1, 2026, be and hereby is designated as the date upon which the County Executive and the Clerk of this County Legislature are authorized to sign the Warrants and attach the seal of this County Legislature to the Tax Rolls of the several towns.

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

RESOLUTION NO. 512

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN BROOME COUNTY

WHEREAS, the budget for fiscal year commencing January 1, 2026 in which the County taxes are to be levied is \$76,851,085 and

WHEREAS, the County Legislature must certify to each municipality the contribution of such municipality to the taxes of the County based upon the full valuation of taxable real property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 2025, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 2026, based upon a total tax levy of \$76,851,085 as follows:

Municipality	Tax Contribution	Rate per \$1,000
City of Binghamton	\$ 11,768,667	\$ 9.684467
Town of Barker	1,076,780	7.102301
Town of Binghamton	2,394,751	10.690968
Town of Chenango	5,820,450	11.837315
Town of Colesville	1,910,042	92.413314
Town of Conklin	2,127,587	11.039457
Town of Dickinson	1,692,024	10.524743
Town of Fenton	2,356,491	11.541416
Town of Kirkwood	2,957,692	9.360783
Town of Lisle	720,672	6.664182
Town of Maine	2,264,762	13.021492
Town of Nanticoke	540,859	12.538547
Town of Sanford	2,209,485	12.325846
Town of Triangle	1,021,592	7.258666
Town of Union	20,706,690	183.045625
Town of Vestal	13,735,297	5.078144
Town of Windsor	3,547,244	11.948755
TOTAL:	\$76,851,085	

and be it

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment roll, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 2026 the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality.

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

RESOLUTION NO. 513

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 2026, now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Director of the Office of Management and Budget, as follows:

<u>Town</u>	<u>General Townwide</u>	<u>General Inside Village</u>	<u>General Outside Village</u>	<u>Highway Townwide</u>	<u>Highway Outside Village</u>
Barker	-	-	-	167,999.48	-
Binghamton	199,100.76	-	-	415,999.60	-
Chenango	176,207.68	-	-	915,260.75	-
Colesville	-	-	-	798,460.75	-
Conklin	460,266.90	-	-	435,128.14	-
Dickinson	491,378.65	-	-	-	-
Fenton	-	-	-	457,392.77	-
Kirkwood	366,102.43	-	-	466,874.85	-
Lisle	44,510.06	-	-	532,244.71	-
Maine	50,000.52	-	-	556,691.17	-
Nanticoke	20,000.01	-	-	130,000.04	-
Sanford	358,533.06	-	58,560.03	793,444.43	359,320.14
Triangle	177,530.28	-	279.85	147,633.94	-
Union	3,058,752.05	-	1,175,373.90	-	2,911,755.25
Vestal	6,337,795.00	-	-	2,858,766.00	-
Windsor	900,150.77	-	27,564.37	75,000.74	463,182.78

and be it

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARKER

AB201 Ambulance	\$39,010.43
FP201 Fire PR 1	44,104.95
FP202 Fire PR 2	43,386.72
FP203 Fire PR 3	36,489.98
FP204 Fire PR 4	46,718.97

TOWN OF BINGHAMTON

DR221 Drain 1	\$458.23
FP221 Fire Prot 1	331,483.28
LT221 Light 1	349.99
LT222 Light 2	2,400.02
LT223 Light 3	\$9,400.01
LT224 Light 4	775.00
LT225 Light 5	250.00
LT226 Light 6	624.99
LT227 Light 7	474.99
LT228 Light 8	375.01
PT506 Park Terrace Water	36,900.07
SM228 Consolidated Sewer	208,550.51
US221 Return Sewer	65,144.93
UW221 Returned Water	27,814.04

WB220 Water Bond	14,749.98
WD225 Consolidated Water	189,229.00

TOWN OF CHENANGO

CM241 Chenango Compost	\$8,419.82
CM242 Chenango Compost Bd	4,785.26
FP241 Fire 1	351,861.07
FP242 Fire 2	328,491.10
FP243 Fire 3	26,779.05
LT241 Light 1	120,099.95
SD247 Sewer 7	280,396.00
SW241 Chen Sidewalk	10,500.10
WD429 Water 29	15,469.00
WD430 Water 25	14,117.00
CS241 Cons Sewer Dist.	48,342.12
CS242 Cons Water Bond	1,165,977.97
SD251 Sewer Debt Dist. 12	8,186.70
US241 Return Sewer	81,824.18
UW257 Return Water	45,076.57
RC241 Return Compost	17.01

TOWN OF COLESVILLE

FD261 Fire 1	\$101,493.01
FD262 Fire 2	24,912.96
FD263 Fire 3	352,368.01
LT261 Light 1	7,493.03
LT262 Light 2	4,400.01
LT263 Light 3	4,799.98

TOWN OF CONKLIN

FP281 Fire Prot. 1	\$283,180.46
LT281 Light 1	1,499.98
LT282 Light 2	449.99
LT283 Light 3	1,399.97
LT284 Light 4	6,000.02
LT285 Light 5	1,100.00
LT286 Light 6	849.97
LT287 Light 7	299.99
LT288 Light 8	\$3,599.95
LT289 Light 9	849.99
LT210 Light 10	1,199.99
LT211 Light 11	649.99
US280 Return Sewer	53,332.63
UW280 Return Water	31,103.93

TOWN OF DICKINSON

FP301 Fire 1	\$119,543.98
FP302 Fire 2	50,999.99
FP303 Fire 3	35,515.89
LT301 Light 1	21,373.45
LT305 Light 5	6,123.03
LT306 Light 6	4,325.55
LT307 Light 7	18,966.05
LT308 Light 8	16,739.32

LT309 Light 9	472.72
US301 Return Sewer	31,468.68
UW301 Return Water	23,613.34

TOWN OF FENTON

FD321 Fire 1	\$283,000.06
FD322 Fire 2	170,334.19
PM321 Property Maintenance	10,456.58
SE323 Porter Hollow Sewer	7,605.00
US321 Return Sewer	19,764.82
UW321 Return Water	43,233.95

TOWN OF KIRKWOOD

PM341 Property Maintenance	\$2,250.00
FP341 Fire 1	505,158.07
LT341 Light 1	4,500.02
LT342 Light 2	6,000.02
LT343 Light 3	500.00
SE341 Sewer 1	181,101.26
SE342 Sewer 2	1,935.04
SE343 Sewer 3 (Prim)	3,386.97
SE343 Sewer 3 (Sec)	13,925.04
SE344 Sewer 4 (Prim)	6,652.83
SE344 Sewer 4 (Sec)	51,182.22
SE345 Sewer 5	9,564.00
SE346 Sewer 6(Prim)	1,270.00
SE347 Sewer 7 (Prim)	1,077.00
ST341 Sewer 1, Ext. 1	19,968.01
ST342 Sewer 1, Ext. 2 (Prim)	3,573.00
ST343 Sewer 1, Ext. 3 (Prim)	3,470.96
ST344 Sewer 1, Ext. 4 (Prim)	2,875.98
US343 Return Sewer	71,168.95
UW343 Return Water	18,117.89
WD341 Water 1 (Prim)	\$96,654.79
RS501 Windsor Return Sewer	6,049.38

TOWN OF LISLE

FP361 Fire No. 1	\$30,113.08
FP362 Fire Protection 1	198,814.02
FP363 Killawog Ambulance	22,300.03
FP364 Fire Protection 2	5,510.01
LT361 Light 1	700.00
LT362 Light 2	2,499.99
RW361 Returned Water	3,398.79
AB361 Lisle Ambulance	45,899.63

TOWN OF MAINE

FP381 Fire 1	\$190,448.96
PF382 Fire 2	77,726.09
FP383 Fire 3	66,358.89
FP384 Fire 4	10,244.02
FP385 Fire 5	12,385.03
FP386 Fire 6	32,059.98
FP387 Fire 7	183,303.73

TOWN OF NANTICOKE

FP401 Fire 1	\$89,574.17
FP402 Fire 2	62,785.92

TOWN OF SANFORD

FP421 Fire 1	\$105,404.96
RS422 Return Sewer	35,365.01
SD423 Oquaga Lake Sewer	69,469.61

TOWN OF TRIANGLE

FP441 Fire 1	\$137,829.23
AB441 Ambulance	64,259.95
UW441 Returned Water	1,421.55

TOWN OF UNION

GR460 Refuse	\$11.50
LM460 Lawn Mowing	7,418.55
FP461 Fire 1	1,407,750.29
FP463 Fire 4	638,190.29
FP464 Fire 5	269,896.13
FP465 Fire 6	152,540.01
FP467 Fire 8	716,208.83
FP468 Fire 10	151,449.91
FP469 Fire 12	49,925.94
LB462 Union Library	2,228,580.37
PK461 Parks	\$1,306,845.98
RS462 Returned Sewer	280,980.92
RW462 Returned Water	274,704.86
UV461 Union Ambulance District	492,923.31

TOWN OF VESTAL

DR482 Drain 1 Maint.	\$4,990.00
DR484 Drain 2 Maint.	1,966.00
DR486 Drain 3 Maint.	9,744.00
DR487 Drain 4 Maint.	361.00
DR488 Drain 5 Maint.	921.00
DR510 Drain 6 Maint.	385.00
DR511 Drain 7 Maint.	152.00
DR512 Drain 8 Maint.	332.00
DR513 Drain 9 Maint.	750.00
DR514 Drain 10 Maint	114.00
DR515 Drain 11 Maint.	427.00
DR516 Drain 13 Maint.	104.00
DR517 Drain 14 Maint.	9.00
DR518 Drain 15 Maint.	342.00
DR519 Drain 16 Maint.	85.00
DR520 Drain 17 Maint.	6,023.00
DR522 Drain 18 Maint.	71,339.00
FP481 Fire Protection	2,818,118.00
FP482 Fire Split Zone	107,025.00
VA481 Ambulance	985,000.00
LM481 Vestal Lawn Mowing	350.00
LT481 Light District	235,743.00

RS481 Return Sewer	352,325.99
RW481 Return Water	176,909.27
SB487 Cons. Sewer Bond	42,873.00
SW481 Sewer 1 Maint.	455,550.00
WB481 Cons. Water Bond	326,850.00

TOWN OF WINDSOR

FP501 Fire 1	\$23,224.97
FP502 Fire 2	139,725.78
FP503 Fire 3	121,476.27
FP504 Fire 4	3,826.71
RS501 Returned Sewer	53,527.42

and be it

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.
Carried. Ayes-13, Nays-0, Absent-2 (Myers, Pasquale).

RESOLUTION NO. 514

By Finance Committee

Seconded by Mrs. Micha

RESOLUTION AUTHORIZING RENEWAL OF THE LAND BANK PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH THE BROOME COUNTY LAND BANK TO ADMINISTER SAID PROGRAM FOR 2026

WHEREAS, this County Legislature, by Resolution 542 of 2024, authorized and approved renewal of the Land Bank Program Grant for the Department of Planning and Economic Development, adopted a program budget in the amount of \$258,420 and authorized an agreement with the Broome County Land Bank to administer said program for the period January 1, 2025 through December 31, 2025, and

WHEREAS, said grant program provides funding for the salary and fringe benefits for the Executive Director and Assistant Director of the Broome County Land Bank, and

WHEREAS, it is desired to renew said grant program in the amount of \$301,783, adopt a program budget and renew the agreement with the Broome County Land Bank to continue to administer said program for the period January 1, 2026 through December 31, 2026, and

WHEREAS, the Land Bank shall reimburse the County for the salary and associated benefits for the Assistant Director in an amount not to exceed \$132,708 for the term of the agreement, now therefore be it

RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$301,783, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$132,708 from the Broome County Land Bank, PO Box 1766, Binghamton, NY 13902, for the Department of Planning and Economic Development's Land Bank Program Grant for the period of January 1, 2026 through December 31, 2026, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Land Bank, 60 Hawley Street, 5th Floor, Binghamton, New York 13901 to administer the Department of Planning and Economic Development's Land Bank Program Grant for the period January 1, 2026 through December 31, 2026, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$169,075 for the term of the agreement, and be it

FURTHER RESOLVED, that the Land Bank shall reimburse the County for the salary and associated benefits for the Assistant Director in an amount not to exceed \$132,708 for the term of the agreement, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby

Authorized to transfer \$169,075 from the General Fund, and be it

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

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

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

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

RESOLUTION NO. 515

By Finance Committees

Seconded by Mr. Baldwin

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY LOCAL DEVELOPMENT CORPORATION AND THE BROOME COUNTY LAND BANK FOR FUNDING TO SUPPORT ECONOMIC DEVELOPMENT PROJECTS FOR 2026 AND AUTHORIZING AN AMENDMENT TO THE 2026 GENERAL FUND BUDGET

WHEREAS, the County Executive requests authorization for an agreement with the Broome County Local Development Corporation and the Broome County Land Bank for funding to support economic development projects for the period January 1, 2026 through December 31, 2026, and

WHEREAS, in order to support said projects, the County Executive further requests the Director of the Office of Management and Budget to amend the 2026 General Fund Budget to increase the Economic Development Program with the funds coming from the Assigned Fund Balance, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of the Office of Management and Budget to make the following transfer of funds:

FROM:	Account	Name	Amount
	8570001.1010	Assigned Fund Balance	\$2,250,000
TO:	Account	Name	Amount
	9000099.6005039.1010	Economic Development Program	\$2,250,000

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Local Development Corporation, 5 S. College Drive, Binghamton, New York 13905 for funding in the amount of \$500,000 to support a housing project in the Town of Union for the period January 1, 2026 through December 31, 2026, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Local Development Corporation, 5 S. College Drive, Binghamton, New York 13905 for funding in the amount of \$300,000 to support a housing project in the Village of Johnson City for the period January 1, 2026 through December 31, 2026, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Local Development Corporation, 5 S. College Drive, Binghamton, New York 13905 for funding in the amount of \$1,000,000 to support a housing project in the City of Binghamton for the period January 1, 2026 through December 31, 2026, and be

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Land Bank, 60 Hawley St. 5th Floor, Binghamton, New York 13901 for a partnership with Broome Tioga BOCES for funding in the amount of \$150,000 to support a housing project in the City of Binghamton, for the period January 1, 2026 through December 31, 2026, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Land Bank, 60 Hawley St. 5th Floor, Binghamton, New York 13901 for funding in the amount of \$300,000, to support the acquisition and rehabilitation of tax foreclosed homes in Broome County, for the period January 1, 2026 through December 31, 2026, 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, Pasquale).

RESOLUTION NO. 516

By County Administration and Finance Committees

Seconded by Mrs. Micha

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7 OF 2025, ENTITLED: LOCAL LAW FOR CANNABIS ENFORCEMENT

RESOLVED, that Local Law Intro. No. 7 of 2025, entitled: Local Law for Cannabis Enforcement be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 7 OF 2025

LOCAL LAW FOR CANNABIS ENFORCEMENT

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

Section 1 Local Law for Cannabis Enforcement

Section 1: Cannabis Law Violations

1. Any person who engages in any conduct prohibited by subdivision one or one-a of section one hundred twenty-five of the cannabis law, except to the extent that such subdivisions apply to cultivation, processing, cannabinoid hemp or hemp extract products, or subdivision one or eight of section one hundred thirty-two of the cannabis law, except as to the extent that such subdivisions shall apply to cultivation, shall be subject to a civil penalty of not less than one hundred dollars and not more than ten thousand dollars for each day during which such violation continues, with a maximum penalty of no more than twenty-five thousand dollars with respect to each civil summons, provided that any notice of violation and penalty may only be issued against the business that is conducting the unlicensed activity or an individual owner of the business. Upon default by reason of failure to appear on a designated hearing date or a subsequent date following an adjournment, and after a hearing, the penalty shall be ten thousand dollars with respect to each civil summons.
2. This section may be enforced by Broome County Sheriff's Office
3. Violations of this section may be adjudicated in a proceeding before a Broome County hearing officer. Any decision of such office imposing a civil penalty, whether the adjudication was had by hearing or upon default or otherwise, if any fine is unpaid it will be submitted to supreme court for a judgment in the same manner as the enforcement of money judgments entered in civil actions; provided, however, that no such judgment shall be entered which exceeds the sum of twenty-five thousand dollars.
4. The Broome County Sheriff's Office may move to amend any judgment to designate a judgment debtor by the correct legal name in accordance with the applicable procedures set forth in the New York State Civil Practice Law and Rules.
5. Prior to a hearing, a respondent shall furnish to the office of the Broome County Sheriff's Office within five days after a demand, or sooner if practicable where the hearing is scheduled less than five days from the date of demand, a verified statement setting forth the information specified in subdivision five of section seventeen of the cannabis law.

6. As used in this local law, the following terms shall have the following meanings: "unlicensed activity" shall refer only to unlawfully selling cannabis, cannabis product, or any product marketed or labeled as such without obtaining the appropriate registration, license, or permit therefor, or engaging in an indirect retail sale; "indirect retail sale" shall have the meaning provided for in subdivision forty-six-a of section three of the cannabis law, except that it shall not include cannabinoid hemp or hemp extract product.

Section 2: Authority to Conduct Regulatory Inspections

1. For the purposes of civil administrative enforcement of the provisions of this local law the Broome County Sheriff's Office may conduct regulatory inspections of any place of business where cannabis is sold or offered to be sold, where no registration, license, or permit has been issued pursuant to the Cannabis Law, in accordance with the procedures set forth in Section 3 this act.
2. For the purpose of detecting violations in accordance with the regulatory scheme set forth in Section 3 this Act, the Broome County Sheriff's Office shall inspect each place of business listed on the inspection roster compiled pursuant to paragraph 3 of this subdivision such that each place of business included on such roster, or a discrete geographic zone of such roster, is inspected at least annually, or on a more frequent periodic basis deemed appropriate by the Broome County Sheriff's Office, provided that:
 - (a) the Broome County Sheriff's Office is not required to conduct an inspection of a place of business during a period in which such place of business is either closed or sealed;
 - (b) the Broome County Sheriff's Office may prioritize inspections of places of business included on the inspection roster that the Broome County Sheriff's Office reasonably believes pose an imminent threat to public health, safety, and welfare, or if Broome County Sheriff's Office reasonably believes that conduct in violation of Section 1 of this act has continued after an initial investigation. In determining whether conduct poses an imminent threat to public health, safety, and welfare, the Broome County Sheriff's Office shall consider the totality of the factors set forth in subdivision 4 of section 138-b of the Cannabis Law, provided that any factor specified in such subdivision 4 shall be sufficient on its own to determine an imminent threat.; and
 - (c) in furtherance of the efficient use of enforcement resources, the Broome County Sheriff's Office may inspect any place of business included on the inspection roster that is within a reasonable vicinity of a place of business otherwise scheduled for inspection.
3. The Broome County Sheriff's Office shall create an inspection roster, which may be subdivided based on two or more discrete geographic zones, and include on such roster each place of business at which the Broome County Sheriff's Office reasonably believes cannabis is sold or offered to be sold, provided that no place of business shall be included on such roster for which a registration, license, or permit has been issued pursuant to the Cannabis Law or that is otherwise listed in the directory maintained by the New York State Office of Cannabis Management pursuant to subdivision 13 of section 11 of the Cannabis Law. Such reasonable belief may be established based on:
 - (a) observations of places of business by law enforcement officers or other agency representatives; complaints received in accordance with a procedure developed by the Broome County Sheriff's Office provided such complaints are subsequently substantiated by the Broome County Sheriff's Office or
 - (b) signage, statements and advertisements associated with a place of business.
4. Records of each inspection shall be maintained by the Broome County Sheriff's Office and shall be available for review.
5. Inspections authorized by this section shall only occur during the operating hours of a place of business.
6. Inspections may be conducted pursuant to this section in both the public and non-public portions of a place of business.

7. The provisions of this section shall neither be interpreted to limit any law enforcement officer from conducting law enforcement activity, including but not limited to issuing summonses pursuant to subdivision 11 of this section or orders pursuant to Section 3 of this local law, with respect to the portion of place of business that is open to the public nor be interpreted to limit any enforcement activity authorized under law when illegal activity is observed or occurs during an inspection conducted pursuant to this subdivision. The provisions of this section shall not be interpreted to limit any agency's authority to conduct inspections for any purpose where such inspections are authorized pursuant to a provision of law or rule other than subdivision 1 section 3 of this local law.
8. The Broome County Sheriff's Office shall consider all relevant available information in determining whether to remove a place of business from the inspection roster developed pursuant to this subdivision.
9. The penalty schedule applicable to violations of Section 1 of this local law shall be as follows:

Citation	Violation Description	Violation Penalty	Violation Default Penalty
Local Law [§ 3]	Any violation of subdivision a of § <u>7-551</u> by a place of business	\$10,000	\$10,000
Local Law [§ 3]	Any violation of subdivision a of § <u>7-551</u> by an individual owner of a place of business	\$10,000	\$10,000

10. Each day in which the conduct described in the schedule above occurs or continues to occur shall constitute a distinct violation and be subject to penalty pursuant to such schedule.
11. Penalties imposed pursuant to each civil summons issued pursuant to this section shall be in addition to, and shall not be offset or modified by, any fines or penalties imposed pursuant to any other provision of law or rule, penalties imposed pursuant to other civil summonses issued pursuant to this section or any other remedies sought by the County of Broome. Notwithstanding any other provision of this subdivision, where the Broome County Sheriff's Office issues multiple violations of section 1 of this local law to a person or place of business pursuant to this section for conduct occurring over multiple days and such violations are issued pursuant to a single civil summons, the cumulative penalties that may be imposed pursuant to such civil summons shall not exceed \$25,000.
12. In each instance in which Broome County Sheriff's Office seizes cannabis or other related items, as appropriate, found in the possession of a person engaged in a violation of section 1 of this local law, the Broome County Sheriff's Office] shall:
 - a. serve a list of cannabis and other related items seized at such place of business and a tracking number associated with such items in the same manner as an order issued pursuant to subdivision 13 of this local law, provided that the Broome County Sheriff's Office is not required to post any such list or such tracking number at such place of business, and only such tracking number is required to be included in any mailing made pursuant to this paragraph; and
 - b. store such cannabis and other related items in a secure location pursuant to a cataloguing system determined by Broome County Sheriff's Office.
13. No later than 20 business days after issuance of the earliest notice issued pursuant to subparagraph a of subsection 12 of this section, an individual may petition in writing to the address or electronic address included on such list or mailing, as applicable, for the return of the cannabis or other related items seized and may provide reasons that such cannabis or other related items were neither offered for sale in violation subsection 1 of Section 1 of this local law nor used as instrumentalities in furtherance of a violation of such subsection.

14. No later than 20 business days after issuance of an order to cease prohibited conduct pursuant to paragraph a of subsection 2 of Section 3 of this local law, an individual may petition in writing to the address or email address included on such order challenging such order.
15. The Broome County Sheriff's Office shall respond in writing rejecting or accepting any petition made pursuant to either subsections 13 or 14 of this Section no later than 10 business days of receipt of such petition. Any order to cease prohibited conduct pursuant to paragraph a of subsection 2 of Section 3 of this local law shall remain in effect and all cannabis and other related items seized shall be retained during the period preceding such response.
16. The Broome County Sheriff's Office may destroy any seized cannabis or other related items 20 business days after:
 - a. issuance of the earliest notice pursuant to subparagraph a of subdivision 12 of this Section, if no individual makes a petition within such time; or,
 - b. issuance of a notice pursuant to subsection 15 of this section rejecting in whole or in part, as applicable, a petition made pursuant to paragraph 1 of this subdivision.
17. This section shall only apply to seizures made pursuant to this local law and shall not apply to a seizure made pursuant to any other provision of law, including but not limited to the seizure of tobacco, electronic cigarettes, or any item that is a controlled substance pursuant to state law.
18. Any response by the Broome County Sheriff's Office pursuant to subsection 15 of this Section and any notice of a determination with respect to continuation of an order to seal pursuant to subsection 2(b) of Section 3 of this Local Law shall be mailed to the address provided by the petitioner or respondent, as applicable, or if no such address is provided, to the address provided pursuant to subsection 7 of Section 3 of this local law.

Section 3: Procedures for Regulatory Inspections and Issuance of Building Seal Orders

1. The Broome County Sheriff's Office shall have the authority to conduct regulatory inspections of any place of business, including a vehicle used for such business, where cannabis, cannabis product, or any products marketed or labeled as such, are sold, or offered to be sold, where no registration, license, or permit has been issued pursuant to the cannabis law. For the purposes of this subdivision, "place of business" shall not include a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle on or about the same such property, unless probable cause exists to believe that such residence, real property, or vehicle are being used in such business or commercial manner for the activity described herein. Any such regulatory inspection shall:
 - a. only occur during the operating hours of a place of business;
 - b. be conducted for purposes of civil administrative enforcement with respect to premises lacking applicable registrations, licenses or permits issued pursuant to the cannabis law, and in furtherance of the purposes of such law, provided that nothing herein shall limit any enforcement action under law when illegal activity is observed or occurs during such inspection; and
 - c. be in accordance with procedures sufficient to ensure that any regulatory inspections are conducted in a reasonable manner, and that such procedures are administrative in nature, designed to detect administrative violations, in furtherance of the regulatory scheme established pursuant to this section, and designed to guarantee certainty and regularity of application.
2. The Broome County Sheriff's Office shall have the authority to:
 - a. Order any person who is engaged in conduct prohibited by Section 1 of this local law to cease such prohibited conduct, provided that any such order to cease may only be issued against the business that is conducting the unlicensed activity or an individual owner of the business;
 - b. Issue and execute an order to seal a building or premises where any person is engaged in conduct prohibited Section 1 of this local law and which either

poses an imminent threat as described in subdivision four of section one hundred thirty-eight-b of the cannabis law or satisfies the conditions set forth in subdivision five of such section with respect to continuation of unlicensed activity upon a subsequent inspection. Such order to seal shall be served in the same manner as section one hundred thirty-eight-b of the cannabis law. Such order to seal shall be referenced in the civil summons issued pursuant to Section 1 of this local law. When such an order and civil summons have been issued, the Broome County Sheriff's Office shall have the same powers, authorities, and responsibilities as provided to the office of cannabis management pursuant to applicable provisions of section one hundred thirty-eight-b of the cannabis law not inconsistent with this chapter, provided that the return date of such civil summons, specifying the hearing date applicable to the civil summons and the sealing order, shall be within five business days of the issuance of such summons and order, or a later date requested by the respondent in accordance with the applicable rules of the Broome County Superior Court. The hearing officer of the Broome County Superior Court shall make a determination on such civil summons, which shall be deemed a final decision and shall also make a recommendation to the office of the Broome County Sheriff's Office with respect to whether such order to seal was properly issued in accordance with the provisions of this section. The Broome County Sheriff's Office shall thereafter make a determination with respect to continuation of such order to seal upon review of such recommendation. Such recommendation of the Broome County Superior Court and the determination of the office of the Broome County Sheriff's Office] shall be rendered within four business days of the conclusion of such hearing; and

c. Seize and destroy, consistent with applicable law, any cannabis, cannabis product, or any product marketed or labeled as such, found in the possession of a person engaged in the conduct described in paragraph one of this subdivision in their place of business, including a vehicle used for such business, where an order as set forth in such paragraph one has been issued, providing the person is the business that is conducting the unlicensed activity or an individual owner of the business, and maintain documentation of the chain of custody of such seized products, and ensure that such products are properly stored, catalogued, and safeguarded until such time as they may properly be destroyed by Broome County Sheriff's Office.

3. Mutilation or removal of a posted order, posted notice, or secure padlock that is enforced or in place pursuant to this section shall be subject to a fine of not more than five thousand dollars or by a class B misdemeanor, or both, provided such order or notice contains notice of such penalty, and shall be referred to the district local district attorney for enforcement.

4. The provisions of this section shall not apply to any premises or entity that is listed in the directory maintained by the Office of Cannabis Management pursuant to subdivision thirteen of section eleven of the cannabis law. Further, the Broome County Sheriff's Office, or such agency's designee shall serve as the liaison to the Office of Cannabis Management to ensure that updates to such directory are immediately incorporated into the local inspection process and shall coordinate with such office on efforts to inspect unlicensed businesses and related enforcement efforts. The Broome County Sheriff's Office or other designee shall:

a. send bi-weekly reports to the Office of Cannabis Management, in the manner and format prescribed by such office, detailing recent enforcement efforts undertaken pursuant to this section, including the number and location of inspections conducted, notices of violation issued, and orders to seal issued and executed, and the amount and nature of any cannabis, cannabis products,

or products marketed or labeled as such that were seized pursuant to this section;

- b. serve as the primary contact for the Office of Cannabis Management in connection with the training program of such office and the sharing of materials made available to the Broome County with respect to inspection and enforcement pursuant to this section and other applicable law; and
- c. file with the Office of Cannabis Management any regulations and procedures developed or adopted relating to the implementation of this section and Section 1 of this local law, as well as any subsequent local laws implementing section one hundred thirty-one of the cannabis law.
- d. The Broome County Sheriff's Office may seek to enforce such order by seeking injunctive relief, including through an action pursuant to section sixteen-a of the cannabis law.

5. Notwithstanding any inconsistent provision of law, the Broome County Sheriff's Office may designate personnel of other agencies of Broome County to implement powers granted to such office pursuant to this local law if such office determines that additional resources are necessary for the effective implementation of such powers, provided that no such designation pursuant to this subdivision shall confer peace or police officer status on any such designated personnel who do not otherwise have such status.
6. The Broome County Sheriff's Office shall establish a system for receiving complaints of unlicensed activity by any business within Broome County
7. Any orders issued pursuant to this section shall be served by delivery of the order to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises that have been sealed, secured and closed. A copy of the order shall also be mailed to any address for the owner of the business at any address provided by the person to whom such order was delivered pursuant to this subdivision.

Section 2 This Local Law shall take effect immediately and upon filing with the Secretary of State
Carried. Ayes-13, Nays-0, Absent-2 (Myers, Pasquale).

LEGISLATORS COMMENTS

Mr. Baker wished everyone a Happy New Year.

Mrs. Kaminsky congratulated Mr. Tanzini on his appointment as Clerk of the Legislature and stated that she is excited for the return of the Veterans of Distinction video.

Mr. Reynolds thanked Mr. Martin for his service and dedication to Broome County and presented him with a clock.

Mr. Hilderbrant made a motion, seconded by Mr. Baldwin, to adjourn. **Motion to adjourn carried.** Ayes-13, Nays-0, Absent-2 (Myers, Pasquale). The meeting was adjourned at 6:10 p.m.