

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
APRIL 13, 2017**

The Legislature convened at 5:02 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin, read the fire exit announcement and called the Attendance Roll, Present-15, Absent-0.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

- A. Letters from the County Executive, Jason T. Garnar
 - 1 Appointments to Youth Bureau Advisory Board
 - 2 State of Emergency Order 3/14/2017
 - 3 State of Emergency Cancellation 3/15/2017
 - 4 Appointment of Acting Director of Public Health

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel J. Reynolds:
 - 1. Designation for Mr. Whalen – March 16, 2017
 - 2. Designation for Mr. Pasquale- April 3, 2017
 - 3. Designation for Mr. Whalen – April 6, 2017
 - 4. Designation for Mr. Shaw- April 6, 2017
- B. Presentations
 - 1. Mr. Wildoner recognized Mr. Johnson on his retirement as Commissioner of Mental Health and Social Services and presented him with a plaque.
 - 2. Mr. Pasquale, Mr. Weslar and Mr. D. D. Reynolds presented Certificates of Achievement to the Seton High School Girls' Basketball NYS Class B Champions.
 - 3. County Executive Garnar and Legislator Kaminsky recognized the winners of the Broome High School Emerging Artists Competition and presented Certificates of Recognition to Maya Madden, Kesondra Stafford, Julia Worden, Erin Hurlbut, Giovanni Pesce, Maria Osborne, Alyssa Dudinyak, Olivia Li and Kayla Ferris.

Mr. Sopcak made a motion, seconded by Mr. Wildoner that the Session minutes of March 16, 2017 be approved as prepared and presented by the Clerk.

Carried. Ayes-15, Nays-0

Mr. Reynolds noted that the committee minutes for March 16, 2017 through April 12, 2017 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 Mr. Wildoner seconded by Mrs. Kaminsky.

Carried. Ayes-15, Nays-0

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

- 1. CCE-BC- Board of Directors Minutes
- 2. Legislature- Joint County Admin. & Finance Meeting Notice 3/16/17
- 3. Ross Park Zoo- Annual Financial Report
- 4. SUNY Broome- Above Minimum Hire Report February 2017

5. Public Defender- Annual Statistical Report 2016
6. OES- Order of Succession
7. Erie County Resolution Regarding Unfunded State Mandate
8. SUNY Broome- Budget Transfers 2/17
9. SUNY Broome- Board of Trustees Minutes 2/23/17
10. OMB- Year End Budget Transfer Report
11. Planning & Eco. Development- Annual Report 2016
12. Village of JC- State of Emergency Order 3/14/17
13. Village of JC- State of Emergency Cancellation Order- 3/15/17
14. Village of Windsor- State of Emergency Order 3/14/17
15. Village of Windsor- State of Emergency Cancellation Order 3/17/17
16. Village of Deposit- State of Emergency Order 3/14/17
17. Village of Deposit- State of Emergency Cancellation Order 3/17/17
18. Assemblyman Crouch - Receipt of County Unfunded Mandate Resolutions 4/3/17

RESOLUTIONS RECALLED FROM A PREVIOUS SESSION

Mr. Pasquale made a motion, seconded by Mr. Baldwin to recall Resolution 2017-106.
Motion to recall carried. Ayes-15, Nays-0

RESOLUTION NO. 2017-106

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
**RESOLUTION AUTHORIZING AN AGREEMENT WITH ROSANNE SALL ADVERTISING,
INC. FOR ADVERTISING MARKETING SERVICES FOR THE DEPARTMENT OF PUBLIC
TRANSPORTATION FOR 2017-2018**

Mr. Pasquale made a motion, seconded by Mr. Baldwin, to amend the second Whereas paragraph and the first Resolved paragraph to read "... for the period February 1, 2017 through December 31, 2018, with the option for three one-year renewals under the same terms and conditions..."

Amendment carried. Ayes-15, Nays-0
Resolution as amended carried. Ayes-15, Nays-0

RESOLUTIONS HELDOVER FROM A PREVIOUS SESSION

RESOLUTION NO. 2017-102

By Finance Committee Seconded by Mr. Baldwin
RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY
Carried. Ayes-15, Nays-0

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 128

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Flagg
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CHEMUNG
COUNTY SHERIFF'S OFFICE FOR HOUSING OF BROOME COUNTY INMATES FOR THE
OFFICE OF THE SHERIFF FOR 2017-2018**

WHEREAS, this County Legislature, by Resolution 149 of 2016, authorized renewal of an agreement with the Chemung County Sheriff's Office for housing of Broome County inmates for the Office of the Sheriff at the cost of \$80 per inmate per day, for the period May 2, 2016 through May 1, 2017, and

WHEREAS, said agreement is necessary to relieve overcrowding on an as-needed basis at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on May 1, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$80 per inmate per day for the period May 2, 2017 through May 1, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chemung County Sheriff's Office, 203 William Street, Elmira, New York 14901 for housing of Broome County inmates for the Office of the Sheriff for the period May 2, 2017 through May 1, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$80 per inmate per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004124.1010 (Inmate Expense-Other Facilities), and be it

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0

RESOLUTION NO. 129

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CHENANGO COUNTY CORRECTIONAL FACILITY FOR HOUSING OF BROOME COUNTY INMATES FOR THE OFFICE OF THE SHERIFF FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 150 of 2016, authorized renewal of an agreement with the Chenango County Correctional Facility for housing of Broome County inmates for the Office of the Sheriff at the cost of \$80 per inmate per day, for the period April 23, 2016 through April 22, 2017, and

WHEREAS, said agreement is necessary to relieve overcrowding on an as-needed basis at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on April 22, 2017, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$80 per inmate per day for the period April 23, 2017 through April 22, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chenango County Correctional Facility, 279 County Road 46, Norwich, New York 13815 for housing of Broome County inmates for the Office of the Sheriff for the period April 23, 2017 through April 22, 2018, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$80 per inmate per day, total amount not to exceed \$40,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004124.1010 (Inmate Expense-Other Facilities), and be it

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0

RESOLUTION NO. 130

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH i3 ELECTRONICS, INC., F/K/A HURON REAL ESTATE ASSOCIATES LLC FOR THE DISCHARGE OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2017-2018

WHEREAS, this County Legislature, by Resolution 154 of 2016 authorized renewal of an agreement with i3 Electronics, Inc., f/k/a Huron Real Estate Associates LLC for a pilot treatment study for the discharge of raw leachate from the leachate collection system at the Broome County Landfill for the Department of Public Works Division of Solid Waste Management at an amount not to exceed \$20 per 1,000 gallons of leachate, plus reimbursement for any additional

laboratory sampling and testing requirements deemed necessary by the New York State Department of Environmental conservation, above and beyond the routine sampling program, total amount not to exceed \$225,000 for the period May 1, 2016 through April 30, 2017, and

WHEREAS, said agreement is necessary to discharge raw leachate to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, it is necessary to authorize the renewal of said agreement and increase the not to exceed amount to \$22 per 1,000 gallons of leachate, total amount not to exceed \$20,000 for the period May 1, 2017 through April 30, 2018, and

WHEREAS, the Commissioner of Public Works has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with i3 Electronics, Inc., Dept. 723, Lockbox 8000, Buffalo, New York 14267-0002 to increase the not to exceed amount to \$22 per 1,000 gallons of leachate, total amount not to exceed \$20,000 for the period May 1, 2017 through April 30, 2018, and be it

FURTHER RESOLVED, that Resolution 154 of 2016, to the extent consistent herewith, shall remain in full force and effect, 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-15, Nays-0

RESOLUTION NO. 131

By Public Works & Transportation and Finance Committees Seconded by Mrs. Kaminsky
RESOLUTION AUTHORIZING AN AGREEMENT WITH DELTA ENGINEERS, PC, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS, PARKS, RECREATION & YOUTH SERVICES FOR 2017-2022

WHEREAS, the Acting Commissioner of Public Works, Parks, Recreation & Youth Services requests authorization for an agreement with Delta Engineers, PC, for professional engineering services for the Department of Public Works at a cost not to exceed \$290,000, for the period May 1, 2017 through December 31, 2022, and

WHEREAS, said agreement is necessary for preliminary and final design services, easement mapping, and acquisition services for the Juneberry Road Bridge Replacement Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delta Engineers, PC, 860 Hooper Road, Endwell, New York 13760 for professional engineering services for the Department of Public Works for the period May 1, 2017 through December 31, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$290,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 29010105.6002205.5202.2920085 (Bridges), 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-14, Nays-0, Abstain-1 (D. J. Reynolds)

RESOLUTION NO. 132

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE MARCHISELLI PROGRAM-AID

ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT (JUNEBERRY ROAD BRIDGE REPLACEMENT), AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the replacement of the Juneberry Road Bridge (BIN 3349940) over Big Choconut Creek, P.I.N. 9754.46 (the "Project") that is eligible for funding under Title 23 U.S. code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment to pay in the first instance 100% of the Federal and non-Federal share of the cost for the Preliminary Engineering/Design and the Right-of-Way Incidentals work, now, therefore, be it

RESOLVED, that the Broome County Legislature, duly convened, hereby approves the above-subject project, and be it

FURTHER RESOLVED, that the Broome County Legislature hereby authorizes the County of Broome to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design and the Right-of-Way Incidentals work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the Broome County Legislature hereby agrees that the County of Broome shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Broome, and be it

FURTHER RESOLVED, that the total sum of \$260,000 is hereby approved pursuant to the 2017 Capital Improvement Program, as amended, and made available to cover the cost of participation in the above phase of the Project, and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Broome County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it

FURTHER RESOLVED, that the County of Broome hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction, and be it

FURTHER RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Broome with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried. Ayes-15, Nays-0

RESOLUTION NO. 133

By Public Works & Transportation and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC. FOR AN AIRPORT ROAD UTILITY CORRIDOR FEASIBILITY STUDY FOR THE DEPARTMENT OF PUBLIC WORKS, PARKS, RECREATION & YOUTH SERVICES FOR 2010-2017

WHEREAS, this County Legislature, by Resolution 461 of 2010, as amended by Resolutions 323 of 2013, 223 of 2015 and 118 & 538 of 2016, authorized an agreement with O'Brien & Gere, Inc., for an Airport Road Utility Corridor Feasibility Study for the Department of Public Works, Parks, Recreation & Youth Services at a cost not to exceed \$1,539,700, for the period November 1, 2010 through March 31, 2017, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement through August 31, 2017 at no additional cost for construction engineering services and construction contract administration inspection services for the Broome County Landfill and Greater Binghamton Airport Sewer Project, and

WHEREAS, the Commissioner of Public Works, Parks, Recreation & Youth Services has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien & Gere, P.O. Box 4873, Syracuse, New York 13221-4873, to extend the term of the agreement at no additional cost, for additional construction engineering services and construction contract administration inspection services for the Broome County Landfill and Greater Binghamton Airport Sewer Project, for the Department of Public Works, Parks, Recreation & Youth Services for the period November 1, 2010 through August 31, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$1,539,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38010007.6004572 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 461 of 2010, 323 of 2013, 223 of 2015 and 118 & 538 of 2016, to the extent consistent herewith, shall remain in full force and effect, 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-15, Nays-0

RESOLUTION NO. 134

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to accept Federal Transportation Administration Funds for the Broome County Department of Public Transportation in the amount of \$301,625, and

WHEREAS, said funding is the FY2014 allocation of Section 5339 Funds which will be used to purchase seven diesel buses, along with other state and federal funding, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$301,625 from the Federal Transit Administration, One Bowling Green, Suite 429, New York, New York 10004-1415, for the Broome County Department of Public Transportation, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.5000902.2040 (Mass Transit), 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, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to 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 their duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

Carried. Ayes-15, Nays-0

RESOLUTION NO. 135

By Public Works & Transportation and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to accept Federal Transportation Administration Funds for the Broome County Department of Public Transportation in the amount of \$237,000, and

WHEREAS, said funding is Section 5311 Formula Grant Funds which will be used as operating assistance funds for fiscal years 2017 and 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$237,000 from the Federal Transit Administration, One Bowling Green, Suite 429, New York, New York 10004-1415, for the Broome County Department of Public Transportation, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.5000902.2040 (Mass Transit), 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, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is hereby empowered to 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 their duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or their duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

Carried. Ayes-15, Nays-0

RESOLUTION NO. 136

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING AN AGREEMENT WITH SUSQUEHANNA VALLEY CENTRAL SCHOOL DISTRICT FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2017-2018

WHEREAS, the Director of Public Health requests authorization for an agreement with Susquehanna Valley Central School District for professional services for the Department of Health at rates set by Exhibit "A" for the period July 1, 2017 through June 30, 2018 and

WHEREAS, said services are necessary to provide various professional services including evaluations and the Preschool Special Education Program services, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Susquehanna Valley Central School District, 1040 Conklin Road, PO Box 200, Conklin, NY 13748 for professional services for the Department of Health for the period July 1, 2017 through June 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set by Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25060004.6004405.HPSEDP, 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-15, Nays-0

RESOLUTION NO. 137

By Health & Human Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH NATIONAL NETWORK OF PUBLIC HEALTH INSTITUTES FOR PROFESSIONAL SERVICES PROVIDED BY THE DEPARTMENT OF HEALTH FOR 2017

WHEREAS, the Public Health Director requests authorization for an agreement with National Network of Public Health Institutes for professional services provided by the Department of Health at revenue to the county in the amount not to exceed \$12,000, for the period January 1, 2017 through June 30, 2017, and

WHEREAS, said services are necessary to evaluate the adoption of Center for Disease Control and Prevention's Stopping Elderly Accidents, Deaths and Injuries intervention equipment among older adults and identify ways the findings can be integrated to make STEADI intervention procedures more effective, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with National Network of Public Health Institutes, 1100 Poydras Street Suite 950, New Orleans, Louisiana 70163, for professional services, provided by the Department of Health for the period January 1, 2017 through June 30, 2017, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 25010004.5000912.1101.2510547 (Health Department- Federal), 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-15, Nays-0

RESOLUTION NO. 138

By Health & Human Services Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the authority vested in him by Resolution 163 of 1971, has duly designated and appointed the following named individuals to membership on the Broome County Youth Bureau Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Mr. Brad Kaczynski	January 1, 2020

100 Fallbrook Road
Conklin, NY 13748

New Appointment

Mr. Ralph Richardson
11 Arthur Street
Binghamton, NY 13905

January 1, 2020
New Appointment

Ms. Kara Skellett
386 Bunt Hill Road
Greene, NY 13778

January 1, 2020
New Appointment

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of
1971, confirms the appointments of the above-named individuals to membership on the Broome
County Youth Bureau Advisory Board for the terms indicated, in accordance with their
appointment by the County Executive.

Carried. Ayes-15, Nays-0

RESOLUTION NO. 139

By County Administration and Finance Committees

Seconded by Mr. Flagg

**RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF
BINGHAMTON FOR COMPUTER MAINTENANCE AND SUPPORT SERVICES PROVIDED
BY THE DIVISION OF INFORMATION TECHNOLOGY FOR 2016-2017**

WHEREAS, the Director of Information Technology requests authorization for an
intermunicipal agreement with the City of Binghamton for computer maintenance and support
services provided by the Division of Information Technology with revenue to the County
according to the Catalog of County IT Services, for the period January 1, 2016 through
December 31, 2017, and

WHEREAS, said agreement is necessary for the Division of Information Technology to
maintain and support hardware and software needed in providing shared services to the City of
Binghamton as outlined in the County IT Services Catalog, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement
with the City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 for computer
maintenance and support services provided by the Division of Information Technology for the
period January 1, 2016 through December 31, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay
the County according to the Catalog of County IT Services for the term of the agreement, and be
it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to
budget line 10020001.5000189 (Other Local Governments), 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-15, Nays-0

RESOLUTION NO. 140

By County Administration and Finance Committees

Seconded by Mr. Flagg

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SUSQUEHANNA REGIONAL
EMERGENCY MEDICAL SERVICES COUNCIL, INC. FOR MAINTENANCE AND SUPPORT
SERVICES PROVIDED BY THE DIVISION OF INFORMATION TECHNOLOGY FOR 2017-
2018**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Susquehanna Regional EMC Council, Inc. for maintenance and support services provided by the Division of Information Technology, with revenue to the County in the amount of \$2,500 per year for the period January 1, 2017 through December 31, 2018, and

WHEREAS, said agreement is necessary for the County to provide Internet Access, VoIP Services and WebEx to the Susquehanna Regional Emergency Medical Services Council, Inc., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Susquehanna Regional Emergency Medical Services Council, Inc., 62 Lusk Street, Johnson City, New York 13790 for maintenance and support services provided by the Division of Information Technology for the period January 1, 2017 through December 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$2,500 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 10020001.5000111 (Telephone Charges – Outside Users), and be it

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

Carried. Ayes-15, Nays-0

RESOLUTION NO. 141

By County Administration and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FAMILY ENRICHMENT NETWORK FOR MAINTENANCE AND SUPPORT SERVICES PROVIDED BY THE DIVISION OF INFORMATION TECHNOLOGY FOR 2016-2017

WHEREAS, the Director of Information Technology requests authorization for an agreement with the Family Enrichment Network for maintenance and support services provided by the Division of Information Technology, with revenue to the County in the amount of \$50 per hour for the period January 1, 2016 through December 31, 2017, and

WHEREAS, said agreement is necessary for the Division of Information Technology to provide maintenance and support services to the Family Enrichment Network's SAFE Database, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Family Enrichment Network, P.O. Box 997, Johnson City, New York 13790 for maintenance and support services provided by the Division of Information Technology for the period January 1, 2016 through December 31, 2017, and be it

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

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 10020001.5000426 (Miscellaneous 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-15, Nays-0

RESOLUTION NO. 142

By County Administration and Finance Committees

Seconded by Mr. Flagg

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1 OF 2017, ENTITLED: "A LOCAL LAW AMENDING ARTICLE XII OF THE BROOME COUNTY CHARTER AND CODE REGARDING THE BOARD OF ACQUISITION AND CONTRACT"

WHEREAS, this County Legislature has submitted this Resolution and Local Law which specifies and codifies the procedures for the Board of Acquisition and Contract, now, therefore, be it

RESOLVED, that Local Law Intro. No. 1 of 2017, entitled: "A Local Law Article XII of the Broome County Charter and Code Regarding the Board of Acquisition and Contract," 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. 1 of 2017

**A LOCAL LAW AMENDING ARTICLE XII OF THE
BROOME COUNTY CHARTER AND CODE REGARDING
THE BOARD OF ACQUISITION AND CONTRACT**

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

SECTION 1. Article XII of the Broome County Charter and Code is amended to read as follows:

ARTICLE XII Board of Acquisition and Contract

§ A1201. Board created; organization and procedures.

There shall be a Board of Acquisition and Contract, which shall consist of the County Executive, the Commissioner of Public Works, Parks, Recreation and Youth Services, and the Chairman of the County Legislature, or their designees. The Board of Acquisition and Contract shall have all the powers and duties in relation to the acquisition of real property and the approval and execution of contracts as are set forth in §§ A1202, A1203, A1204, A1205 and A1206 of this article.

The Board of Acquisition and Contract shall meet at the call of the County Executive, who shall serve as Chairman of such Board. All meetings of the Board of Acquisition and Contract shall be open to the public, and the Board shall be required to keep written minutes of its proceedings, which shall be available to public inspection at all reasonable times.

The agenda along with any and all back-up materials for all meetings of the Board of Acquisition and Contract shall be distributed and available four (4) full business days in advance of said meeting. Those items not listed on the agenda or lacking any back-up materials shall not be considered at said meeting, and instead shall be added as an item to the agenda of the next regular meeting of the Board of Acquisition and Contract.

Any single member of the the Board of Acquisition and Contract, or their designee, may request that an item on the agenda shall lie over until the next regular meeting. A majority of the Board of Acquisition and Contract members may also vote to table an item indefinitely or to table an item to a date certain.

Requests for approval received between regular meetings of the Board of Acquisition and Contract shall require a statement of necessity that explains the urgency of the request, and shall require unanimous approval. Absent unanimous approval, the request shall be added as an item to the agenda of the next regular meeting of the Board of Acquisition and Contract.

The Board of Acquisition and Contract shall adopt **further** rules of procedure for the conduct of its meetings and shall establish its regular meeting dates.

The Board of Acquisition and Contract shall have and exercise all powers and duties conferred or imposed upon it by the Charter and this Code. The members of such Board shall receive no additional salary or compensation for their services, but shall, within the appropriations provided therefore, be entitled to actual and necessary disbursements and expenses in performing the duties of their office.

The Board of Acquisition and Contract may make recommendations to the County Legislature relative to the operations of the Board and County contracts.

§ A1203. Approval and execution of public works contracts

The Board of Acquisition and Contract shall award all public works contracts involving an expenditure of more than \$7,000. Public works contracts involving \$7,000 or less shall be awarded by the Director of Purchasing. In either case, no public works contract shall be deemed effective until a written agreement approved by the Department of Law has been executed by the County Executive and the contractor.

All contracts, except for the purchase of equipment, supplies, materials and services incidental thereto, shall be executed on behalf of the County by the County Executive in accordance with the provisions of General Municipal Law § 103. Whenever such contract involves the expenditure of an amount greater than the limitation provided by General Municipal Law § 103, except contracts for the acquisition of real property, the contracts shall be awarded to the lowest responsible bidder in a manner as set forth in General Municipal Law § 103. A copy of each contract, when executed, shall be filed with the Comptroller, together with a copy of the local law, resolution or ordinance of the County Legislature upon which the right to make such contract rests, other than the annual appropriation act.

Whenever any contract for the construction, reconstruction, repair or alteration of any public work or improvement involves the expenditure of more than \$250,000, any change order involving an expenditure equal to 1% of the contract amount or \$25,000, whichever is greater, or any change order, the amount of which, when added to all previous change orders, exceeds 10% of the contract amount, shall be approved **first** by the Board of Acquisition and Contract and **then** by the Public Works **and Transportation** Committee of the County Legislature or the Committee of the County Legislature which considers and reports upon legislation relating to the department or agency responsible for such public work or improvement. **The initial approval of the Board of Acquisition and Contract would remain pending until approval is granted by the Public Works and Transportation Committee or appropriate committee of the County Legislature.**

SECTION 2. This Local Law shall take effect upon filing with the Secretary of State.

Carried. Ayes-13, Nays-2 (Weslar, Whalen)

RESOLUTION NO. 143

By Finance and Public Works & Transportation Committees Seconded by Mr. Flagg
RESOLUTION AMENDING THE 2017 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2017 Capital Improvement Program is hereby amended to create a new project for the Juneberry Road Bridge (BIN 3349940) over Big Choconut Creek for design services as follows:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost</u>			
		<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
2920085	Juneberry Road Bridge (BIN 3349740)	\$290,000	\$0	\$257,500	\$14,500

<u>Local Finance Law Section 11</u>					
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2017	20	10	\$290,000	\$0	

and be it

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

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

Carried. Ayes-15, Nays-0

RESOLUTION NO. 144

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY LAND BANK FOR REMOVAL OF AN UNDERGROUND STORAGE TANK AT 50 FRONT STREET, CITY OF BINGHAMTON AMENDING THE BUDGET AND AUTHORIZING PAYMENT FROM THE BROWNFIELD REMEDIATION ACCOUNT

WHEREAS, the Chairman of the Legislature requests authorization for an agreement with the Broome County Land Bank for removal of an underground storage tank at 50 Front Street, City of Binghamton at a cost not to exceed \$50,000, and

WHEREAS, prior to the transfer of the property from Broome County to the Broome County Land Bank it was discovered that an underground storage tank, previously used for heating oil, needed to be removed, and

WHEREAS, the Broome County Land Bank discovered that said tank was never removed by Broome County, and

WHEREAS, said services are necessary to remove the underground storage tank from property to fulfill conditions of sale of property, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County Land Bank, 60 Hawley Street, 5th Floor, Binghamton, New York 13901 for removal of underground storage tank, and be it

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

FURTHER RESOLVED, that the budget is amended as follows and the Director of Office of Management and Budget is authorized to make the following transfer from the Brownfield Remediation Reserve

90000099.6005035.1010 Brownfield Remediation	\$50,000 (Increase)
90000099.5000561.1010 Transfer from Reserve	\$50,000 (Increase)

and be it

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

Carried. Ayes-15, Nays-0

RESOLUTION NO. 145

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON VARIOUS PARCELS OF REAL PROPERTY IN BROOME COUNTY

WHEREAS, it is necessary to clear the tax record on parcels of real property plus accrued interest and penalties on various parcels of real property in Broome County, annexed hereto as Exhibit "A", now, therefore, be it

RESOLVED, that taxes plus accrued interest and penalties will be cancelled on various parcels of real property in Broome County, annexed hereto as Exhibit "A".

Carried. Ayes-15, Nays-0

RESOLUTION NO. 146

By Finance and County Administration Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING A HOME RULE REQUEST TO EXTEND THE AUTHORIZATION OF THE COUNTY OF BROOME TO IMPOSE AN ADDITIONAL ONE PERCENT SALES AND COMPENSATING USE TAX

WHEREAS, this County Legislature by Resolution 79 of 2017 requested the New York State Legislature to enact State Legislation to extend the effectiveness of provisions authorizing the County of Broome to continue to impose an additional one percent of sales and compensating use tax, and

WHEREAS, Assembly Bill A.6250 (Lupardo) and Senate Bill S.4801 (Akshar) have been introduced into the New York State Assembly and Senate in relation to extending the authorization of the County of Broome to impose an additional one percent sales and compensating use tax, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purpose of said legislation, now, therefore be it

RESOLVED, that this County Legislature hereby urges and approves the passage and adoption of said Assembly Bill A.6250 and Senate Bill S.4801 entitled "AN ACT to amend the Tax Law, in relation to extending the authorization of the County of Broome to impose an additional one percent sales and compensating use tax" and hereby declares that a necessity exists for the passage of such bill and that the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and be it

FURTHER RESOLVED, that a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating the necessity exists for the enactment of said legislation.

Carried. Ayes-15, Nays-0

RESOLUTION NO. 147

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING ACCEPTANCE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARD PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC WORKS, PARKS, RECREATION & YOUTH SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2017-2019

WHEREAS, the Director of Parks, Recreation & Youth Services requests authorization to accept an Automated External Defibrillator (AED) Award Program Grant for the Department of Public Works, Parks, Recreation & Youth Services and adopting a program budget in the amount of \$4,747 for the period February 15, 2017 through February 13, 2019, and

WHEREAS, said program grant will provide for the purchasing of new AED's in County parks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,747 from the Community Foundation for South Central New York, 520 Columbia Drive, Suite 100, Johnson City, New York 13790, for the Department of Public Works, Parks, Recreation & Youth Services' AED Award Program Grant for the period February 15, 2017 through February 13, 2019, 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 \$4,747, 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, and be it

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

Carried. Ayes-15, Nays-0

RESOLUTION NO. 148

By Economic Development, Education and Culture Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROWNFIELD GRANT REVIEW COMMITTEE

WHEREAS, this Broome County Legislature, pursuant to the authority vested in it by Section 89-6(b)(3) of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on a five person committee to determine grant applications for the 2% occupancy tax brownfields fund to cover the expenses for a pre-demolition survey, hereafter the Brownfield Grant Review Committee, for the term indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Daniel J. Reynolds 309 Clayton Avenue Vestal, NY 13850	December 31, 2017 New Appointment
Aaron M. Martin 209 Reese Avenue Vestal, NY 13850	December 31, 2017 New Appointment
Alex J. McLaughlin 75 Mills Road Harpursville, NY 13787	December 31, 2017 New Appointment
David C. Hamlin 1243 Mead Road Binghamton, NY 13901	December 31, 2017 Ex Officio Appointment (Director of Real Property Tax Services)
Leslie G. Boulton 1206 State Route 369 Chenango Forks, NY 13746	December 31, 2017 Ex Officio Appointment (Deputy Commissioner of Solid Waste Management)

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the authority vested in it by Section 89-6(b)(3) of the Broome County Charter and Code, has duly designated and appointed the above named individuals to membership on the Brownfield Grant Review Committee, for the term indicated, and be it

FURTHER RESOLVED, that appropriate County Departments shall, upon request of the Brownfield Grant Review Committee, provide support as may be necessary to assist the committee and to implement the Brownfield Grant Program.

Carried. Ayes-12, Nays-3 (Whalen, Weslar, Kaminsky)

Mr. Flagg made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn Carried.** Ayes-15, Nays-0. The meeting was adjourned at 6:16 p.m.

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