

**LEGISLATURE
REGULAR SESSION
AUGUST 15, 2019**

The Legislature convened at 4:30 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-13, Absent 2 (Pasquale, Whalen).

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

The Chairman announced the Ninth Annual Fresh from the Farm event. Chairman Reynolds introduced judges Judi Hess, Clyde VanDyke and Suh Neubauer. A short behind the scenes video was shown and Vicki Giarrantano, Executive Director of the Broome County Cornell Cooperative Extension talked about the importance of agriculture in our community. Groups were introduced and awards were presented: VINES Grow Binghamton made Blueberry Zucchini Bread with Lemon Glaze with ingredients supplied by Old Barn Market, VINES Urban Farm and Wild Rose Farm and won "Most Creative" and "Peoples Choice". 4H Youth Leaps and Peeps made Vanilla Magic Custard Cake with ingredients supplied by Catskill Cattle Farm, Regional Farmers Market, Taste NY Store and Trinity Valley Farm and won "Best Presentation" and "Best Taste". Citizen U made Broome Blueberry Peach Crisp with ingredients supplied by Apple Hills Farm, Farmer Ground and Trinity Valley Farm and won "Most Local Products and "Best Overall". Legislators Baker and O'Brien presented Certificates of Appreciation to Judges Judi Hess, Clyde VanDyke and Suh Neubauer.

Chairman Reynolds announced a short recess. The meeting reconvened at 5:35 p.m. It was noted that Mr. Pasquale was present.

Mr. Baldwin 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. Fire Advisory Board Nomination Letter
 2. Health Department Health Advisory Board Nomination Letter
 3. Real Property & Tax Services Director Appointment Letter
 4. Youth Bureau Advisory Board Appointment Letter
 5. First Ward Charities Alcohol Allowance Support Letter

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel J. Reynolds:
1. Committee Designation Letter – Pasquale
 2. Committee Designation Letters – Balles
 3. Committee Designation Letter – O'Brien
 4. Committee Designation Letter – Flagg

Mrs. Kaminsky made a motion, seconded by Mr. Baldwin that the Session minutes of July 18, 2019 be approved as prepared and presented by the Clerk.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

Mr. Reynolds noted that the committee minutes for July 18, 2019 through August 14, 2019 had been distributed to the members of each committee for review and that they are also on file in

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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 364

By County Administration and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DEPOSIT POLICE DEPARTMENT FOR A MAINTENANCE AND SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2019-2021

WHEREAS, the Director of Information Technology requests authorization for an agreement with the Deposit Police Department for a Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period June 1, 2019 through May 31, 2021, with the option for a two-year renewal under the same terms and conditions, and

WHEREAS, said agreement is necessary to define the service expectations for maintenance and support of two units of Mobile Data AT&T, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Deposit Police Department, for a Maintenance and Support Memorandum of Understanding for the Division of Information Technology for the period June 1, 2019 through May 31, 2021, with the option for a two-year renewal under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said Memorandum of Understanding, the Deposit Police Department shall pay the County \$80, per month, and be it

FURTHER RESOLVED, any support provided beyond the specifications of the Memorandum of Understanding would require Supervisory approval and be billed at the rate of \$70 per hour, and be it

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 365

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTIES FROM THE 2019 TAX SALE AUCTION AND AUTHORIZING THE SELL BACK OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2019 was held and all bids submitted were tabulated, and

WHEREAS, the Director of Real Property Tax Service further advises that the former owners of certain in-rem foreclosure properties have requested to have the properties sold back to them and the Director recommends that such requests be granted based on the unusual circumstances of each such case, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders from the 2019 Broome County tax sale auction as indicated on the attached Exhibit "A", and be it

RESOLVED, that the sell back to former owners of the parcels listed on Exhibit "A" for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, and be it

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 366

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING BROOME COUNTY TO JOIN THE NEW YORK COOPERTIVE LIQUID ASSETS SECURITIES SYSTEM AND AUTHORIZING THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET TO EXECUTE THE NYCLASS COOPERATIVE INVESTMENT AGREEMENT

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o" empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis, and

WHEREAS, Broome County wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 14, 2014, and

WHEREAS, Broome County wishes to assure the safety and liquidity of its funds; now, therefore, be it

RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of Broome County, and be it

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 367

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON VARIOUS CITY AND TOWN-OWNED PARCELS

WHEREAS, it is necessary to clear the tax records for various City and Town-owned parcels of real property, now, therefore, be it

RESOLVED, that taxes plus accrued interest and penalties will be cancelled on various City and Town-owned parcels of real property attached as Exhibit "A".

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 368

By Personnel and Finance Committees

Seconded by Mr. Flagg

RESOLUTION EXTENDING THE APPOINTMENT OF TERRY CAREY AS ACTING PROBATION DIRECTOR (GROUP B)

WHEREAS, pursuant to Article III, Section C311 of the Broome County Charter and Code, Jason T. Garnar, Broome County Executive, appointed Terry Carey as Acting Probation Director (Group B), effective February 25, 2019 at the annual base salary of \$75,442, and

WHEREAS, said appointment is valid for a term of six months unless extended by the Legislature, and

WHEREAS, as required by the DEC it is necessary to have a contingency disposal plan for raw leachate treatment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Ithaca Area Wastewater Treatment Facility to accept and treat raw leachate from the leachate collection system at the Broome County Landfill for the Department of Public Works Division of Solid Waste Management for the period September 1, 2019 through August 31, 2024, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$30 per thousand gallons, plus an administrative fee of \$1, total amount not to exceed budgeted appropriations of \$75,000 per year, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6004146 (Subcontracted Program Expense), and be it

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 371

By Finance, Economic Development, Education & Culture and Public Works & Transportation Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING THE WAIVER OF TIPPING FEES AT THE BROOME COUNTY LANDFILL

WHEREAS, 147/151 Front Street in the Town of Vestal is scheduled to be demolished by the Broome County Land Bank, and

WHEREAS, the Land Bank has requested a waiver of the tipping fees at the Broome County Landfill in the Town of Nanticoke for the disposal of the demolition debris from this project, and

WHEREAS, the County wishes to assist this project which is an important economic development project for the Town of Vestal and the Land Bank, now, therefore, be it

RESOLVED, that this County Legislature authorizes the waiver of tipping fees established pursuant to Section 317-9 (n)(1) of the Broome County Charter and Code for the disposal of demolition debris resulting from the demolition of 147/151 Front Street in the Town of Vestal, New York, and be it

FURTHER RESOLVED, that the tipping fees waived pursuant to this resolution shall be reimbursed to the landfill from the County's Brownfield Fund, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any 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, Absent-1 (Whalen)

RESOLUTION NO. 372

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Flagg

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

WHEREAS, the Director of Emergency Services requests authorization to accept a Statewide Interoperable Communications Grant for the Office of Emergency Services and adopt a program budget in the amount of \$678,019 for the period January 1, 2019 through December 31, 2020, and

WHEREAS, said program grant provides aid to public safety organizations in enhancing emergency response, improving capability, improvements to governance structures, operating

procedures, infrastructure development, and addressing SAFECOM guidance from the U.S. Department of Homeland Security Office of Emergency Communications, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$678,019 from New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Building 7A, Suite 710, Albany, New York 12242 for the Office of Emergency Services' Statewide Interoperable Communications Grant for the period January 1, 2019 through December 31, 2020, 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 \$678,019 , and be it

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

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

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 373

By Personnel and Finance Committees

Seconded by Mr. Weslar

RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR REAL PROPERTY TAX SERVICE

RESOLVED, that in accordance with a request contained in PCR # 301 from Real Property Tax Service, this County Legislature hereby abolishes the position of Real Property Appraiser, Grade 18, Union Code 04 CSEA, minimum salary of \$44,995, 40 hours weekly, Full-Time, and creates the position of Real Property Manager, Grade 14, Union Code 07 BAPA, minimum salary of \$39,666, 40 hours weekly, Full-Time, budget line 17000001.6001000.1010 effective July 24, 2019.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 374

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING A PROPERTY LEASE AGREEMENT WITH CARL DIGIROLAMO FOR THE OFFICE OF EMERGENCY SERVICES FOR 2019-2118

WHEREAS, the Director of Emergency Services requests authorization for a property lease agreement with Carl Digirolamo for the Office of Emergency Services at a cost not to exceed \$20,000, for the period August 15, 2019 through August 15, 2118, and

WHEREAS, said agreement is necessary to lease .85 acres at 545 Cresson Hill Road, Windsor, New York for communication equipment installation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a property lease agreement with Carl Digirolamo, 545 Cresson Hill Road, Windsor, New York 13865, for the Office of Emergency Services for the period August 15, 2019 through August 15, 2118, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 20010003.6002001.2020022, 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 375

By Public Safety & Emergency Services and Economic Development, Education & Culture Committees

Seconded by Mr. Flagg

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE BROOME COUNTY EMERGENCY COMMUNICATIONS SYSTEM UPGRADE PROJECT – LAUREL LAKE RADIO TOWER

WHEREAS, the County desires to advance the Emergency Communications System Upgrade Project – Laurel Lake Radio Tower, and

WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, it has been determined that the Broome County Legislature is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, said Project is a Type I Action under SEQR and may have an impact on the environment, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the Broome County Emergency Communications System Upgrade Project – Laurel Lake Radio Tower.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 376

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING AN AGREEMENT WITH US CORRECTIONS, LLC FOR PRISONER TRANSPORTATION SERVICES FOR THE OFFICE OF THE SHERIFF FOR 2019-2021

WHEREAS, RFP 2019-059 Interstate Transportation of Prisoners and Fugitives from Justice (Extradition Services) was advertised for the Broome County Sheriff's Office, and

WHEREAS, as a result of said RFP, the Sheriff requests authorization for an agreement with US Corrections, LLC prisoner transportation services for the Office of the Sheriff at a cost not to exceed \$60,000 per year, for the period September 1, 2019 through August 31, 2021, and

WHEREAS, said agreement is necessary for the transportation of prisoners and fugitives from justice, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with US Corrections, LLC, P.O. Box 171078, Nashville, Tennessee 37217 for prisoner transportation services for the Office of the Sheriff for the period September 1, 2019 through August 31, 2021, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,000 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004164.1010 (Non-Employee Travel, Hotel & Meals), 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 377

By Public Safety & Emergency Services Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the authority vested in him by Article XIX of the Broome County Charter and Administrative Code, has duly designated and reappointed the following named individuals to membership on the Broome County Fire Advisory Board, for the term expiring December 31, 2019, subject to confirmation by this County Legislature:

Kyle Ferraro
2723 Columbia
Endwell, NY 13790

Bill Gorman
173 Terrace Drive
Conklin, NY 13748

David Silverstein
26 McGregor Avenue
Maine, NY 13802
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 Article XIX of the Broome County Charter and Administrative Code, confirms the reappointments of the above-named individuals to membership on the Broome County Fire Advisory Board for the term expiring December 31, 2019 in accordance with their appointment by the County Executive.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 378

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2018-2020

WHEREAS, this County Legislature, by Resolution 234 of 2018, as amended by Resolution 21 of 2019, authorized and approved renewal of the Workforce Innovation and Opportunity Act Youth Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$591,718 for the period July 1, 2018 through June 30, 2020, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,810 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Youth Program Grant to reflect an increase of \$1,810 for the period July 1, 2018 through June 30, 2020, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$593,528, and be it

FURTHER RESOLVED, that Resolutions 234 of 2018 and 21 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 379

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT ADULT PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2018-2020

WHEREAS, this County Legislature, by Resolution 232 of 2018, as amended by Resolution 20 of 2019, authorized and approved renewal of the Workforce Innovation and Opportunity Act Adult Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$599,074 for the period July 1, 2018 through June 30, 2020, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,314 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Adult Program Grant to reflect an increase of \$1,314 for the period July 1, 2018 through June 30, 2020, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$600,388, and be it

FURTHER RESOLVED, that Resolutions 232 of 2018 and 20 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 380

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

RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT ADMINISTRATION PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2018-2020

WHEREAS, this County Legislature, by Resolution 231 of 2018, as amended by Resolution 315 of 2019, authorized and approved renewal of the Workforce Innovation and Opportunity Act Administration Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$136,764 for the period July 1, 2018 through June 30, 2020, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$1,064 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Administration Program Grant to reflect a decrease of \$1,064 for the period July 1, 2018 through June 30, 2020, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$135,700, and be it

FURTHER RESOLVED, that Resolutions 231 of 2018 and 315 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 381

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

RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT DISLOCATED WORKER PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2018-2020

WHEREAS, this County Legislature, by Resolution 233 of 2018, as amended by Resolution 19 of 2019, authorized and approved renewal of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$340,081 for the period July 1, 2018 through June 30, 2020, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$12,703 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant to reflect a decrease of \$12,703 for the period July 1, 2018 through June 30, 2020, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$327,378, and be it

FURTHER RESOLVED, that Resolutions 233 of 2018 and 19 of 2019, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 382

By Finance Committee

Seconded by Mr. Flagg

RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2020

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2020 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2020, as apportioned to the County and the towns and villages participating in the fund are hereby approved, and be it

FURTHER RESOLVED, that the apportioned amounts as to the Towns and County shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Director of the Office of Management and Budget, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to bill the Village of Lisle for the amount apportioned to it, and be it

FURTHER RESOLVED, that when said amounts are collected, they shall be deposited to the Workers' Compensation account as follows:

Municipalities	2020 Total Premium
Broome County	\$2,972,248
Barker	\$38,178
Binghamton (T)	\$68,942
Chenango	\$141,364
Colesville	\$71,861
Conklin	\$55,130
Lisle (T)	\$55,962
Lisle (V)	\$9,392

Maine	\$48,314
Nanticoke	\$11,851
Port Dickinson	\$14,569
Sanford	\$105,717
Triangle	\$14,187
Whitney Point	\$7,071
Windsor (T)	\$78,981
Total	\$3,693,766

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 383

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING THE CANCELLATION OF 2009-2015 UNCOLLECTIBLE ACCOUNT RECEIVABLES FOR THE DEPARTMENT OF HEALTH CLINIC SERVICES DIVISION

WHEREAS, the Public Health Director has advised that amounts owed to the Clinic Services Division of the Health Department currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts but have been unsuccessful, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge-off of the uncollectible account receivables for the Clinic Services Division of the Broome County Health Department, 225 Front Street, Binghamton, New York 13905 as follows:

Immunizations	\$ 9,543.77
STD/HIV	\$ 1,376.01
Tuberculosis	\$ 186.02
Lead	\$ 149.38
	<u>\$11,255.18</u>

and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and/or the Comptroller are hereby authorized to make necessary accounting entries to implement the intent and purpose of this Resolution.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 384

By Health & Human Services and Finance Committees Seconded by Mr. Flagg
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF DICKINSON FOR SERVICE DELIVERABLES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2019

WHEREAS, the Director of Public Health requests authorization for an agreement with the Town of Dickinson for service deliverables related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$23,500 for the period August 15, 2019 through September 30, 2019, and

WHEREAS, said agreement is necessary to implement the Complete Street policy via transportation infrastructure improvements and may be used for staff time for work on Complete Streets policy and to purchase concrete for repair of sidewalks within the Town of Dickinson, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Dickinson, 531 Old Front Street, #4, Binghamton, New York 13905 for service deliverables related to the Department of Health's Creating Healthy Schools and Communities Grant for the period August 15, 2019 through September 30, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510579 (Subcontracted Program Expense), and be it

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

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 385

By Health & Human Services Committee

Seconded by Mr. Flagg

RESOLUTION CONFIRMING THE APPOINTMENT 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, as amended by Resolution 133 of 1976, has duly designated and appointed the following named individual to membership on the Broome County Youth Bureau Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Katie Simmons	12/31/2021
83 Broad Avenue	New Appointment
Binghamton, NY 13904	

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 163 of 1971 and Resolution 133 of 1976, confirms the appointment of the above-named individual to membership on the Broome County Youth Bureau Advisory Board for the term indicated, in accordance with their appointment by the County Executive.

Carried. Ayes-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 386

By Health & Human Services & Finance Committees

Seconded by Mr. Flagg

RESOLUTION AUTHORIZING ACCEPTANCE OF THE OPIOID OVERDOSE DATA TO ACTION (O2DA) PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2019-2020

WHEREAS, the Director of Public Health requests authorization to accept a Opioid Overdose Data to Action Program Grant for the Health Department and adopt a program budget in the amount of \$72,000 for the period of September 1, 2019 through August 31, 2020 and,

WHEREAS, said program grant provides support and aims to bring together sectors that will work collaboratively to prevent, reduce and treat opioid use by creating environments that promote community well-being and equity, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$72,000 from the New York State Department of Health-Health Research Institute (NYSDOH-HRI) Empire State Plaza, Corning Tower, Albany, NY 12237, for the Health Department's Opioid Overdose Data to Action Program Grant for the period of September 1, 2019 through August 31, 2020, 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 \$72,000, 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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,000 from Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, NY 13905 for the Health Department's Lourdes Health Neighborhoods Program Grant for the period September 1, 2019 through August 31, 2022, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$60,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Department of Health to accept and allocate additional funding without further Legislative approval provided there is no increase in employee head county and the County's financial contribution is not increased, 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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 389

By Finance and Public Safety & Emergency Services Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AN AGREEMENT WITH JAN NIELSEN TO ACCEPT THE DONATION OF REAL PROPERTY FOR THE OFFICE OF THE SHERIFF

WHEREAS, the Broome County Sheriff requests authorization for an agreement with Jan Nielsen to accept the donation of real property in the Town of Barker for the Office of the Sheriff at no cost to the County, and

WHEREAS, Mr. Neilsen has agreed to donate a 60-acre parcel located at 1381 Leekville Road in the Town of Barker (Tax Map Parcel Number 054.01-1-3) at no cost for the express purpose of the construction and future use by the Broome County Sheriff's Office as a training facility and firearms range, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Jan Nielsen, 419 Swan Hill Road, Glen Aubrey, New York 13777, to accept the donation of a 60-acre parcel located at 1381 Leekville Road in the Town of Barker (Tax Map Parcel Number 054.01-1-3) at no cost for the express purpose of the construction and future use by the Broome County Sheriff's Office as a training facility and firearms range, 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.

Heldover by Mr. Weslar

RESOLUTION NO. 390

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH PERKINS & WILL FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2019

WHEREAS, the Arena Manager requests authorization for an agreement with Perkins & Will, for funding in the amount not to exceed \$125,000 from the Marketing and Economic Development allocation of the occupancy tax for the period September 1, 2019 through December 31, 2019, and

WHEREAS, said funding will be used for the development of a Master Plan for the Floyd L. Maines Veterans Memorial Arena, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Perkins & Will, 475 Lincoln St, Suite 100, Denver, Colorado 80203 for funding from the Marketing and Economic Development allocation of the occupancy tax for the period September 1, 2019 through December 31, 2019, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$125,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.1010.6005026 (Marketing & Economic Development), and be it

FURTHER RESOLVED, that the Office of Management and Budget is hereby authorized to make the following budget adjustment:

90000099.1010.6005026 Marketing & Economic Development	\$125,000	increase
90000099.1010.5000561 Transfer to Reserve Fund	\$125,000	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-14, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 391

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

RESOLUTION AMENDING THE 2019 HIGHWAY CONTINUING BUDGET

RESOLVED, that the 2019 Highway Continuing Budget is hereby amended as follows to include 2019 Extreme Winter Recovery (EWR) Apportionment from New York State Department of Transportation:

INCREASE REVENUE:

<u>Account Code</u>	<u>Name</u>	<u>Original Budget</u>	<u>Requested Change</u>	<u>Revised Budget</u>
3120.29010205.5000846	Consolidated Highway Aid	\$3,074,325	\$240,448	\$3,314,773

INCREASE APPROPRIATIONS:

<u>Account Code</u>	<u>Name</u>	<u>Original Budget</u>	<u>Requested Change</u>	<u>Revised Budget</u>
3120.29010305.6004005	Snow Removal Material & Supplies	\$450,000	\$200,000	\$650,000
3120.29010205.6004004	Material & Supplies Other	\$80,000	\$40,448	\$120,448

INCREASE REVENUE:

<u>Account Code</u>	<u>Name</u>	<u>Original Budget</u>	<u>Requested Change</u>	<u>Revised Budget</u>
3160.30020105.5000846	Consolidated Highway Aid	-	\$80,000	\$80,000

INCREASE APPROPRIATIONS:

<u>Account Code</u>	<u>Name</u>	<u>Original Budget</u>	<u>Requested Change</u>	<u>Revised Budget</u>
3160.30020105.6004046	Gas, Oil, Diesel Fuel	\$300,000	\$60,000	\$360,000
3160.30020105.6004040	Motor Equipment Supplies	\$285,000	\$20,000	\$305,000

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-14, Nays-0, Absent-1 (Whalen)

LEGISLATORS COMMENTS

Mrs. O'Brien stated that there will be a fundraiser for Eric Bellamy, a past Veteran of Distinction recipient and former Broome County employee, on September 7th at the VFW in Hillcrest.

Mrs. O'Brien encouraged everyone to attend the Fresh Food Face Off that will be held on September 24, 2019 at Cornell Cooperative Extension.

Mr. Flagg requested that the Chairman set up a subcommittee to review the County's Ethics Policy as it relates to employee conduct policies. Chairman Reynolds stated that he would consult with the County Attorney to determine what role the Legislature has in setting employee Code of Conduct rules

Mrs. Kaminsky and Mr. Reynolds would also like to see a subcommittee to review the Rules of Order.

Mr. Pasquale made a motion to adjourn, seconded by Mr. Flagg. **Motion to adjourn carried.** Ayes-14, Nays-0, Absent-1 (Whalen). The meeting was adjourned at 5:50 p.m.

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