

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JUNE 17, 2021**

The Legislature convened at 5:09 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin called the Attendance Roll, Present-15, Absent-0.

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**

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

Chairman Reynolds recognized County Executive Jason Garnar, Emergency Services Director Michael Ponticiello and Public Health Director Rebecca Kaufman who gave a COVID19 update.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE**

- A. Letters from the County Executive, Jason T. Garnar:
  - 1. State of Emergency Extension – COVID-19
  - 2. Emergency Order #17 Extension – Prohibiting Third Party Delivery Companies from Charging a Delivery Fee of More Than 15% of the Purchase Price
  - 3. Sale of Alcohol at Otsiningo Park Letter of Support
  - 4. SUNY Broome Board of Trustees Appointment Letter
  - 5. Information Technology Acting Director Appointment Letter
  - 6. Broome County Community Services Board
  - 7. Temporary Residency Waiver Memo

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

- A. Letters from the Chairman, Daniel J. Reynolds
  - 1. Committee Designation Letter – Kaminsky
  - 2. Committee Designation Letter – Flagg & Shaw
  - 3. Committee Designation Letter - Pasquale

**PUBLIC HEARINGS**

Chairman Reynolds announced a Public Hearing on a CSBG/COVID Business Assistance Grant Application and opened the Public Hearing at 5:27 p.m. The Clerk, Aaron M. Martin read the Notice of Public Hearing. There being no speakers the Chairman closed the Public Hearing at 5:30 p.m.

Chairman Reynolds announced a Public Hearing on the County Executive's 2021-2022 SUNY Broome Recommended Budget and opened the Public Hearing at 5:30 p.m. The Clerk, Aaron M. Martin read the Notice of Public Hearing. There being no speakers the Chairman closed the Public Hearing at 5:33 p.m.

Mr. Weslar made a motion, seconded by Mr. Hilderbrant that the Session minutes of May 20, 2021 be approved as prepared and presented by the Clerk.

**Carried.** Ayes-15, Nays-0

Mr. Reynolds noted that the committee minutes for May 20, 2021 through June 16, 2021 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. Baker, seconded by Mr. Wildoner.

**Carried.** Ayes-15, Nays-0

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS**

1. Personnel – Temporary Residency Waiver – Douglas Camin
2. Soil & Water Conservation District – Directors April Meeting Minutes
3. Sheriff – 2020 Annual Report
4. SUNY Broome – Board of Trustees April Meeting Minutes
5. SUNY Broome – Board of Trustees March Meeting Minutes
6. SUNY Broome – 2021-2022 Recommended Budget
7. NYS Department of Taxation & Finance – Certified 2021 Class Equalization Rates
8. Visit Binghamton – May 2021 Monthly Report
9. Willow Point Rehabilitation & Nursing Center – 2020 Annual Report
10. Mental Health – 2020 Annual Report

**RESOLUTIONS RECALLED FROM A PREVIOUS MEETING**

Mr. Baldwin made a motion, seconded by Mr. Weslar to recall Resolution 2021-189.

**Motion to recall carried.** Ayes-15, Nays-0

**RESOLUTION NO. 189**

By Personnel

Seconded by Mr. Weslar

**RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY**

Mr. Baldwin made a motion, seconded by Mr. Weslar to amend the effective date to May 15, 2021.

**Motion to amend carried.** Ayes-15, Nays-0

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

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 201**

By County Administration and Public Safety & Emergency Services Committees

Seconded by Mr. Wildoner

**RESOLUTION IN SUPPORT OF NEW YORK STATE SENATE BILL S5451 AND ASSEMBLY BILL A5966 DESIGNATING CERTAIN EMERGENCY AND PUBLIC SAFETY DISPATCHERS AND OPERATORS AS FIRST RESPONDERS**

WHEREAS, New York State Senate Bill S5154 and Assembly Bill A5966 have been introduced designating certain emergency and public safety dispatchers and operators as first responders, and

WHEREAS, first responder means an individual who is responsible for administration of initial life-saving care of sick and injured persons, and shall include public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers, who provide communication support services within police and sheriff's departments as well as fire, rescue and emergency services departments, and

WHEREAS, public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers play a critical role in emergency response, and

WHEREAS, the work public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers perform goes far beyond merely relaying information between the public and first responders, and

WHEREAS, when responding to reports of missing, abducted, and sexually exploited children, the information obtained and actions taken by public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers form the foundation for an effective response, and

WHEREAS, when a hostage taker or suicidal person calls 9–1–1, the first contact is with the public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers whose negotiation skills can prevent the situation from getting worse, and

WHEREAS, during active shooter incidents, public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers coach callers through first aid and give advice to prevent further harm, all while collecting vital information to provide situational awareness for responding officers, and

WHEREAS, they are often communicating with people in great distress, harm, fear, or injury, while employing their experience and training to recognize a critical piece of information, and

WHEREAS, this work comes with an extreme emotional and physical impact that is compounded by long hours and the around-the-clock nature of the job, and

WHEREAS, research has suggested that public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers are exposed to trauma that may lead to the development of posttraumatic stress disorder, and

WHEREAS, classifying public safety dispatchers, emergency responders, emergency operators, emergency complaint operators and emergency services dispatchers, as first responders would recognize these professionals for the lifesaving work they perform, now, therefore, be it

RESOLVED, that this County Legislature hereby supports New York State Senate Bill S5154 and Assembly Bill A5966 designating certain emergency and public safety dispatchers and operators as first responders, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Joseph G. Angelino, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, and the New York State Association of Counties (NYSAC).

**Carried.** Ayes-15, Nays-0

## **RESOLUTION NO. 202**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Wildoner

### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BELL ATLANTIC MOBILE SYSTEMS LLC D/B/A VERIZON WIRELESS TO LEASE TOWER SPACE AT 125 INGRAHAM HILL ROAD IN THE TOWN OF BINGHAMTON FOR THE OFFICE OF EMERGENCY SERVICES FOR 2021-2026**

WHEREAS, this County Legislature, by Resolution 20 of 2021, authorized an agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless to lease tower space at 125 Ingraham Hill Road in the Town of Binghamton with revenue to the County for the period January 21, 2021 through January 21, 2026, and

WHEREAS, said lease will not affect the operation of communications equipment and related purposes, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include two five-year renewal options under the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 to include two five-year renewal options under the same terms and conditions for the lease of tower space at 125 Ingraham Hill Road in the Town of Binghamton for the Office of Emergency Services, and be it

FURTHER RESOLVED, that Resolution 20 of 2021, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 203**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TETRA TECH, INC., TO PROVIDE EMERGENCY PLANNING EXERCISE, RESPONSE AND COST RECOVERY FOR THE OFFICE OF EMERGENCY SERVICES FOR 2015-2021**

WHEREAS, this County Legislature, by Resolution 17 of 2016, as amended by Resolution 253 of 2020 authorized an agreement with Tetra Tech, Inc., for assistance in emergency planning, exercise, response and cost recovery on an as needed basis for the period June 19, 2015 through June 18, 2021, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through December 31, 2021 at no additional cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Tetra Tech, Inc., 1000 The American Road, Morris Plains, New Jersey 07950 to extend the period through December 31, 2021, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolutions 17 of 2016 and 253 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 204**

By Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING RENEWAL OF THE AID TO PROSECUTION GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 403 of 2019, as amended by Resolution 495 of 2020 authorized and approved the renewal of the Aid to Prosecution Grant for the Office of the District Attorney and adopted a program budget in the amount of \$392,076 for the period October 1, 2019 through March 31, 2021, and

WHEREAS, said program grant partially funds the salary and fringe benefits for two Senior Assistant District Attorneys, and

WHEREAS, it is desired to renew said program in the amount of \$245,774 for the period April 1, 2021 through March 31, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$111,020 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203, for the Office of the District Attorney's Aid to Prosecution Grant for the period April 1, 2021 through March 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 \$245,774 and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 205**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DISTRICT ATTORNEY SCHOOL RESOURCE OFFICERS PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENTS WITH VARIOUS SCHOOL DISTRICTS TO PARTICIPATE IN SAID PROGRAM FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 245 of 2020 authorized and approved renewal of the District Attorney School Resource Officers Program Grant for the Office of the District Attorney, adopted a program budget in the amount of \$440,000 and authorized the District Attorney to contract with school districts in Broome County for District Attorney's Investigators to work within schools as School Resource Officers to promote safety and provide law enforcement services, for the period January 1, 2020 through June 30, 2021, and

WHEREAS, it is desired to renew said grant program in the amount of \$451,000, adopt a program budget and authorize agreements with various school districts to participate in said program for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the District Attorney School Resource Officers Program Grant for the Office of the District Attorney for the period July 1, 2021 through June 30, 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 \$451,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with various school districts to participate in the District Attorney School Resource Officers Program Grant for a District Attorney Investigator to work within the school as a School Resource Officer for the period July 1, 2021 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the school district shall pay the County at the approved hourly rates, total amount not to exceed \$451,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 06000001.5000189.0610072 (Other Local Governments), and be it

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

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

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 206**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING AN AGREEMENT WITH BLACK CREEK INTEGRATED SYSTEMS CORP. FOR HARDWARE AND SOFTWARE SERVICES FOR THE OFFICE OF THE SHERIFF FOR 2021-2022**

WHEREAS, the Sheriff requests authorization for an agreement with Black Creek Integrated Systems Corp. for hardware and software services for the Office of the Sheriff at a cost not to exceed \$600,000, for the period June 17, 2021 through May 31, 2022, and

WHEREAS, said services are necessary to upgrade the existing Broome County Jail security system to be compatible with Windows 10 operating environment and develop interface to new closed-circuit TV systems, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Black Creek Integrated Systems Corp., PO Box 101747, Irondale, Arizona 35210 for hardware and software services for the Office of the Sheriff for the period June 17, 2021 through May 31, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$600,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6002709.5202.2320027, 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. 207**

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

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2018-2021**

WHEREAS, this County Legislature, by Resolution 160 of 2020, authorized an agreement with McFarland Johnson Inc., for professional engineering services for the Department of Aviation at a cost not to exceed \$116,023 for the period March 23, 2020 through March 22, 2021, and

WHEREAS, said agreement is necessary for design services for the Department of Aviation's Fuel Farm Project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through August 31, 2021, at no additional cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland Johnson Inc., P.O. Box 1980 Binghamton, New York 13902 to extend the period through August 31, 2021, for professional engineering services for the Department of Aviation, and be it

FURTHER RESOLVED, that Resolution 160 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 208**

By Public Works & Transportation and Finance Committees                      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ITHACA AREA WASTEWATER TREATMENT FACILITY TO ACCEPT AND TREAT RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2019-2024**

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

WHEREAS, this County Legislature, by Resolution 256 of 2020, amended said agreement to increase the not to exceed amount by \$55,000, total amount not to exceed \$130,000 for the period September 1, 2019 through August 31, 2020, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$80,000 for the period September 1, 2020 through August 31, 2021, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Ithaca Area Wastewater Treatment Facility to increase the not to exceed amount by \$80,000 for the period September 1, 2020 through August 31, 2021, and be it

FURTHER RESOLVED, that Resolutions 370 of 2019 and 256 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 209**

By Public Works & Transportation and Finance Committees                      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION (TSA) FOR MAINTENANCE AND UTILITY COST REIMBURSEMENT AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 166 of 2020, authorized an agreement with the Department of Homeland Security Transportation Security Administration (TSA) for maintenance and cost reimbursement at the Greater Binghamton Airport, with revenue to the County in the amount of \$2,695.83, for the period July 1, 2020 through June 30, 2021, and

WHEREAS, said agreement is necessary for the TSA to reimburse the County for electrical and janitorial costs associated with TSA Security Checkpoints and Baggage Areas at the Greater Binghamton Airport, and

WHEREAS, said agreement expires by its terms on June 30, 2021 and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount \$2,695.80 for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Department of Homeland Security Transportation Security Administration (TSA), 601 South 12<sup>th</sup> Street, Arlington, Virginia, 20598-6025, for maintenance and utility cost reimbursement at the Greater Binghamton Airport for the period July 1, 2021 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor will pay the County electrical and janitorial costs in the amount of \$2,695.80 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 28150005.5000137.2020 (Space Rental-Other), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.  
**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 210**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH DATROSE FOR PROFESSIONAL SERVICES FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 2021-2022**

WHEREAS, RFP 2021-007 Broome-Tioga Workforce Staffing for Youth Employment and Training was advertised, and

WHEREAS, the Director of Employment and Training requests authorization for an agreement with Datrose for professional services for the Office of Employment and Training at a cost not to exceed \$240,000 for the period July 1, 2021 through June 30, 2022, and

WHEREAS, said agreement is necessary for temporary payroll management services for WIOA Youth Employment and Training Program participants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Datrose, 660 Basket Road, Webster, New York 14580 for professional services for the Office of Employment and Training for the period July 1, 2021 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$240,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 33020006.6004254.3131.3310230/238 and 33020006.6004168.3131.3310230/238, 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. 211**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING REVISION OF THE TRADE ADJUSTMENT ASSISTANCE GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2017-2022**

WHEREAS, this County Legislature, by Resolution 294 of 2019, as revised by Resolution 219 of 2020, authorized and approved the Trade Adjustment Assistance Program Grant (FY 17, FY 18 & FY 19) for the Office of Employment and Training and adopted a program budget in the amount of \$385,251.91 for the period October 1, 2016 through December 31, 2021, and

WHEREAS, said program grant provides aid to workers who lose their jobs or whose hours or work and wages are reduced due to foreign competition, and

WHEREAS, it is necessary at this time to revise said program to close FY 17 funding at \$85,251.19, increase and close FY 18 funding at \$153,201.72 and accept FY 20 funding at \$150,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Trade Adjustment Assistance Grant to close FY 17 funding at \$85,251.19, increase and close FY 18

funding at \$153,201.72 and accept FY 20 funding in the amount of \$150,000 for the period October 1, 2019 through September 30, 2022, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed here to as Exhibit "A" for the respective financial years as indicated, and be it

FURTHER RESOLVED, that Resolution 294 of 2019 and 219 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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-15, Nays-0

### **RESOLUTION NO. 212**

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

#### **RESOLUTION AUTHORIZING RENEWAL OF THE SOCIAL SECURITY ADMINISTRATION TICKET TO WORK PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 218 of 2020, authorized and approved renewal of the Social Security Administration Ticket to Work Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$160,151 for the period July 1, 2020 through June 30, 2021, and

WHEREAS, said program grant provides support for people with disabilities who are interested in going to work or increasing their work, and

WHEREAS, it is desired to renew said program grant in the amount of \$160,151 for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$160,151 from the Research Foundation for Mental Hygiene, Inc., Riverview Center, 150 Broadway, Suite 301, Menands, New York 12204, for the Office of Employment and Training's Social Security Administration Ticket to Work Program for the period July 1, 2021 through June 30, 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 \$160,151, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional Social Security Administration Ticket to Work Program funds, for the period July 1, 2021 through June 30, 2022, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the



FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 33020006.6004254.3310236/3310237/3310238 (Contracted Training), 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. 215**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SERVICES RELATED TO THE OFFICE OF EMPLOYMENT AND TRAINING'S WIOA YOUTH PROGRAM GRANT FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 216 of 2020, authorized renewal of an agreement with Cornell Cooperative Extension of Broome County for services related to the Office of Employment and Training's WIOA Youth Program Grant at an amount not to exceed \$130,000 for the period July 1, 2020 through June 30, 2021 and

WHEREAS, said services are necessary to provide education, training assistance and job search assistance to youth, and

WHEREAS, said agreement expires by its terms on June 30, 2021, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$130,000 for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905, for services related to the Office of Employment and Training's WIOA Youth Program Grant for the period July 1, 2021 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$130,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 33020006.6004254.3131.3310238 (Contracted Training), 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. 216**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF TIOGA COUNTY FOR SERVICES RELATED TO THE OFFICE OF EMPLOYMENT AND TRAINING'S WIOA YOUTH PROGRAM GRANT FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 217 of 2020, authorized and approved renewal of an agreement with Cornell Cooperative Extension of Tioga County for services related to the Office of Employment and Training's WIOA Youth Program Grant at an amount not to exceed \$100,000 for the period July 1, 2020 through June 30, 2021, and

WHEREAS, said services are necessary to provide education, training assistance and job search assistance to youth, and

WHEREAS, said agreement expires by its terms on June 30, 2021, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$100,000 for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension of Tioga County, 56 Main Street, Owego, New York 13827, for services related to the Office of Employment and Training's WIOA Youth Program Grant for the period July 1, 2021 through June 30, 2022, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 33020006.6004254.3131.3310238 (Contracted Training), 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. 217**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INNOVATION AND OPPORTUNITY ACT ADMINISTRATION PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING FOR 2021-2023**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Innovation and Opportunity Act Administration Program Grant and adopt a program budget in the amount of \$173,374 for the period July 1, 2021 through June 30, 2023, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$173,374 from the New York State Department of Labor, State Office Campus, Albany, New York 12240, for the Office of Employment and Training's Workforce Innovation and Opportunity Act Administration Program Grant for the period July 1, 2021 through June 30, 2023, 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 \$173,374, and be it

FURTHER RESOLVED, the Office of Employment and Training is authorized to accept and allocate additional Workforce Innovation and Opportunity Act Administration Program funds, for the period July 1, 2021 through June 30, 2023, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 218**

By Economic Development, Education & Culture and By All Members  
Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INNOVATION AND OPPORTUNITY ACT DISLOCATED WORKER PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING FOR 2020-2022**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Innovation and Opportunity Act Dislocated Worker Program Grant and adopt a program budget in the amount of \$462,911 for the period July 1, 2021 through June 30, 2023, and

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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$462,911 from the New York State Department of Labor, State Office Campus, Albany, New York 12240 for the Office of Employment and Training's Workforce Innovation and Opportunity Act Dislocated Worker Program Grant for the period July 1, 2021 through June 30, 2023, 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 \$462,911, and be it

FURTHER RESOLVED, the Office of Employment and Training is authorized to accept and allocate additional Workforce Innovation and Opportunity Act Dislocated Worker Program funds, for the period July 1, 2021 through June 30, 2023, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 219**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INNOVATION AND OPPORTUNITY ACT ADULT PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING FOR 2021-2023**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Innovation and Opportunity Act Adult Program Grant and adopt a program budget in the amount of \$514,046 for the period July 1, 2021 through June 30, 2023, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$514,046 from the New York State Department of Labor, State Office Campus, Albany, New York 12240 for the Office of Employment and Training's Workforce Innovation and Opportunity Act Adult Program Grant for the period July 1, 2021 through June 30, 2023, 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 \$514,046, and be it

FURTHER RESOLVED, the Office of Employment and Training is authorized to accept and allocate additional Workforce Innovation and Opportunity Act Adult Program funds, for the period July 1, 2021 through June 30, 2023 provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 220**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INNOVATION AND OPPORTUNITY ACT YOUTH PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING FOR 2021-2023**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Innovation and Opportunity Act Youth Program Grant and adopt a program budget in the amount of \$583,407 for the period July 1, 2021 through June 30, 2023, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$583,407 from the New York State Department of Labor, State Office Campus, Albany, New York 12240 for the Office of Employment and Training's Workforce Innovation and Opportunity Act Youth Program Grant for the period July 1, 2021 through June 30, 2023, 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 \$583,407, and be it

FURTHER RESOLVED, the Office of Employment and Training is authorized to accept and allocate additional Workforce Innovation and Opportunity Act Youth Program funds, for the period July 1, 2021 through June 30, 2023, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 221**

By Economic Development, Education & Culture, Personnel and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INNOVATION AND OPPORTUNITY ACT SHARED COST POOL PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2021-2023**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Innovation and Opportunity Act Shared Cost Pool Program Grant and adopt a program budget in the amount of \$768,897 for the period July 1, 2021 through June 30, 2023, and

WHEREAS, said program grant provides a pool to report salary and fringe information for monthly distribution to the appropriate Workforce Innovation and Opportunity Act grants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$768,897 from the New York State Department of Labor, State Office Building, Albany, New York 12240, for the Office of Employment and Training's Workforce Innovation and Opportunity Act Shared Cost Pool Program Grant for the period July 1, 2021 through June 30, 2023, 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 \$768,897, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIOA Shared Cost Pool Program funding as may be allocated by New York State from July 1, 2021 through June 30, 2023, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 222**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING AN AGREEMENT WITH CAROUSEL SPORTS, LLC FOR A PROFESSIONAL HOCKEY FRANCHISE AT THE VISIONS FEDERAL CREDIT UNION VETERANS MEMORIAL ARENA FOR 2021-2024**

WHEREAS, the Arena Manager requests authorization for an agreement with Carousel Sports, LLC for a professional hockey franchise at the Visions Federal Credit Union Veterans Memorial Arena for the period on or about June 1, 2021 and terminate upon the conclusion of any Hockey club "playoff" games for the 2023-2024 season, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Carousel Sports, LLC, 5676 S. Thompson Road, Syracuse, New York 13214 for a professional hockey franchise at the Visions Federal Credit Union Veterans Memorial Arena For the period on or about June 1, 2021 and terminate upon the conclusion of any Hockey club "playoff" games for the 2023-2024 season, and be it

FURTHER RESOLVED, that in consideration of the covenants contained herein, the Hockey Club agrees to pay rent for the use of the Arena for each exhibition, pre-season, regular season, or playoff games in the amount of \$3,000. If the amount of distributed tickets exceeds 3,500 for any game, rent will increase to \$1.00 per distributed ticket, and be it

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

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

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

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

FURTHER RESOLVED, that the County has complete and exclusive control over food and legal beverage concession activities (concessions) which shall be conducted at the Arena in conjunction with the Hockey Club events covered by this Agreement. Presently, the County is bound by an agreement with Food Consultants, Inc. to provide concession services at the Arena and pay the County a percentage of concession revenue which agreement terminates on August 31, 2022. The County agrees to assign to the Hockey Club fifty (50) percent concession revenue resulting from Hockey Club events (exclusive of sales and use taxes imposed on concession sales) pursuant to the agreement between Food Consultants, Inc. and the County, and be it

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

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

FURTHER RESOLVED, that the Hockey Club shall have the exclusive right to market Arena skyboxes, including "all event" rental arrangements. The County reserves the right to charge separate prices for skybox tickets at non-Hockey Club events. Purchasers of skybox

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

FURTHER RESOLVED, that 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. 223**

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

#### **RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE SUNY BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES**

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the authority vested in him by Article XXIII-A of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individual to membership on the SUNY Broome Community College Board of Trustees, for the term indicated, subject to confirmation by this County Legislature:

| <u>NAME</u>          | <u>TERM EXPIRING</u> |
|----------------------|----------------------|
| Tina Fernandez       | 6/30/2025            |
| 55 Blackstone Avenue | Reappointment        |
| Binghamton, NY 13903 |                      |

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 Article XXIII-A of the Broome County Charter and Administrative Code, confirms the appointment of the above-named individual to membership on the SUNY Broome Community College Board of Trustees for the term indicated, in accordance with her appointment by the County Executive.

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 224**

By Health & Human Services and Finance Committees                      Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH NASCENTIA HEALTHCARE, D/B/A VNA HOMECARE OPTIONS, LLC, FOR HOME DELIVERED MEALS AND ADULT DAY CARE SERVICES FOR VNA HOMECARE OPTIONS, LLC'S MANAGED LONG TERM CARE PROGRAM CLIENTS FOR THE OFFICE FOR AGING FOR 2021-2024**

WHEREAS, this County Legislature, by Resolution 59 of 2018, authorized an agreement with VNA Homecare Options, LLC for home delivered meals and adult day care services provided by the Office for Aging to VNA Homecare Options, LLC's Managed Long Term Care Program Clients with revenue to the County in the amount of \$6.50 per home delivered meal, and \$52 per day of adult day care services for the period for the period May 1, 2018 through April 30, 2021, and

WHEREAS, said services are necessary to provide home delivered meals and/or social adult day care to VNA Homecare Options, LLC's Managed Long Term Care Program Clients, now, therefore, be it

WHEREAS, said agreement expired by its terms on April 30, 2021 and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$6.50 per home-delivered meal, and \$57 per day of adult care services for the period May 1, 2021 through April 30, 2024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Nascentia Healthcare, d/b/a VNA Homecare Options, LLC, 1050 W. Genesee Street,

Syracuse, New York 13204 for home delivered meals and adult day care services provided by the Office for Aging to VNA Homecare Options, LLC's Managed Long Term Care Program Clients for the period May 1, 2021 through April 30, 2024, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$6.50 per home delivered meal and \$57 per day of adult day care services, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 34010006.5000215.3410715 (MLTC Fees), 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. 225**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING THE OFFICE FOR AGING TO ACCEPT A MONETARY DONATION FROM THE ESTATE OF SHARON L. BUCHTA**

WHEREAS, the Director of the Office for Aging requests authorization to accept a monetary donation from the estate of Sharon L. Buchta in the amount of \$1,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Office for Aging to accept a monetary donation in the amount of \$1,500 from the estate of Sharon L. Buchta, 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. 226**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE SUMMER YOUTH EMPLOYMENT PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO ADMINISTER SAID PROGRAM FOR 2021**

WHEREAS, this County Legislature, by Resolution 241 of 2020, authorized and approved renewal of the Summer Youth Employment Program Grant for the Department of Social Services, adopted a program budget in the amount of \$468,856, and authorized an agreement with BOCES, VINES and Family Enrichment Network to administer said program for the period May 1, 2020 through September 30, 2020, and

WHEREAS, said program allows TANF, Food Stamp, Foster Care and 200% poverty eligible youth ages 14-20 to participate in basic job skills and work readiness training and paid work experience, with mentors monitoring their attendance, providing intervention and support to develop appropriate work behaviors, and

WHEREAS, it is desired to renew said grant program in the amount of \$487,671, adopt a program budget and authorize the agreements with BOCES, VINES and Family Enrichment Network to administer said program for the period May 1, 2021 through September 30, 2021, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$487,671 from the New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243, for the Department of Social Services Summer Youth Employment Program for the period May 1, 2021 through September 30, 2021, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$487,671, and be it

FURTHER RESOLVED, the Department of Social Services is authorized to accept and allocate additional Summer Youth Employment Program funds, for the period May 1, 2021 through September 30, 2021, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with BOCES, 435 Glenwood Road, Binghamton, New York 13905, VINES -Volunteers Improving Neighborhood Environments, P.O. Box 3104, Binghamton, New York 13902 and Family Enrichment Network, 24 Cherry Street, Johnson City, New York 13790 to administer a portion of said program for the period May 1, 2021 through September 30, 2021, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay BOCES an amount not to exceed \$404,043, VINES – Volunteers Improving Neighborhood Environments an amount not to exceed \$38,950 and Family Enrichment Network an amount not to exceed \$37,453, for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510405 (Other Fees for Services), and be it

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

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

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

**Carried.** Ayes-15, Nays-0

#### **RESOLUTION NO. 227**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 261 of 2020, authorized and approved renewal of the DSS/BCC Credit and Non-Credit Training Program for the Department of Social Services and adopted a program budget in the amount of \$45,500 for the period August 1, 2020 through July 31, 2021, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$45,500 for the period August 1, 2021 through July 31, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,500 from the New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 122144 for the DSS/BCC Credit and Non-Credit Training Program for the period August 1, 2021 through July 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 \$45,500 and authorizes the Commissioner of Social Services to transfer funds between Binghamton University and Broome Community College employee contracts without further legislative approval as long as the total amount does not exceed \$75,500 and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 228**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 260 of 2020, authorized and approved renewal of the DSS/BU Credit and Non-Credit Training Program for the Department of Social Services and adopted a program budget in the amount of \$45,000 for the period August 1, 2020 through July 31, 2021 and

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

WHEREAS, it is desired to renew said program grant in the amount of \$30,000 for the period August 1, 2021 through July 31, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,000 from the New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 122144 for the DSS/BU Credit and Non-Credit Training Program for the period August 1, 2021 through July 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 \$30,000 and authorizes the Commissioner of Social Services to transfer funds between Binghamton University and Broome Community College employee contracts without further legislative approval as long as the total amount does not exceed \$75,500 and be it

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

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

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

**Carried.** Ayes-15, Nays-0





FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Healthy Families Broome Program funds, for the period July 1, 2021 through June 30, 2022, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 233**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING AN AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL, INC., FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S HEALTHY FAMILIES BROOME PROGRAM GRANT FOR 2021-2022**

WHEREAS, RFP 2021-036 Healthy Families Broome County Home Visiting Program was advertised, and

WHEREAS, the Director of Public Health requests authorization for an agreement with Our Lady of Lourdes Memorial Hospital, Inc., for services related to the Department of Health's Healthy Families Broome Program Grant at a cost not to exceed \$645,738 for the period July 1, 2021 through June 30, 2022, with the option for three one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary to conduct supervision and intensive home visiting services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Memorial Hospital, Inc., 169 Riverside Drive, Binghamton, NY 13905, for services related to the Department of Health's Healthy Families Broome Program Grant for the period July 1, 2021 through June 30, 2022, with the option for three one-year renewals under the same terms and conditions, and

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$645,738 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510652 (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-15, Nays-0

### **RESOLUTION NO. 234**

By Health & Human Services and Finance Committees

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON BUREAU OF POLICE TO PURCHASE SOFTWARE THROUGH THE DEPARTMENT OF HEALTH'S OVERDOSE DATA TO ACTION (OD2A) PROGRAM GRANT FOR 2021**

WHEREAS, the Director of Public Health requests authorization for an agreement with the City of Binghamton Bureau of Police to purchase software through the Department of Health's Overdose Data to action (OD2A) Program grant at a cost not to exceed \$5,600, for the period June 18, 2021 through August 31, 2021, and

WHEREAS, agreement is necessary for the Binghamton Police Department Crime Analysis Center to purchase and own software for the Handle with Care Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton, Bureau of Police, City Hall, Governmental Plaza, Binghamton, New York 13901 to purchase software through the Department of Health's Overdose Data to action (OD2A) Program grant for the period June 18, 2021 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 \$5,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510637 (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-15, Nays-0

### **RESOLUTION NO. 235**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 239 of 2020, authorized and approved renewal of the Public Health Emergency Preparedness Program grant for the Health Department and adopted a program budget in the amount of \$315,985 for the period July 1, 2020 through June 30, 2021, and

WHEREAS, said program grant funds the Health Department's mandated preparedness activities surrounding communicable disease outbreaks, biological, radiological, terrorism, and other natural and manmade disasters, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,117,093 for the period July 1, 2021 through June 30, 2022, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,117,093 from Health Research, Inc., 150 Broadway, Suite 516, Menands, NY 12204, for the Health Department's Public Health Emergency Preparedness Program grant for the period July 1, 2021 through June 30, 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 \$1,117,093, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Public Health Emergency Preparedness Program funds for the period July 1, 2021 through June 30, 2022, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 236**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING RENEWAL OF THE TOBACCO CONTROL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2021-2022**

WHEREAS, this County Legislature, by Resolution 232 of 2020, authorized and approved renewal of the Tobacco Control Program Grant for the Department of Health and adopted a program budget in the amount of \$325,000 for the period July 1, 2020 through June 30, 2021, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$325,000 for the period July 1, 2021 through June 30, 2022 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$325,000 from the New York State Department of Health, Corning Tower, Rockefeller Empire State Plaza, Albany, New York 12237 for the Department of Health's Tobacco Control Program Grant for the period July 1, 2021 through June 30, 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 \$325,000, and be it

FURTHER RESOLVED, the Department of Health is authorized to accept and allocate additional Tobacco Control Program funds for the period July 1, 2021 through June 30, 2022, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate is not changed, and be it

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

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 237**

By County Administration and Finance Committees      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH LITERACY VOLUNTEERS OF BROOME/TIOGA COUNTIES FOR AN EQUIPMENT AND SYSTEMS SUPPORT MEMORANDUM OF UNDERSTANDING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2021-2024**

WHEREAS, the Acting Director of the Division of Information Technology requests authorization for an agreement with Literacy Volunteers of Broome/Tioga Counties for an Equipment and System Support Memorandum of Understanding for the Division of Information Technology for the period June 1, 2021 through May 31, 2024, and

WHEREAS, said agreement is necessary to define the service expectations for equipment and systems support as outlined in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Literacy Volunteers of Broome/Tioga Counties, 185 Court Street, Binghamton, New York 13901 for an Equipment and Systems Support Memorandum of Understanding for the Division of Information Technology for the period June 1, 2021 through May 31, 2024, and be it

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

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

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 238**

By Finance Committee

Seconded by Mr. Wildoner

#### **RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF UNION TO EJ VICTORY BUILDING, LLC**

WHEREAS, the County of Broome now owns 28 Avenue B, Tax Map #143.57-2-44 in the Town of Union, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property for \$1 to the EJ Victory Building, LLC, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County-owned property 28 Avenue B, Tax Map #143.57-2-44 in the Town of Union to EJ Victory Building, LLC 225 Wilkinson Street, Syracuse, New York 13204 for \$1, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 630004.0212.101000 (Sale of Real Property), 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 new owners, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 239**

By Finance Committee

Seconded by Mr. Wildoner

#### **RESOLUTION AUTHORIZING THE SALE OF IN-REM FORECLOSURE PROPERTY IN THE CITY OF BINGHAMTON TO THE FORMER OWNER**

WHEREAS, the County of Broome owns 2 Lake Avenue in the City of Binghamton by virtue of the completion of proceedings and foreclosure in-rem, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such property 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 the former owner of 2 Lake Avenue in the City of Binghamton has requested to have said property sold back to them, and the Director recommends that such request be granted based on the unusual circumstances of such case as reviewed and approved, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the sell back of 2 Lake Avenue in the City of Binghamton, Tax Map # 143.68-1-29 to MacDowall Property Management, LLC, PO

Box 324, Binghamton, New York 13902 for the delinquent taxes owed plus any interest, penalties and fees in the amount of \$15,301.94, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 240**

By Finance Committee

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING THE SALE OF IN-REM FORECLOSURE PROPERTY IN THE CITY OF BINGHAMTON TO THE FORMER OWNER**

WHEREAS, the County of Broome owns 159 Conklin Avenue in the City of Binghamton by virtue of the completion of proceedings and foreclosure in-rem, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such property 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 the former owner of 159 Conklin Avenue in the City of Binghamton has requested to have said property sold back to them, and the Director recommends that such request be granted based on the unusual circumstances of such case as reviewed and approved, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the sell back of 159 Conklin Avenue in the City of Binghamton, Tax Map #160.59-1-4 to 159 Conklin Avenue, LLC, PO Box 724, Binghamton, New York 13902 for the delinquent taxes owed plus any interest, penalties and fees in the amount of \$39,195.38, and be it

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 241**

By Finance and Public Works & Transportation Committees

Seconded by Mrs. O'Brien

**RESOLUTION AMENDING THE 2021 HIGHWAY CONTINUING BUDGET**

RESOLVED, that the 2021 Highway Continuing Budget is hereby amended as follows to include 2021 Extreme Winter Recovery (EWR) Apportionment from New York State Department of Transportation:

Increase Revenue

| <u>Account Code</u>   | <u>Name</u>              | <u>Amount</u> |
|-----------------------|--------------------------|---------------|
| 3120.29010205.5000856 | Consolidated Highway Aid | \$192,967     |

Increase Appropriations

| <u>Account Code</u>   | <u>Name</u>                      | <u>Amount</u> |
|-----------------------|----------------------------------|---------------|
| 3120.29010305.6004005 | Snow Removal Material & Supplies | \$92,967      |
| 3120.29010205.6004004 | Material & Supplies Other        | \$100,000     |

Increase Revenue

| <u>Account Code</u>   | <u>Name</u>              | <u>Amount</u> |
|-----------------------|--------------------------|---------------|
| 3160.30020105.5000856 | Consolidated Highway Aid | \$300,000     |

Increase Appropriations

| <u>Account Code</u>    | <u>Name</u>     | <u>Amount</u> |
|------------------------|-----------------|---------------|
| 3160.30020105.60023026 | Heavy Equipment | \$220,000     |

3120.30020105.6004040 Motor Equipment Supplies \$80,000

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. 242**

By Finance and Public Works & Transportation Committees Seconded by Mr. Pasquale  
**RESOLUTION AMENDING THE 2021 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2021 Capital Improvement Program is hereby amended as follows:

FROM:

| <u>Code</u> | <u>Project Name</u>                          | <u>Total</u> | <u>Estimated Construction Cost:</u> |              |               |
|-------------|--|--------------|-------------------------------------|--------------|---------------|
|             |  |              | <u>State</u>                        | <u>Other</u> | <u>County</u> |
| 2920109     | Highway<br>Reconstruction/<br>Rehabilitation | \$2,500,000  | \$0                                 | \$0          | \$2,500,000   |

  

| <u>Local Finance Law Section 11</u> |            |            | <u>How Financed:</u> |                        |
|-------------------------------------|------------|------------|----------------------|------------------------|
| <u>Year Start</u>                   | <u>YPU</u> | <u>LFL</u> | <u>Bond</u>          | <u>Current Revenue</u> |
| 2021                                | 15         | 20(c)      | \$2,500,000          | \$0                    |

TO:

| <u>Code</u> | <u>Project Name</u>                          | <u>Total</u> | <u>Estimated Construction Cost:</u> |               |               |
|-------------|--|--------------|-------------------------------------|---------------|---------------|
|             |  |              | <u>State</u>                        | <u>Other*</u> | <u>County</u> |
| 2920109     | Highway<br>Reconstruction/<br>Rehabilitation | \$3,848,058  | \$1,348,059                         | \$0           | \$2,500,000   |

  

| <u>Local Finance Law Section 11</u> |            |            | <u>How Financed:</u> |                        |
|-------------------------------------|------------|------------|----------------------|------------------------|
| <u>Year Start</u>                   | <u>YPU</u> | <u>LFL</u> | <u>Bond</u>          | <u>Current Revenue</u> |
| 2021                                | 15         | 20(c)      | \$3,848,059          | \$0                    |

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

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 243**

By Finance and Public Works & Transportation Committees Seconded by Mr. Baldwin  
**RESOLUTION AMENDING THE 2020 CAPITAL IMPROVEMENT PROGRAM**

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

FROM:

| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>Estimated Construction Cost:</u> |                |               |
|-------------|---------------------|--------------|-------------------------------------|----------------|---------------|
|             |                     |              | <u>State</u>                        | <u>Federal</u> | <u>County</u> |

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|         |                           |           |           |     |     |
|---------|---------------------------|-----------|-----------|-----|-----|
| 3120037 | 20 Transit Façade Upgrade | \$780,128 | \$780,128 | \$0 | \$0 |
|---------|---------------------------|-----------|-----------|-----|-----|

| Local Finance Law Section 11 |            |            | How Financed: |                   |
|------------------------------|------------|------------|---------------|-------------------|
| <u>Year Start</u>            | <u>YPU</u> | <u>LFL</u> | <u>Bond</u>   | <u>Year Start</u> |
| 2020                         | 25         | 12         | \$780,128     | 2021              |

TO:

Estimated Construction Cost:

| <u>Code</u> | <u>Project Name</u>       | <u>Total</u> | <u>State</u> | <u>Federal</u> | <u>County</u> |
|-------------|---------------------------|--------------|--------------|----------------|---------------|
| 3120037     | 20 Transit Façade Upgrade | \$1,055,128  | \$807,628    | \$220,000      | \$27,500      |

| Local Finance Law Section 11 |            |            | How Financed: |                        |
|------------------------------|------------|------------|---------------|------------------------|
| <u>Year Start</u>            | <u>YPU</u> | <u>LFL</u> | <u>Bond</u>   | <u>Current Revenue</u> |
| 2020                         | 25         | 12         | \$1,055,128   | \$0                    |

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

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

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 244**

By Finance and Public Works & Transportation Committees Seconded by Mrs. O'Brien  
**RESOLUTION AMENDING THE 2020 CAPITAL IMPROVEMENT PROGRAM**

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

FROM:

Estimated Construction Cost:

| <u>Code</u> | <u>Project Name</u>       | <u>Total</u> | <u>State</u> | <u>Federal</u> | <u>County</u> |
|-------------|---------------------------|--------------|--------------|----------------|---------------|
| 3120033     | 20 Upgrade Farebox System | \$1,634,836  | \$1,307,868  | \$326,968      | \$0           |

| Local Finance Law Section 11 |            |            | How Financed: |                   |
|------------------------------|------------|------------|---------------|-------------------|
| <u>Year Start</u>            | <u>YPU</u> | <u>LFL</u> | <u>Bond</u>   | <u>Year Start</u> |
| 2020                         | 12         | 29d        | \$1,634,836   | 2021              |

TO:

Estimated Construction Cost:

| <u>Code</u> | <u>Project Name</u>       | <u>Total</u> | <u>State</u> | <u>Federal</u> | <u>County</u> |
|-------------|---------------------------|--------------|--------------|----------------|---------------|
| 3120033     | 20 Upgrade Farebox System | \$1,608,000  | \$1,518,000  | \$80,000       | \$10,000      |

| Local Finance Law Section 11 |  |  | How Financed: |  |
|------------------------------|--|--|---------------|--|
|------------------------------|--|--|---------------|--|



research services for the Law Department, DSS Legal, the Office of the Public Defender and the Office of the District Attorney for the period July 1, 2021 through December 31, 2026, and be it

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

\$8,004 per month for the period July 1, 2021 through December 31, 2021

\$8,563 per month for the period January 1, 2022 through December 31, 2022

\$8,820 per month for the period January 1, 2023 through December 31, 2023

\$9,084 per month for the period January 1, 2024 through December 31, 2024

\$9,357 per month for the period January 1, 2025 through December 31, 2025

\$9,638 per month for the period January 1, 2026 through December 31, 2026

total amount not to exceed \$593,570 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 11010001.6004505, 14000001.6004010, 11020001.6004010 and 06000001.6004010, and be it

FURTHER RESOLVED, that this contract will replace any current contracts and all current contracts will be cancelled and nullified, 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. 247**

By Economic Development, Education & Culture and Finance Committees

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING ACCEPTANCE OF NYS SNOWMOBILE TRAIL GRANT PROGRAM FUNDING FOR THE DEPARTMENT OF PARKS, RECREATION AND YOUTH SERVICES AND AUTHORIZING AGREEMENTS WITH BC SNO RIDERS, RIDGE RIDERS WHITNEY POINT AND TIOGA RIDGE RUNNERS TO ADMINISTER SAID PROGRAM FOR 2021-2026**

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization to accept New York State Snowmobile Trail Grant Program Funding estimated at an annual amount of \$38,976 per year and enter into agreements with BC Sno Riders, Ridge Riders Whitney Point and Tioga Ridge Runners to administer said program for the April 1, 2021 through March 31, 2026, and

WHEREAS, the Department of Parks, Recreation and Youth Services acts as the "pass through" agency for funds received by New York State from snowmobile fees and registrations and said funds are used for snowmobile trail development and maintenance within Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of annual funding estimated at \$38,976 from the New York State Office of Parks, Recreation and Historic Preservation, Snowmobile Unit, Empire State Plaza, Building 1, Albany, New York 12238 for the Department of Parks and Recreations New York State Snowmobile Trail Grant Program for the period April 1, 2021 through March 31, 2026, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to the Snowmobile Aid Program Trust Account 94000099.4660008, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with BC Sno Riders, PO Box 312, Port Crane, New York 13833, Ridge Riders Whitney Point, PO Box 1004, Whitney Point, New York 13862 and Tioga Ridge Runners, PO Box 0578, Owego New York 13827-0578, to administer said program for the period April 1, 2021 through March 31, 2026, and be it

FURTHER RESOLVED, that in consideration of said agreements, the County shall pay BC Sno Riders an amount not to exceed \$9,096, Ridge Riders Whitney Point and amount not to

exceed \$27,708 and Tioga Ridge Runners and amount not to exceed \$2,172, according to the guidelines set forth by the New York State Snowmobile Trail Grant Program, and be it

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

**Carried.** Ayes-15, Nays-0

#### **RESOLUTION NO. 248**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BUDDI US, LLC FOR ELECTRONIC MONITORING SERVICES FOR THE DEPARTMENT OF PROBATION FOR 2021**

WHEREAS, this County Legislature, by Resolution 405 of 2020, authorized an agreement with Buddi US, LLC, electronic monitoring services for the Department of Probation at a cost not to exceed \$35,000 for the period January 1, 2021 through December 31, 2021, and

WHEREAS, said services are necessary to provide intense client supervision as an alternative to incarceration, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$30,000 for additional electronic monitoring systems for the Department of Probation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Buddi US, LLC, 1964 Bayshore Boulevard, Suite B, Dunedin, Florida 34698 to increase the not to exceed amount by \$30,000 for electronic monitoring services for the Department of Probation for the period January 1, 2021 through December 31, 2021, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$65,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 2101010003.6004146 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 405 of 2020, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-15, Nays-0

#### **RESOLUTION NO. 249**

By Finance Committee      Seconded by Mr. Wildoner  
**RESOLUTION AUTHORIZING THE CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE CITY OF BINGHAMTON**

WHEREAS, it is necessary to clear the tax records on 542 State Street in the City of Binghamton, as indicated in Exhibit "A", now, therefore, be it

RESOLVED, that taxes will be cancelled on 542 State Street in the City of Binghamton, as indicated in Exhibit "A".

**Carried.** Ayes-15, Nays-0

#### **RESOLUTION NO. 250**

By Finance and Economic Development, Education & Culture Committees

Seconded by Mrs. Kaminsky

**RESOLUTION ADOPTING THE BUDGET FOR SUNY BROOME FOR 2021-2022**

WHEREAS, the Broome County Legislature is required to approve the College's annual unrestricted operating budget, and

WHEREAS, such approval must state the total unrestricted appropriations, sponsor contribution and fiscal year for which the operating budget is approved, and

WHEREAS, the Finance Committee of the County Legislature recommends approval of the total budget and sponsor contribution as presented, now, therefore, be it

RESOLVED, that the unrestricted operating budget for SUNY Broome for the college fiscal year September 1, 2021 through August 31, 2022, in the sum of \$49,436,220 be approved, and be it

FURTHER RESOLVED, that the Sponsor Contribution for SUNY Broome for the College fiscal year September 1, 2021 through August 31, 2022, in the sum of \$7,407,385 be approved, and be it

FURTHER RESOLVED, that SUNY Broome's operating budget be submitted to the State University Board of Trustees for approval.

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 251**

By Personnel and Health & Human Services Committees

Seconded by Mr. Wildoner

**RESOLUTION CONFIRMING APPOINTMENT OF MARY E. WHITCOMBE AS DIRECTOR OF THE OFFICE FOR AGING**

WHEREAS, Jason T. Garnar, Broome County Executive, pursuant to the powers vested in him by Article III, Section C311 of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, Mary E. Whitcombe as Director of the Office for Aging at the base salary of \$72,875, effective May 10, 2021, and

WHEREAS, the County Executive certifies that Ms. Whitcombe is fully qualified to fill the position of Director of the Office for Aging, and

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

RESOLVED, that this County Legislature hereby confirms the appointment of Mary E. Whitcombe, 2430 Theresa Boulevard, Binghamton, New York 13903, as Director of the Office for Aging, at the annual base salary of \$72,875, Union 02 – Admin II, Grade F, effective May 10, 2021, in accordance with her appointment by the County Executive.

**Carried.** Ayes-15, Nays-0

**RESOLUTION NO. 252**

By Personnel, County Administration, and Finance Committees

Seconded by Mr. Wildoner

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE COUNTY EXECUTIVE**

RESOLVED, that in accordance with a request contained in the PCR #1656 from the County Executive, this County Legislature hereby changes the position of Administrative Assistant to the County Executive, Grade 13, Admin 1, minimum annual salary \$35,646, 40 hours weekly, budget line 05000001.6001000.1010 to Administrative Assistant to the County Executive, Grade 20, Admin 1, minimum annual salary \$50,188, 40 hours weekly, budget line 05000001.6001000.1010 effective June 28, 2021, and be it

RESOLVED, that in accordance with a request contained in the PCR #1657 from the County Executive, this County Legislature hereby eliminates the position of Executive Assistant to the County Executive, Grade 23, Admin 1, minimum annual salary \$58,362, 40 hours weekly, budget line 05000001.6001000.1010 effective June 28, 2021, and be it

RESOLVED, that in accordance with a request contained in the PCR #1655 from the County Executive, this County Legislature hereby eliminates the position of Administrative

Assistant to the County Executive, Grade 13, Admin 1, minimum annual salary \$35,646, 40 hours weekly, budget line 05000001.6001000.1010. Effective June 28, 2021, and be it

RESOLVED, that in accordance with a request contained in the PCR #1665 from the County Executive, this County Legislature hereby eliminates the position of Deputy County Executive, Grade K, Admin 1, minimum annual salary \$90,375, 40 hours weekly, budget line 05000001.6001000.1010 effective June 28, 2021, and be it

RESOLVED, that in accordance with a request contained in the PCR #1645 from the County Executive, this County Legislature hereby creates the position of Deputy County Executive for Human Services, Grade K, Admin 1, minimum annual salary \$90,375, 40 hours weekly, budget line 05000001.6001000.1010 effective June 28, 2021, and be it

RESOLVED, that in accordance with a request contained in the PCR #1644 from the County Executive, this County Legislature hereby creates the position of Deputy County Executive for Physical Services, Grade K, Admin 1, minimum annual salary \$90,375, 40 hours weekly, budget line 05000001.6001000.1010 effective June 28, 2021, and be it

FURTHER RESOLVED, that in accordance with a request from the County Executive, this County Legislature hereby repeals the stipend of the Deputy County Executive, budget line 05000001.6001000.1010 effective June 28, 2021.

**Carried.** Ayes-15, Nays-0

### **RESOLUTION NO. 253**

By County Administration and Personnel Committees

Seconded by Mr. Pasquale

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4 OF 2021, ENTITLED: "A LOCAL LAW ESTABLISHING REVISED RESIDENCY REQUIREMENTS FOR COUNTY EMPLOYMENT"**

WHEREAS, the County has established requirements that Broome County residency should be required for employment in certain positions within County government, and

WHEREAS, the County has established a rule that provides a preference on civil service eligible lists for Broome County residents, and

WHEREAS, the County has determined that the current residency requirements and preferences has resulted in difficulty attracting candidates and filling open positions, and

WHEREAS, the County intends to expand eligibility for County employment to persons who reside in counties adjoining Broome County within the State of New York and rescind the preference for Broome County residents on eligible lists, now, therefore be it

RESOLVED, that Local Law Intro. No. 4 of 2021, entitled: "A Local Law Establishing Revised Residency Requirements for County Employment," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto., and be it

FURTHER RESOLVED, that Resolution 82 of 1989, as amended, is hereby repealed in its entirety, and be it

FURTHER RESOLVED, that effective September 1, 2021 the current residency preference policy for certifying Broome County residents ahead of non-residents is modified to grant a preference to individuals who at the time of examination reside in Broome County or an adjoining County within New York State, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered 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.

#### **A LOCAL LAW ESTABLISHING REVISED RESIDENCY REQUIREMENTS FOR COUNTY EMPLOYMENT**

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

Section 1. Public officers and employees employed by the County of Broome shall be required to reside in the County of Broome or an adjoining County within the State of New York.

Section 2. This Local Law shall not apply to the elected offices of County Executive, County Legislator, District Attorney, Sheriff and County Clerk or any deputy of these positions who would assume the duties upon the elected officials' absence from the County or inability to perform his or her duties.

Section 3. Section A1701 of the Broome County Charter and Administrative Code shall be amended to read as follows:

**§ A1701. Department of Law; County Attorney; appointment; qualifications.**

There shall be a Department of Law headed by a county attorney. The method of choosing the County Attorney shall be as provided in § C1701 of Article XVII of the Charter. The County Attorney shall be duly admitted to the practice of law in the State of New York **[and a resident of the County of Broome]**. Throughout his term of office, the County Attorney and the Assistant and Deputy County Attorneys shall devote their whole time to the duties of their offices, shall hold no elective office and shall hold no other public office or be engaged in any employment or business or engage in professional activity with any governmental unit outside Broome County without compliance with § C2610 of the Charter. The County Attorney and the Assistant and Deputy County Attorneys shall be precluded from the private practice of law whatsoever.

Section 4. This Local Law shall take effect upon filing with the Secretary of State.

**[bold bracketed]** deleted

Mr. Whalen made a motion, seconded by Mrs. Ryan, that the local law establishing revised residency requirements for County employment be decided by referendum of the voters in November.

**Motion failed.** Ayes- 5, Nays-10 (Baker, Wildoner, Myers, Reynolds, Baldwin, Pasquale, Shaw, Hilderbrant, O'Brien, Beebe)

**Heldover** by Mr. Whalen

### **RESOLUTION NO. 254**

By County Administration & Personnel Committees

Seconded by Mr. Flagg

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2021, ENTITLED: " A LOCAL LAW AMENDING CHAPTER 53 OF THE BROOME COUNTY CHARTER AND CODE, CODE OF ETHICS"**

WHEREAS, the Ad Hoc Committee on Employee and Official Conduct and Ethics was created in 2020 and was tasked with making recommendations to the County Legislature on potential changes to the County Charter and Administrative Code or County Policies regarding the conduct and ethics of County employees and officials, and

WHEREAS, said Ad Hoc Committee issued their final report and recommendations on December 15, 2020, and as part of that report recommended changes to the County's Code of Ethics in the Charter and Code, and

WHEREAS, those changes included further defining what "nominal value" is for gifts and/or service, requiring acknowledgment of all County officers and employees that they have received and reviewed the Code of Ethics, and require the same any time changes are made to the Code, to include a reporting ethics violations provision to encourage reporting of potential violations of the Code of Ethics to the Board of Ethics without retaliation, and better outline and define the how conflicts of interest are to be handled for officials and employees, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5 of 2021, entitled: "A Local Law Amending Chapter 53 of the Broome County Charter and Code, Code of Ethics," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 5 OF 2021**

**A LOCAL LAW AMENDING CHAPTER 53 OF THE BROOME COUNTY CHARTER AND CODE, CODE OF ETHICS**

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

Section 1. Section 53-2 of the County Charter and Code is hereby amended to read as follows:  
§ 53-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

**BROOME COUNTY GOVERNMENT OFFICER OR EMPLOYEE** - An officer or employee of the County of Broome, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No individual shall be deemed to be a Broome County Government officer or employee solely by reason of being a volunteer fireman or civil defense volunteer.

**GENERAL MUNICIPAL LAW** - The General Municipal Law of the State of New York.

**GIFT** - Anything of more than nominal value given to an officer or employee in any form, including, but not limited to, money, service, loan, travel, lodging, meals, tickets, refreshments, entertainment, discount, forbearance, or promise, having a monetary value.

**IMMEDIATE FAMILY MEMBER**- Spouse, child, parent, sibling, grandparent, grandchild (including step and in-law relationships), legal guardian of or any other relative or individual residing in the same household as a Broome County Government officer and employee.

**INTEREST** - A pecuniary or material benefit accruing to a Broome County Government officer or employee or to a Broome County Government officer's or employee's spouse, minor children and dependents; or a firm, partnership or association of which such officer or employee is a member or employee; or a corporation of which such officer or employee is an officer or director; or a corporation, any stock of which is accrued or controlled, directly or indirectly, by such officer or employee.

**NOMINAL VALUE** - Nominal value means an item of minimal or insignificant value given as a routine social amenity which could not be reasonably interpreted or construed as attempting to influence a Broome County Government officer or employee. **An item or service with a fair market value of fifteen dollars or less shall generally be considered as having a nominal value.**

Section 2. Section 53-5 of the Code of Ethics shall be amended to read as follows:

**§ 53-5 Annual statement of financial disclosure.**

D. Schedule of relevant dates and deadlines.

(2) May 1: The Clerk of the Legislature shall produce a list of delinquent individuals who have failed to file their financial disclosure statement and shall forward said list to the County Executive, **Chairman of the Legislature**, appropriate department heads and the delinquent individuals. **After receipt of that list, the appointing authority for either those County employees or those appointed to the boards, councils, commissions, bureaus and agencies who are required to file, shall contact said individuals regarding their delinquency and duty to file.**

Section 3. Section 53-7 of the Code of Ethics shall be amended to read as follows:

**§ 53-7 Distribution of Code of Ethics.**

**A.** The County Executive of the County of Broome shall cause a copy of this Code of Ethics to be distributed to every Broome County Government officer and employee by the Personnel Department within 30 days after the effective date of this article. Each Broome County Government officer and employee thereafter shall be furnished a copy by the Personnel Department, before entering upon the duties of his or her office or employment.

**B. Every County officer and employee shall acknowledge in writing or electronically that he or she has received and reviewed a copy of the Code of Ethics before entering upon the duties of his or her office. If the Code of Ethics is amended, every County officer and employee shall acknowledge in writing or electronically that he or she has received and reviewed a copy of the Code of Ethics within thirty days of receipt of a copy of the amendment.**

Section 4. Chapter 53 of the Charter and Code shall be amended by a new Section 53-7.1 to read as follows:

**§ 53-7.1 Reporting Ethics Violations.**

**Supervisors shall encourage employees who are aware of any violation of this Code of Ethics to submit a complaint or report to the Board of Ethics for their review. The Board of Ethics shall create a standard form for any complaints or reports of violation of Code**

of Ethics, which shall be made available on the County's website. After consultation with the County Attorney, the Board of Ethics may forward any complaint or report that deals with a criminal matter to the District Attorney. County officers and employees shall be protected against reprisal for the lawful disclosure of information which the officer or employee reasonably believes to be a violation of this Code of Ethics.

Section 5. Chapter 53 of the Charter and Code is amended to add a new Section as follows:

**§ 53-32 Conflicts of Interest.**

- A. **Recusal. No County Officer or Employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, or on an immediate Family Member or Related Private Organization.**
- B. **Abstention. Whenever a County officer or employee is required to recuse himself or herself pursuant to Section A of this Section he or she shall:**
- (1) Promptly inform his or her superior,**
  - (2) Immediately refrain from participating further in the matter.**
  - (3) Notwithstanding the provisions of this section, the adopted Rules of Order of the Broome County Legislature shall set the procedure in which a County Legislator may determine if a prohibited conflict of interest exists, how such conflict of interest must be disclosed and how he or she may request to be excused from voting on a particular matter due to a prohibited conflict of interest under the New York State General Municipal Law.**
- C. **Action Following Recusal and Abstention. In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:**
- (1) If the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or**
  - (2) If the power or duty is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function; or**
  - (3) If the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power of duty.**
- D. **Prohibition Inapplicable; Disclosure, Recusal and Abstention Not Required. The provisions of Sections A and B of this Section shall not prohibit, or require, recusal or transactional disclosure as a result of:**
- (1) An action specifically authorized by statute, rule, or regulation of the State of New York or of the United States;**
  - (2) The requirements relating to recusal and abstention shall not apply with respect to the following matters:**
    - a) Adoption of the municipality's annual budget;**
    - b) Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:**
      - i. All municipal officers or employees;**
      - ii. All residents or taxpayers of the municipality or an area of the municipality; or**
      - iii. The general public; or**

iv. Any ministerial act or other action that does not require the exercise of discretion.

(3) Recusal and abstention shall not be required with respect to any matter:

- a) Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by Sections A and B of this Section.
- b) Which comes before a municipal officer when the officer would be prohibited from acting by Sections A and B of this Section and the matter cannot be lawfully delegated to another person.

Section 6. This Local Law shall take effect upon filing with the Secretary of State.

Bold underlined added

Bold **[bracketed]** deleted

**Carried.** Ayes-14, Nays-1 (Pasquale)

Mrs. O'Brien and Mrs. Myers thanked everyone for expressing their views and engaging in respectful discussion in relation to the residency requirement local law.

Chairman Reynolds announced that "Sock out Cancer Socks" had been distributed to all Legislators and requested that they take a picture with their socks on and send them to the Clerk of the Legislature who will put together a post for Facebook. More information will be provided on how to make a donation and support the fight against cancer.

Mr. Weslar made a motion to adjourn, seconded by Mr. Baker.

**Motion to adjourn carried.** Ayes-15, Nays-0. The meeting was adjourned at 6:35 p.m.