



Office of the Broome County Legislature

Jerry F. Marinich, Chair
Aaron M. Martin, Clerk

MEMORANDUM

TO: All Legislators
William Gibson, County Attorney
Patrick Brennan, County Executive

FROM: Carol L. Hall, Deputy Clerk

DATE: October 14, 2011

SUBJECT: Corrections/Amendments to Resolutions

Attached is a copy of all amendments and substantial corrections made in committees to the resolutions for the Thursday, October 20, 2011 Regular Session. Please incorporate these copies into your original packet of resolutions.

/clh
Attachments

cc: B. Roberts, Deputy County Executive
M. Lynch, Deputy County Executive
M. Kalka, Budget Director
M. Gerchman, Assistant Budget Director

Intro No. 4
Date 9/22/11
Reviewed by MS
Co. Attorney
Date 9/16/11

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

A
1/6
Amended
Replacement

Sponsored by: Economic & Rural Development and Planning

Seconded by:

RESOLUTION ESTABLISHING THE BROOME COUNTY LAND BANK

WHEREAS, New York State recently enacted the Land Bank Act of 2011 legislation authorizing foreclosing governmental units to create land banks to convert vacant, abandoned and tax-delinquent properties into uses that support community revitalization, and

WHEREAS, land banks are local Type-C Not-For-Profit Corporation entities authorized to take control and redevelop vacant, abandoned and/or tax-delinquent properties to rebuild communities and foster local economic development, and

WHEREAS, said land bank, if established, would acquire properties through a variety of means which includes property being directly deeded by the foreclosing governmental unit as part of a tax foreclosure, purchase of property or purchase the tax lien on a property, and

WHEREAS, the land bank shall not have eminent domain powers, and

WHEREAS, said land bank could secure grant funding, issue negotiable revenue bonds, enter into contracts, among other delineated duties and responsibilities, for redevelopment which would allow the foreclosing governmental unit to take a more long-term approach to some of the key properties in its real estate portfolio, now therefore be it

RESOLVED, that this Broome County Legislature hereby establishes the Broome County Land Bank which shall comply with all the specifications and requirements of the Land Bank Act of 2011, as may be amended in the future, and be it

FURTHER RESOLVED, the Broome County Land Bank shall have seven voting members of the Board of Directors who would serve a term of three years, whose members are nominated as indicated and whose nomination must be confirmed by the full Broome County Legislature, and be it

FURTHER RESOLVED, seats on the Broome County Land Bank Board of Directors shall, for as long as the Broome County Land Bank shall exist, be reserved as follows; one seat shall be reserved for a member of the Broome County Legislature's Majority Party, one seat shall be reserved for a member of the Broome County Legislature's Minority Party, one ex officio seat shall be reserved for the Broome County Director of Real Property Tax Service, one seat shall be reserved for a nominee of the Broome County Executive, one ex officio seat reserved for the Executive Director of the Broome County IDA, one seat shall be reserved for the nominee of the Chairperson of the Broome County Legislature, and one ex officio seat shall be reserved for the Executive Director of Southern Tier Regional Planning and Development Board (STREPDB), and be it

FURTHER RESOLVED, that the following named individuals are nominated and hereby appointed to membership on the Broome County Land Bank Board of Directors, for the term indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Nominee of the Majority Party, Broome County Legislature John A. Black 845 Debonair Drive Endwell, NY 13760	New Appointment 12/31/2014
Nominee of the Minority Party, Broome County Legislature Daniel D. Reynolds 2404 Charleston Avenue Vestal, NY 13850	New Appointment 12/31/2014

Intro No. 4
Date 9/22/11
Reviewed by
Co. Attorney _____
Date _____

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

A
2/6

Ex Officio - Director, Broome County Real Property Tax Service
Kevin Keough
Broome County Office Building
60 Hawley Street
Binghamton, NY 13901
New Appointment
12/31/2014

Nominee of the County Executive
Frank Evangelisti, Commissioner
Planning and Economic Development
PO Box 1766
Binghamton, NY 13902
New Appointment
12/31/2014

Nominee of the Chairperson, Broome County Legislature
James V. Baumgartner
52 Rogers Mt Way
Binghamton, NY 13901
New Appointment
12/31/2014

Ex Officio - Executive Director, Broome County IDA
Richard D'Attilio
60 Hawley Street
Binghamton, NY 13901
New Appointment
12/31/2014

Ex Officio - Executive Director, STERPDB
Erik Miller
375 State Street, 2nd floor
Binghamton, NY 13901
New Appointment
12/31/2014

and be it

FURTHER RESOLVED, that should any Board seat be vacated for any reason, the vacancy shall be filled as delineated above with confirmation required by the Broome County Legislature, and be it

FURTHER RESOLVED, that the Broome County Legislature is granted the authority to approve or deny, on a case by case basis, the turn over or transfer of any parcel or property in the portfolio of Broome County to the Broome County Land Bank. Attached to the resolution of the Broome County Legislature authorizing the turn over or transfer of the particular parcel or property to the Broome County Land Bank shall be the terms and conditions of such turn over or transfer, and be it

FURTHER RESOLVED, that the Articles of Incorporation shall include the name, address, affiliation and method of nomination of the initial seven member Board of Directors as stated above and is attached to this Resolution and hereby approved and adopted, and be it

FURTHER RESOLVED, that the Bylaws of the Broome County Land Bank Corporation shall be written by and adopted by the Land Bank Board of Directors following the Broome County Land Bank Corporation's organizational meeting, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, certificates, filings, 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.

COUNTY OF BROOME } ss.:
STATE OF NEW YORK }

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the _____ day of _____, 20____, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of nineteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this _____ day of _____, 20_____.

Date sent to County Executive _____

Approved _____
County Executive

Date _____, 20_____

Clerk, County Legislature
County of Broome

Intro No. 11
Date 10/20/11
Reviewed by AKS
Co. Attorney
Date 9/25/11

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

#11
1/2
Amended

Sponsored by: County Administration, Economic & Rural Development and Planning,
and Finance Committees

Seconded by

**RESOLUTION ADOPTING A POLICY FOR THE ALLOCATION OF THE 5% HOTEL MOTEL
OCCUPANCY TAX**

WHEREAS, this County Legislature, by Resolution 250 of 2011, extended for two years, expiring December 31, 2012, a tax imposed of 5% upon the rent for every occupancy of a room or rooms in a hotel or motel in the county, except upon a permanent resident or exempt organization, and

WHEREAS, according to Section 185-20 of the Broome County Charter and Code, three fifths of revenues resulting from the imposition of the tax under this article is to be paid into the treasury of the county and is credited to and deposited in the general fund of the county and is thereafter to be allocated at the discretion of the Broome County Legislature for any county purpose in order to increase conventions, trade shows and tourist business. Two fifths of revenues resulting from the imposition of said tax is to be deposited in a special account known as the "county economic development initiative fund" and is to be marked separate and apart from any other funds and accounts of the county, and

WHEREAS, Section 185-20 further states that the Broome County legislature shall designate the specific purpose for which these funds may be used, and

WHEREAS, after a thorough review of the existing practices for expenditure of the funds collected pursuant to Section 185, Article III of the Broome County Charter and Code, this County Legislature recognizes the need to reform the procedures for the expenditure of said funds to comply with the responsibilities and powers set out in Section 185-20, and

WHEREAS, this County Legislature desires to adopt a policy for the allocation of said tax to conform the allocation procedures with the Broome County Charter and Code, now, therefore be it

RESOLVED, ~~the Director of Management and Budget shall submit to the Clerk of the~~ *removed*
Legislature a quarterly written report, first report due no later than November 30, 2011, of deposits into the General Fund Hotel/Motel Occupancy Tax Revenue Account 5000011 and deposits into the Occupancy Tax Economic Development Revenue Account 5000012 in the previous calendar quarter related to tax revenue collected pursuant to Section 185, Article III of the Broome County Charter and Code, and be it

FURTHER RESOLVED, said report shall additionally include, but not be limited to, a summary of funds expended in the current fiscal year itemized by project, budget to actual of all financial reserves, and current balance of tax collection and expenditures compared to the current budget appropriations, and be it

FURTHER RESOLVED, the Commissioner of Planning and Economic Development shall require a standard application form for non-County agency, institution or individual initiated projects to be funded pursuant to Section 185, Article III of the Broome County Charter and Code. Such form shall be completed by the applicant for every non-County agency, institution or individual initiated project where funding is requested or anticipated to be from tax revenue

Intro No. 24
Date 10/20/11
Reviewed by KWS
Co. Attorney
Date 10/13/11

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

24
1/3
Committee removed

Sponsored by: Finance and Personnel Committee

Seconded by:

RESOLUTION ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2012

RESOLVED, that all non-union Administrative I personnel, will receive a three percent (3%) salary increase, after adjustment for longevity, said salary increase to be determined by the 2011 base salary to become effective January 1, 2012, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel, will receive a zero percent (0%) salary increase, effective January 1, 2012, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, will receive a zero percent (0%) salary increase, effective January 1, 2012, and be it

FURTHER RESOLVED, that all non-union Administrative I, Administrative II and Attorney position minimums are established pursuant to the schedule attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that Broome County appointed, elected and miscellaneous officials salaries are established pursuant to the schedule attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Management and Budget is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not affecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

COUNTY OF BROOME } ss.:
STATE OF NEW YORK }

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the _____ day of _____, 20____, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of nineteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this _____ day of _____, 20____.

Date sent to County Executive _____

Approved _____
County Executive

Date _____, 20____

Clerk, County Legislature
County of Broome

#30

Intro No. 30
Date 10/20/11
Reviewed by Co. Attorney [Signature]
Date 10-14-11

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

1/1
corrected

Sponsored by: Public Safety and Emergency Services and Finance Committees

Seconded by:

RESOLUTION AUTHORIZING AN AGREEMENT WITH GRI TELECOM INC. FOR A SITE LEASE FOR THE OFFICE OF EMERGENCY SERVICES FOR 2011-2016

WHEREAS, the Director of Emergency Services requests authorization for an agreement with GRI Telecom, Inc. for a site lease for the Office of Emergency Services at a cost not to exceed \$12,000 for the period March 1, 2011 through February 28, 2012 with a 3% yearly increase for the period March 1, 2012 through February 28, 2016, and

WHEREAS, said agreement is necessary for mounting antennas, equipment building, propane tank and perimeter fencing to operate communication equipment on Ingraham Hill Road in the Town of Binghamton, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with GRI Telecom, Inc., 56 Gail Drive, Owego, New York 13827-1057 for a site lease for the Office of Emergency Services for the period March 1, 2011 through February 28, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,000 for the period March 1, 2011 through February 28, 2012 with a 3% yearly increase for the period March 1, 2012 through February 28, 2016, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 20010003.6004048.2010004 (Misc. Operational Supplies), 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.

COUNTY OF BROOME } ss.:
STATE OF NEW YORK }

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Date sent to County Executive _____

Approved _____
County Executive

Date _____, 20____.

Clerk, County Legislature
County of Broome