
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, MARCH 20, 2008**

The Legislature convened at 5:03 p.m. with a call to order by the Chair, Mark R. Whalen. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Hull).

The Chair, Mr. Whalen, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Buchta.

Mr. Garnar made a motion, seconded by Mr. Herz, that the minutes of February 28, 2008 be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Hull).

Mr. Whalen noted that the committee minutes for the period February 28, 2008 through March 19, 2008 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Whalen asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Cleary, seconded by Mr. Howard. **Carried,** Ayes-18, Nays-0, Absent-1 (Hull).

ANNOUNCEMENTS FROM THE CHAIR

Mr. Whalen recognized members from Reality Check that were in the audience

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

None

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. PETITIONS: None
- B. COMMUNICATIONS:
 - 1. Supreme Court Justice- Decision & Order Regarding PLA
 - 2. Purchasing- Purchase Procurement Process Manual
 - 3. Soil & Water Conservation Meeting Minutes 1/15/08
 - 4. Legislature 2008 Meeting Schedule Revised3/08
 - 5. Legislature – Staff Appointments
 - 6. Environmental Management Council Meeting Minutes 2/27/08
 - 7. Department of Social Services -Resolution 07-510 Additional HEAP Funds
 - 8. Board of Acquisition and Contract Meeting Minutes 2/27/08
 - 9. EMC Natural Resources Committee Meeting Minutes 1/17/08
 - 10. Broome Community College Budget Transfers 1/08
 - 11. Association of Municipal Clerks Meeting Minutes 1/17/08
 - 12. Whitney Point Central Schools Regarding At Grade Crossing on Dunham Hill
 - 13. Board of Acquisition and Contract Meeting Minutes 3/12/08
 - 14. Cornell Cooperative Extension of Broome County Minutes 1/24/08
- C. NOTICES:
 - 1. Committee of the Whole Division of Information Tech Presentation
 - 2. Special County Administration, Personnel, Health & Human Services and Finance – Special County Administration Economic Development & Planning
- D. REPORTS:
 - 1. Community Free Clinic 2007 Report to the Community
 - 2. Public Defender-Annual Indigent Defendant Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Mark R. Whalen
1. Designations for Mr. Reynolds
 2. Designations for Mr. Sanfilippo
 3. Designations for Mr. Hull
 4. Designation for Mr. Sanfilippo
 5. Designation for Mr. Mather

Mr. Kuzel made a motion, seconded by Mr. Garnar, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2008 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Hull).

Mr. Materese and Mr. Schofield were designated as participants with Chairman Whalen in the 'Short Roll Call'.

RESOLUTION RECALLED FROM A PREVIOUS SESSION

Mr. LaBare made a motion to recall for amendment Resolution No. 103 which was passed at the February 28, 2008 session. Mr. Shafer seconded the motion. Motion to recall carried. Ayes-18, Nays-0, Absent-1 (Hull). Mr. LaBare moved to amend the amount to \$64,265 in the 3rd Whereas, the 1st Resolved and the 1st Further Resolved paragraphs and amend Exhibit "A" to reflect the correct index code of 105, the correct project code of 64265 and amend revenue line 0460 Other State Aid to \$64,265. Mr. Materese seconded the motion. Amendment carried. Ayes-17, Nays-0, Abstain-1 (Sanfilippo), Absent-1 (Hull). Resolution as amended carried. Ayes-17, Nays-1, Abstain-1 (Sanfilipp), Absent-1 (Hull)

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 48

(Automatic Holdover)

By County Administration

Seconded by Mr. Cleary

RESOLUTION ADOPTING AND APPROVING LOCAL LAW INTRO. NO 1 OF 2008, WHICH AMENDS THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO CORRECT THE LEGISLATIVE DISTRICTS OF BROOME COUNTY

Carried, Ayes-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 114

(Held over by Mr. Kuzel)

By Economic Development and Planning and Finance Committees

Seconded by Mr. Herz

RESOLUTION AUTHORIZING AN AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER, INC. FOR THE PURCHASE OF PROPERTY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008

Carried, Ayes-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 116

(Held over by Mr. Kuzel)

By Economic Development and Planning and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH THEODORA ALEXANDER AND ELIZABETH STRATES FOR THE PURCHASE OF PROPERTY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008

Carried, Ayes-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 159

(Held over by Mr. Shafer)

By Economic Development and Planning and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AN AGREEMENT WITH GREYHOUND LINES, INC. FOR THE PURCHASE OF PROPERTY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008
Carried, Ayes-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 174

(Held over by Mr. Shafer)

By Public Works Committee Seconded by Mr. Shafer
RESOLUTION RESCINDING RESOLUTION 707 OF 2007 AND EXEMPTING THE GEORGE HARVEY JUSTICE BUILDING PROJECT FROM THE REQUIREMENTS OF RESOLUTION 372 OF 2007
Carried, Ayes-15, Nays-0, Abstain-3 (Hutchings, LaBare, Howard), Absent-1 (Hull),

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 117

By Health and Human Services Committee Seconded by Mr. Howard
RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Article VIII of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individual to membership on the Broome County Community Services Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Michael Lurie 501 Midvale Road Vestal, New York 13850	Reappointment 12/31/2011

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 VIII of the Broome County Charter and Administrative Code, hereby confirms the appointment of the above-named individual to membership on the Broome County Community Services Board for the term indicated, in accordance with his appointment by the County Executive.
Carried, Ayes-18, Nays-0, Absent-1 (Absent).

RESOLUTION NO. 118

By Economic Development and Planning Committee Seconded by Mr. Howard
RESOLUTION ADOPTING A FAIR HOUSING PLAN FOR BROOME COUNTY

WHEREAS, the Commissioner of Planning and Economic Development requests authorizing to adopt a Fair Housing Plan for Broome County, and

WHEREAS, said plan is necessary to receive federal grants from the U.S. Department of Housing and Urban Development, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts a Fair Housing Plan for Broome County, attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Absent).

RESOLUTION NO. 119

By Finance Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ADJUSTMENT TO A 2007 DELINQUENT TAX IN THE TOWN OF MAINE

WHEREAS, the Director of Real Property is requesting authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records in accordance with all applicable laws for the following properties and for the reasons stated as may be necessary, now, therefore, be it

RESOLVED, that this County Legislature hereby approves authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records for the following properties and for the reasons stated:

Parcel ID/Tax Map No.: 034.00-1-32
Town/Village: Naticoke
Owner: Timothy & Tia Slack
Action Required: Adjust taxes owed from \$2,179.01 to reflect reduced assessment
Reason: Assessment reduced from \$60,200 to \$16,000

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 120

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER, INC. CHILD ADVOCACY CENTER FOR PROFESSIONAL SERVICES FOR THE DISTRICT ATTORNEY'S OFFICE FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 120 of 2006 authorized renewal of the agreement with Crime Victims Assistance Center, Inc. Child Advocacy Center for professional services for the District Attorney's Office at an amount of \$8,000 per year, total amount not to exceed \$16,000 for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide multi-disciplinary interviews of children who are alleged to have been physically or sexually abused and to provide support for the victims, and

WHEREAS, aid agreement expired by its terms on December 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$8,000 per year, total amount not to exceed \$16,000, for the period January 1, 2008 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Crime Victims Assistance Center, Inc. Child Advocacy Center, 377 Robinson Street, P.O. Box 836, Binghamton, New York 13902 for professional services for the District Attorney's Office for the period January 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the amount of \$8,000 per year, total amount not to exceed \$16,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4457.101000 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 121

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THOMSON WEST FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2008

WHEREAS, this County Legislature, by Resolution 34 of 2007, authorized renewal of the agreement with Thomson West of on-line legal research services for the Office of the District Attorney at an amount not to exceed \$11,136 for the period January 1 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary for to provide on-line research capability for the attorneys assigned to the Office of the District Attorney, and

WHEREAS, said agreement expired by its terms on December 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$11,184, for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Thomson West, 109 Maplehurst Road, Rochester, New York 14617 for on-line legal research services for the Office of the District Attorney for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,184 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4311.101000 (Books and Subscriptions), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absnet-1 (Hull)

RESOLUTION NO. 122

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Black
RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 23 of 2007, authorized and approved renewal of the Selective Traffic Enforcement Program Grant for the Department of Health and adopted a program budget in the amount of \$33,816 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant targets speeding, aggressive driving, distracted driving, pedestrian safety, and motorcycle enforcement projects, Operation Safe Stop and Statewide Speed Initiative Projects, and

WHEREAS, it is desired to renew said grant program in the amount of \$17,700 for the period October 1, 2007 through September 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,700 from the New York State Department of Motor Vehicles, Governors Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Selective Traffic Enforcement Program Grant for the period October 1, 2007 through September 30, 2008, 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 \$17,700, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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.

Heldover by Mr. Black

RESOLUTION NO. 123

By Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH BOND, SCHOENECK & KING, PLLC FOR LEGAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2008

WHEREAS, the Board of Acquisition and Contract, on December 14, 2007, by Contract #2598, authorized an agreement with Bond, Schoeneck & King, PLLC for legal services for the Department of Public Works-Division of Solid Waste Management at a cost not to exceed \$2,500 for the period December 14, 2007 through May 31, 2008, and

WHEREAS, said agreement is necessary to legal services in connection with asbestos processing at the Broome County Landfill and environmental compliance procedures, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$20,000 and extend the period through December 31, 2008, and

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

RESOLVED, that this County Legislature hereby authorizes amendments to the agreement with Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202 to increase the not to exceed amount by \$20,000 and extend the period to December 14, 2007 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$22,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4736.206000 (Legal Charges and Fees), and be it

FURTHER RESOLVED, that CA No. 2598, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 124

By Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH STEARNS & WHELER FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2008-2009

WHEREAS, Special Counsel for the Department of Public Works requests authorization for an agreement Stearns & Wheeler for professional services for the Department of Public Works-Division of Solid Waste Management at an amount not to exceed \$7,700 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary for a training manual in order to comply with NYSDEC and federal regulations regarding the handling of asbestos containing material, and conduct training classes for landfill personnel, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheeler, One Remington Park Drive, Cazenovia, New York 13035 for professional services for the Department of Public Works-Division of Solid Waste Management for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4747.206000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 125

By County Administration and Finance Committees

Seconded by Mr. Schofield

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SIRUS COMPUTER SOLUTION F/K/A/ STRATEGIC COMPUTER SOLUTIONS FOR IBM HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2007-2010

WHEREAS, this County Legislature, by Resolution 399 of 2007, authorized an agreement with Strategic Computer solutions for IBM hardware maintenance for the Division of Information Technology at a cost not to exceed \$110,868 for the period June 1, 2007 through May 31, 2010, and

WHEREAS, said agreement is necessary for hardware maintenance on the tape library system that is used to backup all systems and is critical to the data retention and recovery as well as running many production jobs using tapes, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$9,764 for maintenance of an additional tape drive, and

WHEREAS, the Director of Information Technology has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Sirus Computer Solutions f/k/a Strategic Computer Solutions, 5788 Widewaters Parkway, Syracuse, New York 13214, to increase the not to exceed amount by \$9,764 for maintenance of an additional tape drive for the Division of Information Technology for the period February 1, 2008 through July 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County will pay the Contractor a total amount not to exceed \$120,632 for the period June 1, 2007 through July 31, 2010, and be it

FURTHER RESOLVED, that Resolution 399 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-17, Nays-0, Abstain-1 (Schofield), Absent-1 (Hull)

RESOLUTION NO. 126

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH SIRIUS COMPUTER SOLUTIONS INC. FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2008

WHEREAS, the Director of Information Technology requests authorization for an agreement with Sirius Computer Solutions Inc. for professional services for the Division of Information Technology at an amount not to exceed \$3,500 for the period March 24, 2008 through September 30, 2008, and

WHEREAS, said agreement is necessary to provide TSM software updates and services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Sirius Computer Solutions Inc., 5788 Widewaters, Parkway, Syracuse, New York 13214 for professional services for the Division of Information Technology for the period March 24, 2008 through September 30, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Misc Data Processing Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 127

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MEL MANASSE & SON AUCTIONEERS FOR AUCTIONEER AND RELATED SERVICES AND ESTABLISHING PARTICIPATION RULES FOR THE ANNUAL COUNTY AUCTION FOR 2008-2011

WHEREAS, this County Legislature, by Resolution 402 of 2007, authorized an agreement with Mel Manasse & Son Auctioneers for auctioneer and related services for the period June 1, 2007 through May 31, 2008, with an option to renew through May 31, 2011 at the sole discretion of Broome County, and

WHEREAS, said Resolution authorized that for the sale of property belonging to political subdivisions, contract agencies and adjacent Counties the Auctioneer shall retain not only 9% of the sale proceeds for the Auctioneer's commission but also an additional 2 1/2% to be distributed to the Broome County Commissioner of Finance, and

WHEREAS, Resolution 598 of 2007 authorized the amendment to remove the provision of the Commissioner of Finance to receive 2 1/2 % of the proceeds from the sale of property owned by political subdivisions, contract agencies and neighboring Counties for the period June 1, 2007 through May 31, 2008, and

WHEREAS, it is necessary to authorize an amendment to the agreement to remove the provision regarding withholding the additional 2 1/2% for distribution to the Broome County Commissioner of Finance, for the period June 1, 2008 through May 31, 2011, and

WHEREAS, the Division of Purchasing has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Mel Manasse & Son Auctioneers, 2924 US Route 11, Whitney Point, NY 13862, to remove the provision of the Commissioner of Finance to receive 2 1/2% of the proceeds from the sale of property owned by political subdivisions, contract agencies and neighboring Counties, for the Division of Purchasing for the period June 1, 2008 through May 31, 2011, and be it

FURTHER RESOLVED, that Resolutions 402 and 598 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 128

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION ADOPTING THE BROOME COUNTY PURCHASE PROCUREMENT PROCESS MANUAL

WHEREAS, Section 104-b of the General Municipal Law requires the governing board of every political subdivision, by resolution, to adopt internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to competitive bidding laws, and

WHEREAS, said internal policies and procedures are set forth in the Broome County Purchase Procurement Process Manual, revised February 2008, a copy of which is on file with the Clerk of the Legislature, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby adopts the policies and procedures set forth in the Broome County Purchase Procurement Process Manual, revised February 2008, a copy of which is on file with the Clerk of the Legislature.

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 129

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH XENOS GROUP, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2008-2009

WHEREAS, the Director of Information Technology requests authorization for an agreement with Xenos Group, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$9,141 for the period March 30, 2008 through March 29, 2009, and

WHEREAS, said agreement is necessary for maintenance of software that is used for forms, design and routing documents electronically, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Xenos Group, Inc., 95 Mural Street, Suite 201, Richmond Hill, Ontario Canada L4B 3G2 for software maintenance for the Division of Information Technology for the period March 30, 2008 through March 29, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,141 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 130

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 479 OF 2006 AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR ASSISTED LIVING CARE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 479 of 2006, authorized renewal of the agreement with Wyoming Conference d/b/a Hilltop Assisted Living Program, Elizabeth Church-DePaul Corporation d/b/a St. Louis Manor Assisted Living Program, and Ideal Senior Living Center for assisted living care services for the Department of Social Services at the approved New York State Medicaid rates for the period January 1, 2007 through December 31, 2008, and

WHEREAS, said agreements are necessary to provide cost-effective alternatives to nursing home placements for individuals who are eligible for residential health care facility placements and are not in need of nursing home facility placement, and

WHEREAS, it is necessary to authorize an amendment to Resolution 479 of 2006 to include Good Shepherd Fairview Home, 80 Fairview Avenue, Binghamton, New York 13904 for assisted living care services for the Department of Social Services at the New York State Established Medicaid rates for the period January 1, 2007 through December 31, 2008, and

WHEREAS, the Commissioner of Social Services has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 479 of 2006 to include Good Shepherd Fairview Home, 80 Fairview Avenue, Binghamton, New York 13904 for assisted living care services for the Department of Social Services for the period January 1, 2007 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the Contractor at the approved New York State Medicaid rates, and be it

FURTHER RESOLVED, that Resolution 479 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 131

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TIME WARNER CABLE, INC. FOR CABLE TELEVISION SERVICES AT THE WILLOW POINT NURSING HOME FOR 2003-2008

WHEREAS, this County Legislature, by Resolution 685 of 2002, as amended by Resolution 773 of 2007, authorized an agreement with Time Warner Cable, Inc., for cable television services at the Willow Point Nursing Home at a cost not to exceed \$67,024 for the period January 1, 2003 through March 31, 2008, and

WHEREAS, said agreement is necessary to provide cable television services for residents at the Willow Point Nursing Home, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$1,376 and extend the term of the agreement through April 30, 2008, and

WHEREAS, the Administrator of the Willow Point Nursing Home has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Time Warner Cable, 120 Plaza Drive, Suite D, Vestal, New York 13850 to increase the not to exceed amount by \$1,376, total amount not to exceed \$68,400, and extend the term of the agreement to the period January 1, 2003 through April 30, 2008, for cable television services at the Willow Point Nursing Home, and be it

FURTHER RESOLVED, that Resolution 685 of 2002 and Resolution 773 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 132

By Health and Human Services and Finance Committees

Seconded by Mr. Cleary

RESOLUTION AUTHORIZING AN AGREEMENT WITH TIME WARNER CABLE FOR CABLE TELEVISION SERVICES AT THE WILLOW POINT NURSING HOME FOR 2008-2009

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Time Warner Cable for cable television services at the Willow Point Nursing Home at a cost not to exceed \$13,848 for the period May 1, 2008 through April 30, 2009, with the option of four one-year renewals with an annual rate cap increase of 10% per year, and

WHEREAS, said agreement is necessary to provide cable television services for residents of the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Time Warner Cable, 120 Plaza Drive, Suite D, Vestal, New York 13850, for cable television services at the Willow Point Nursing Home for the period May 1, 2008 through April 30, 2009, with the option of four one-year renewals with an annual rate cap increase of 10% per year, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,848 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160176.4438.204000 (Recreational & Activity Expense), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 133

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TIME WARNER CABLE FOR AN EASEMENT AT THE WILLOW POINT NURSING HOME FOR 2008-2013

WHEREAS, this County Legislature, by Resolution 376 of 2006, as amended by Resolution 772 of 2007, authorized an agreement with Time Warner Cable for an easement at the Willow Point Nursing Home at no cost for the period October 1, 2006 through March 31, 2008, and

WHEREAS, said agreement allows Time Warner Cable access to its systems, lines and equipment on Broome County property at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on March 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost for the period April 1, 2008 through April 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Time Warner Cable, 120 Plaza Drive, Suite D, Vestal, New York, 13850 for an easement at the Willow Point Nursing Home at no cost for the period April 1, 2008 through April 30, 2013, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 134

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING APPLICATION FOR BROOME COUNTY WELL AND SEPTIC SYSTEM PROGRAM FUNDING UNDER THE GOVERNOR'S OFFICE FOR SMALL CITIES FOR THE DEPARTMENT OF HEALTH FOR 2008-2009

WHEREAS, the Director of Public Health requests authorization for application for Broome County Well and Septic System Program Funding under the Governor's Office for Small Cities in the amount of \$400,000 for the period April 21, 2008 through April 20, 2009, and

WHEREAS, Opportunities for Chenango will prepare the application and apply on behalf of Broome County, and

WHEREAS, said funds will be used to correct problems with individual wells and septic systems at Broome County residences, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves application for Broome County Well and Septic System Program funding under the Governor's Office for Small Cities in the amount of \$400,000 for the period April 21, 2008 through April 20, 2009, and be it

FURTHER RESOLVED, that in consideration of said application, a public hearing will be held on March 27, 2008 and April 10, 2008 at 5:00 p.m. and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 135

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 664 of 2007, authorized and approved renewal of the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and adopted a program budget in the amount of \$565,687 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides a regional approach to breast, cervical, colorectal and prostate screening, education and treatment to uninsured or underinsured women and men over fifty year of age if Broome, Tioga, Chenango, Otsego and Delaware counties, and

WHEREAS, it is desired to renew said grant program in the amount of \$323,500 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$323,500 from the New York State Department of Health, Bureau of Chronic Disease, Corning Tower, Empire Plaza, Albany, New York 12237, for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$323,500, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 136

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING REVISION OF HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 664 of 2007, authorized and approved renewal of the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and adopted a program budget in the total amount of \$565,687 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides a regional approach to breast, cervical, colorectal and prostate screening, education and treatment to uninsured or underinsured women and men over fifty years of age in Broome, Tioga, Chenango, Otsego and Delaware counties, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$104,605 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Living Partnership Integrated Cancer Services Program Grant to reflect an increase in the amount of \$104,605 for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$670,292, and be it

FURTHER RESOLVED, that Resolution 664 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 137

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 154 of 2007, authorized renewal of agreements with various vendors for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health Upstate Fee Schedule for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2008, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at rates set by the New York State Department of Health Upstate Fee Schedule, for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the various vendors for services as listed on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Upstate Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105xxx (Medical and Hospital), (Other Health and Medical Services), and 480376.4715.105382/105xxx (Other Health and Medical Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 138

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH OBSTETRICAL GYNECOLOGICAL ASSOCIATES OF THE SOUTHERN TIER FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICE PROGRAM GRANT FRO 2008-

WHEREAS, the Director of Public Health requests authorization for an agreement with Obstetrical Gynecological Associates of the Southern Tier for services fro the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at the New York State Department of Health Upstate Fee Schedule for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary to provide screening, diagnostics, and follow-up services for cancer screening, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Obstetrical Gynecological Associates of the Southern Tier, 24 Madison Avenue, Endicott, New York 13760 for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the most current rates set by the New York State Department of Health's Upstate Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4715.105382/105xxx (Other Health and Medical Services), and 480376.4707/4715.105xxx (Medical & Hospital) (Other Health and Medical Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 139

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH ROBERT PACKER HOSPITAL AND GUTHRIE CLINIC LIMITED FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 156 of 2007, authorized renewal of the agreement with Robert Packer Hospital and Guthrie Clinic Limited for various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at

rates set by the New York State Department of Health's Upstate Fee Schedule, for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured, or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2008, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the rates set by the New York State Department of Health's Upstate Fee Schedule, for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Robert Packer Hospital, One Guthrie Square, Sayre, Pennsylvania 18840 and Guthrie Clinic Limited, One Guthrie Square, Sayre, Pennsylvania 18840 for services as shown on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Upstate Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105311, (Medical and Hospital), (Other Health and Medical Services) and 480376.4715.105382/105xxx (Other Health and Medical Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 140

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS DELAWARE COUNTY PROVIDERS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 155 of 2007, authorized renewal of agreements with various Delaware County vendors for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health's Hudson Valley Fee Schedule for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2008, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at rates set by the New York State Department of Health Hudson Valley Fee Schedule, for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the various Delaware County vendors for services as listed on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Hudson

Valley Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105311 (Medical and Hospital), (Other Health and Medical Services), and 480376.4715.105382/105xxx (Other Health and Medical Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 141

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING REVISION OF DIABETES PREVENTION AND CONTROL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 424 of 2007, as amended by Resolution 698 of 2007, authorized and approved renewal of the Diabetes Prevention and Control Program Grant for the Department of Health and adopted a program budget in the total amount of \$102,580 for the period October 1, 2007 through September 30, 2008, and

WHEREAS, said program grant provides diabetes awareness, education and screening to targeted populations in a five County region which includes Broome, Tioga, Chenango, Delaware and Otsego, and

WHEREAS, it is necessary at this time to revise budget appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of budget appropriations for the Diabetes Prevention and Control Program Grant for the period October 1, 2007 through September 30, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$102,580, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 142

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING REVISION OF TOBACCO CONTROL AND INSURANCE INITIATIVES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 342 of 2007, as amended by Resolution 665 of 2007, authorized and approved renewal of the Tobacco Control and Insurance

Initiatives Program Grant for the Department of Health and adopted a program budget in the total amount of \$265,590 for the period August 1, 2007 through July 31, 2008, and

WHEREAS, said program grant provides community based outreach, education activities and special media campaign promotion events to prevent and control tobacco use among adults and youth, and disparate populations, and

WHEREAS, it is necessary at this time to revise budget appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of budget appropriations for the Tobacco Control Insurance Initiatives Program Grant for the period August 1, 2007 through July 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$265,590, and be it

FURTHER RESOLVED, that Resolutions 342 and 665 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 143

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTHERN TIER INDEPENDENCE CENTER FOR SOCIAL WORK SERVICES FOR THE DEPARTMENT OF HEALTH'S PRESCHOOL EDUCATION PROGRAM FOR 2008-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with the Southern Tier Independence Center for social work services for the Department of Health's Preschool Education Program at rates set by the Broome County Health Department, for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said agreement is necessary to work with children with special needs, their parents and teachers in developing behavior modification plans and to assist with the follow through of these plans, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Southern Tier Independence Center, 24 Prospect Avenue, 5th Floor, Binghamton, New York 13901 for social work services for the Department of Health's Preschool Education Program for the period July 1, 2008 through June 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the Broome County Health Department the current rate sheet is attached hereto as Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081 (Preschool Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 144

By Health and Human Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING AN AGREEMENT WITH BROOME COUNTY SCHOOL DISTRICT PARTNERS FOR SERVICES BY THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER NY PROGRAM FOR 2007-2008

WHEREAS, the Director of Public Health requests authorization for an agreement with Broome County School District Partners as listed on Exhibit "A" for services by the Department of Health's Steps to a Healthier NY Program for the period September 22, 2007 through September 21, 2008, and

WHEREAS, said agreements are necessary to provide resources and opportunities to assist with evidence-based interventions and strategies for the promotion of healthy lifestyles which impact children's health, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County School District Partners as listed on Exhibit "A" for services by the Department of Health's Steps to a Healthier NY Program for the period September 22, 2007 through September 21, 2008, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 145

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 132 of 2007, as amended by Resolution 69 of 2008, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the amount of \$931,536 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides personal care and housekeeper/chore services and case management of clients, and

WHEREAS, it is desired to renew said grant program in the amount of \$928,942 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$672,213 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Expanded In-Home Services for the Elderly Program (EISEP) Grant for the period April 1, 2008 through March 31, 2009, 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 \$928,942, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 146

By Health and Human Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF CAREGIVER RESOURCE CENTER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 129 of 2007, authorized and approved renewal of the Caregiver Resource Center Program Grant for the Office for Aging and adopted a program budget in the amount of \$20,000 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides educational programs to family caregivers of impaired elderly in Broome county, including programs on personal care, community services, medial problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Caregiver Resource Center Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$20,000, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 147

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislatitue, by Resolution 128 of 2007, as amended by Resolution 70 of 2008, authorized and approved renewal of the Community Services for the Elderly Program Grant for the Office for Aging and adopted a program budget in the amount of \$551,570 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides for a variety of services including social day care, transportation, rural shopping, in-home mental health counseling and the GROW Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$595,940 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$268,904 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Community Services for the Elderly Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$595,940, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 148

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 127 of 2007, as amended by Resolution 71 of 2008, authorized and approved renewal of the Supplemental Nutrition Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$375,253 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides supplemental funding for congregate meals and home delivered meals, and

WHEREAS, it is desired to renew said grant program in the amount of \$344,557 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$223,030 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Supplemental Nutrition Assistance Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$344,557, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 149

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 98 of 2007, authorized and approved the continued participation in the Long Term Care Ombudsman Program Grant for the Office for Aging, adopted a program budget in the amount of \$11,354 and authorized an agreement with Action for Older Persons to administer said program for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides funding for recruitment and training of Ombudsman volunteers who respond to the concerns and complaints expressed by, or on behalf of residents of long term care facilities, and

WHEREAS, it is desired to renew said grant program in the amount of \$11,354, adopt a program budget and renew the agreement with Action for Older Persons to continue to administer said program for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,354 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$11,354, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901 for recruitment and training services for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,710 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761197.4457.105425 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 150

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM GRANT, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 130 of 2007, as amended by Resolution 325 of 2007 and Resolution 68 of 2008, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program Grant, adopted a program budget in the amount of \$30,500 and authorized an agreement with Action for Older Persons, Inc., to administer said program for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides for recruitment and training of volunteers for health insurance counseling, and

WHEREAS, it is desired to renew said grant program in the amount of \$30,000, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Health Insurance Information and Counseling Assistance Program Grant for the period April 1, 2008 through March 31, 2009, 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 be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105xxx (Other Federal Revenue), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 151

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE INSURANCE EDUCATION AND OUTREACH PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 131 of 2007, authorized and approved the Long Term Care Insurance Education and Outreach Program for the Office for Aging, adopted a program budget in the amount of \$50,000 and authorized an agreement with Action

for Older Persons, Inc. to administer said program for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides funding to inform and educate the general public on long term care insurance, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,000, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the Office for Aging, Empire State Agency, Building 2, Albany, New York 12223-0001 for the Office for Aging's Long Term Care Insurance Education and Outreach Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$50,000, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program for the Office for Aging for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$47,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761197.0460.105xxx (Other State Revenue), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 152

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF CONGREGATE SERVICES INITIATIVE PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 133 of 2007, authorized and approved the Congregate Services Initiative Program Grant for the Office for Aging and adopted a program budget in the amount of \$15,238 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides funding for various congregated center activities including menu enhancement and testing, transportation, health/wellness and computer equipment, and

WHEREAS, it is desired to renew said grant program in the amount of \$15,278 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,278 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Congregate Services Initiative Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$15,278, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 153

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE TRANSPORTATION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 328 of 2007, authorized and approved renewal of the Transportation Program Grant for the Office for Aging and adopted a program budget in the amount of \$23,848 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides for transportation related expenses, and

WHEREAS, it is desired to renew said program grant in the amount of \$23,848 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$23,848 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Transportation Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$23,848, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 154

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH JEANNE STRACUZZI, R.D. FOR NUTRITION COUNSELING FOR THE OFFICE FOR AGING'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 97 of 2007, authorized renewal of the agreement with Jeanne Stracuzzi for nutrition counseling for the Office for Aging at the rate of \$35.49 per hour, total amount not to exceed \$29,914 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said agreement is necessary to provide professional nutritional counseling services required by the Supplemental Nutrition Assistance Program (SNAP), and

WHEREAS, said agreement expires by its terms on March 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$38 per hour, total amount not to exceed \$26,676, for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Jeanne Stracuzzi, R. D., 93 Riley Road, Windsor, New York 13865 for nutrition counseling for the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$38 per hour, total amount not to exceed \$26,676 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761239.4741.105xxx (Dietary Services), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 155

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 106 of 2007, authorized and approved renewal of the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$73,417 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant oversees screening and follow up required of Primary Care Providers, coordinates remediation activities with property owners and is responsible for community awareness and promotion, and

WHEREAS, it is desired to renew said program grant in the amount of \$73,417 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$73,217 from the Childhood Lead Poisoning Prevention Program, Bureau of Child & Adolescent Health, New York State Department of Health, Tower Building, Empire State Plaza, Albany, New York 12237, for the Department of Health's Childhood Lead Poisoning Prevention Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$73,417, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 156

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF ENHANCED WATER SUPPLY PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 107 of 2007, authorized and approved renewal of the Enhanced Water Supply Program Grant for the Department of Health and adopted a program budget in the amount of \$162,000 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant enables the Department of Health to monitor the quality, quantity and regulatory compliance of all water supplies in Broome County, including private and individual household supplies, and

WHEREAS, it is desired to renew said program grant in the amount of \$162,000 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$162,000 from the New York State Department of Health, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy New York 12180, for the Department of Health's Enhanced Water Supply Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$162,000, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 157

By Health and Human Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK, PLLC, (D/B/A G & E THERAPIES) FOR PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2007

WHEREAS, this County Legislature, by Resolution 595 of 2006, as amended by Resolutions 145 and 550 of 2007, authorized renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G & E Therapies) for physical, speech, and

occupational therapy services for the Willow Point Nursing Home at a cost not to exceed \$69,200 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide physical, speech and occupational therapy services in the absence of a staff therapist and increase Medicare reimbursement at the Willow Point Nursing Home, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$2,575.31, and

WHEREAS, the Administrator of the Willow Point Nursing Home has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G & E Therapies) c/o Gerilyn Gault, PT, 1977 Marshland Road, Apalachin, New York 13732 to increase the not to exceed amount by \$2,575.31 for physical, speech and occupational therapy services for the Willow Point Nursing Home for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County will pay the Contractor an additional \$2,575.31, total amount not to exceed \$71,775.31 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 595 of 2006 and Resolutions 145 and 550 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 158

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOS SHELTER DOMESTIC VIOLENCE/CHILD ABUSE PROGRAM FOR AN INCREASE IN ALLOCATION FROM NEW YORK STATE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2008

WHEREAS, this County Legislature, by Resolution 781 of 2007, authorized agreements with various vendors for various services for the Department of Social Services Purchase of Services Programs for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said resolution included an agreement with SOS Shelter to fund a part-time Domestic Violence Worker for the Domestic Violence/Child Abuse Project the amount of \$25,000, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the amount not to exceed by \$4,291, and

WHEREAS, the Commissioner of Social Services has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with SOS Shelter, PO Box 393, Endicott, NY 13761, for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves an amendment to the agreement with SOS Shelter to increase the not to exceed amount to \$29,291, and be it

FURTHER RESOLVED, that Resolution 781 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 159

By Economic Development and Planning and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AN AGREEMENT WITH GREYHOUND LINES, INC. FOR THE PURCHASE OF PROPERTY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an agreement with Greyhound Lines, Inc., Inc. for the purchase of property, tax map #904010 and tax map #904016 for the Department of Planning and Economic Development at a cost not to exceed \$200,000, for the period March 1, 2008 through June 15, 2008, and

WHEREAS, said agreement is necessary for the purchase of 81 Chenango Street and 22 Prospect Avenue, Binghamton, New York 13905, for the Intermodal Transit Terminal Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Greyhound Lines, Inc., PO Box 660362, Dallas Texas 75201 for the purchase of property, tax map #904010 and tax map #904016 for the Department of Planning and Economic Development for the period March 1, 2008 through June 15, 2008, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$200,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.2001.501468 (Original Acquisition), and be it

FURTHER RESOLVED, that the County shall provide the Contractor substitute facilities rent free until the Intermodal Project is completed or abandoned, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 160

By Finance Committee Seconded by Mr. Howard
RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE DEPARTMENT OF PARKS AND RECREATION-FINCH HOLLOW NATURE CENTER

WHEREAS, the Department of Parks and Recreation-Finch Hollow Nature Center currently has a petty cash fund in the amount of \$250, which is inadequate for its current needs, and

WHEREAS, the Deputy Commissioner of Parks and Recreation has requested an increase of \$250 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$250, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Department of Parks and Recreation-Finch Hollow Nature Center by \$250 to the total amount of \$500, and further authorizes the Commissioner of Finance to transfer \$250 to the petty cash fund previously established, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 161

By Public Works and Finance Committees Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BARTON & LOGUIDICE, PC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HOOPER ROAD BRIDGE PROJECT IN THE TOWN OF UNION FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2003-2008

WHEREAS, this County Legislature, by Resolution 402 of 2003, as amended by Resolution 734 of 2006, authorized an agreement with Barton & Loguidice, PC for professional engineering services for the Hooper Road Bridge in the Town of Union (BIN 3349740, PIN 9752.51) for the Department of Public Works at a cost not to exceed \$612,300, for the period October 1, 2003 through April 30, 2008, and

WHEREAS, said services are necessary to provide professional engineering services for the rehabilitation of the Hooper Road Bridge on County Road 33 over the Norfolk Southern Railroad Southern Tier Main Line, and

WHEREAS, it is necessary to authorize amendment to said agreement to extend the period to December 31, 2008 at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes amendment to the agreement with Barton & Loguidice, PC, 290 Elwood Davis Road, P.O. Box 3107, Syracuse, New York, 13220, to extend the period to October 1, 2003 through December 31, 2008, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 402 of 2003 and Resolution 734 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 162

By Personnel, Education, Culture and Recreation and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 718 OF 2007 EXHIBIT "A" AUTHORIZING THE RATE OF COMPENSATION FOR ELECTED AND MISCELLANEOUS COUNTY EMPLOYEES FOR 2008

WHEREAS, this County Legislature, by Resolution 718 of 2007, established the rate of compensation for Non-Union Administrative Personnel and authorized the rate of compensation for Elected and Miscellaneous County Employees for 2008, and

WHEREAS, the Interim Commissioner of Parks and Recreation requests authorization to amend Exhibit "A" of Resolution 718 of 2007, establishing the rate of compensation for Elected and Miscellaneous County Employees for 2008, as attached, and

WHEREAS, said amendment is necessary to reflect a 3% increase for the Director of Golf and the Superintendent of Golf as approved in the Adopted 2008 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Exhibit "A" of Resolution 718 of 2007, authorizing the rate of compensation for Elected and Miscellaneous County Employees for 2008, as attached, and be it

FURTHER RESOLVED, that the County Executive or her 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-17, Nays-1 (Keibel), Absent-1 (Hull)

RESOLUTION NO. 163

By Personnel, Education, Culture and Recreation and Finance Committees
Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENTS TO THE HOURLY RATE SCHEDULE FOR NON- UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2008

WHEREAS, this County Legislature by Resolution 85 of 2007, authorized amendments to the hourly rates for various non-union, temporary and seasonal employees for 2007, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2008 as indicated on the attached Exhibit "A", effective January 1, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2008 as indicated on attached Exhibit "A" effective January 1, 2008.

Carried. Ayes-17, Nays-1 (Keibel), Absent-1 (Hull)

RESOLUTION NO. 164

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING AN AGREEMENT WITH KILLOLOGY RESEARCH GROUP, LLC. FOR PROFESSIONAL SERVICES FOR THE OFFICE OF THE SHERIFF FOR 2008

WHEREAS, the Sheriff requests authorization for an agreement Killology Research Group, LLC for professional services for the Office of Sheriff for the period October 14, 2008 through October 15, 2008, and

WHEREAS, said agreement is necessary for a lecture on the effects of lethal combat/school violence, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Killology Research Group, LLC., PO Box 9280, Jonesboro, Arizona 72403 for professional services for the Office of the Sheriff for the period October 14, 2008 through October 15, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Academy Trust Account; Index 996025, Project 603000, Subsidiary 525525040, and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 165

By Public Safety and Emergency Services Committee Seconded by Mr. Howard
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE EMERGENCY MEDICAL SERVICES BOARD

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 277 of 1971, Resolution 64 of 1973 and Resolution 366 of 1976, has duly designated and reappointed the following named individuals to membership on the Emergency Medical Services Board for the term expiring December 31, 2009, subject to confirmation by this County Legislature:

NAME

Michael Washington
25 Floral Avenue
Binghamton, NY 13905

Michael Jones
28 Hotchkiss Street, Apt 1f
Binghamton, NY 13903

NAME

Charles Lampman
1469 Colesville Road
Harpursville, NY 13787

Craig Raymond
29 Church Street.
Deposit, NY 13754

Carey Russell
4 Jackson Heights
Whitney Point, NY 13862

Ken Battaglini
894 King Hill Road
Endicott, NY 13760

Heather Foley
151 Kolb Road
Binghamton, NY 13905

John Ruck
410 Chrysler Road
Endwell, NY 13760

Brendan Lawrence
8 Kattelville Road
Binghamton, NY 13901

Roxanne Randall
550 Cherry Valley Hill Road
Maine, NY 13802

Todd Allis
308 Doris Avenue
Vestal, NY 13850

Kathleen Serowik
2104 Ford Road
Endicott, NY 13760

Helen Lampman
1469 Colesville Road
Harpursville, NY 13787

Glenn Roberts
610 Milan Ave
Endicott, NY 137690

Paul Meddaugh
4710 Vestal Parkway East
Vestal, NY 13850

Kathleen McDonald
1032 Chenango Street
Binghamton, NY 13901

Jerome Schuldt
109 Main Street
Kirkwood, NY 13795

Donald Bliss
PO Box 132, 2 Peck Street
Marathon, NY 13803

Laura Landers
1029 Nanticoke Road
Lisle, NY

Alan Laclair
811 Route 7
Port Crane, NY 13833

Mike Orzell
3747 NYS RT 206
Chenango Forks, NY 13746

Jerry Launt
14 Buttercup Hill Road
Windsor, NY 13865

Wayne Horton
67 Barton Road
Windsor, NY 13865
and

Timothy Dahulich
15 St. Clair Avenue
Binghamton, NY 13903

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of
1972, Resolution 64 of 1973 and Resolution 366 of 1976 confirms the reappointments of the
above-named individuals to membership on the Emergency Medical services Board for the term
expiring December 31, 2009, in accordance with their appointment by the County Executive.
Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 166

By County Administration Committee

Seconded by Mr. Kuzel

A RESOLUTION SUPPORTING THE REDUCTION OF POINT OF PURCHASE TOBACCO ADVERTISING

WHEREAS, according to research, each day, more than 4,000 youth try smoking for the
first time and another 2,000 kids become regular daily smokers, and

WHEREAS, the tobacco industry spends an estimated \$444 million dollars in New York State annually on tobacco advertising, and

WHEREAS, the 2006 Surgeon General Report reports that tobacco companies have purposefully marketed to children as young as 14 years of age, and

WHEREAS, Tobacco Free Broome & Tioga and Reality Check work to reduce the amount of tobacco advertising in New York State, especially marketing to children, now, therefore be it

RESOLVED, that we, the Broome County Government, expresses its support of the efforts of Tobacco Free Broome & Tioga and Reality Check and encourages retailers to decrease overall tobacco advertising in their places of business and to eliminate tobacco advertising from areas likely to be seen by children, including wall space below 4 feet, near candy and toy displays and on counter tops, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to New York State Governor Speaker Sheldon Silver, New York State Senator Tom Libous, New York State Assemblywoman Donna Lupardo, New York State Assemblyman Clifford Crouch, and New York State Assemblyman Gary Finch.

Mr. Kuzel made a motion, seconded by Mr. Materese to amend the Further Resolved paragraph to read "...a copy of this resolution be sent to New York State Governor David Patterson, Majority Leader Joseph Bruno..." Amendment carried. Ayes-18, Nays-0, Absent-1 (Hull).
Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 167

By Personnel, County Administration and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE LEGISLATIVE BOARD

RESOLVED, that in accordance with a request contained in PCR# 08-054 from the Chairman of the Legislature, this County Legislature hereby authorizes the creation of a Legislative Aide at Grade 16, Union Code 09, at budget line 240010.1600.101000, at a salary of \$17.38 per hour, to help support the Legislature in the absence of the Legislative Assistant; effective March 24, 2008

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 168

By Finance, Public Safety and Emergency Services, County Administration Personnel Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE OFFICE OF EMERGENCY SERVICES

RESOLVED, that in accordance with a request from Legislators Materese and Marinich, in order to provide funds to allow for New York Alert administration for the Office of Emergency Service as requested by BF#006238, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	460097	4319	101000	Office Supplies	9,500
	460097	4349	101000	Misc Operating	30,515
TO:	460097	1600	101000	Salaries	40,015

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 169

By: Public Works and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING AN AGREEMENT WITH BROOME ENERGY RESOURCES, LLC TO JOINTLY MARKET AND SELL BROOME COUNTY LANDFILL CARBON CREDITS

WHEREAS, a voluntary carbon credit market has emerged in the United States as the result of concerns over global warming as expressed in the Kyoto Protocol, and

WHEREAS, the voluntary reduction of Methane emissions at the Broome County Landfill, has resulted in the availability of excess carbon credits for sale to entities desiring to reduce their "carbon footprint", and

WHEREAS, Broome Energy Resources, LLC (hereafter BER), as the operator of the landfill gas collection system including the gas flare and electric generating station destructs the methane collected from the County owned landfill so that it is not emitted into the atmosphere, and

WHEREAS, the County and BER desire to enter into an agreement for the joint marketing and sale of the landfill carbon credits with twenty-five percent (25%) of the net sale proceeds to be distributed to Broome County and seventy-five percent (75%) of the net sale proceeds to be distributed to BER with the costs of certification, marketing and sale of the carbon credits to be deducted proportionately from the gross sale revenue attributable to the sale of each entity's carbon credits, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Energy Resources, LLC, 60 East Street, Rear, P.O. Box 150 Ware, MA 01082, for the sale and marketing of voluntary carbon credits resulting from the collection and destruction of Methane produced in the Broome County Landfill with twenty-five percent (25%) of the net sale proceeds to be distributed to Broome County and seventy-five percent (75%) of the net sale proceeds to be distributed to BER with the costs of certification, marketing and sale of the carbon credits to be deducted proportionately from the gross sale revenue attributable to the sale of each entity's carbon credits, and be it

FURTHER RESOLVED, that the net proceeds from the County's share of the carbon credits shall be deposited into budget line 230086.xxxx.206000 (xxxx), and be it

FURTHER RESOLVED, that the County Executive or her 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-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 170

By County Administration Committee

Seconded by Mr. Reynolds

RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO END THE PRACTICE OF PASSING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT AND COUNTY PROPERTY TAXPAYERS

WHEREAS, unfunded state mandates shift the responsibility and the cost of implementing programs from the state to the local level and force localities to cut existing services or raise property taxes or other local taxes or fees to achieve the additional requirements; and

WHEREAS, since 1938, counties and New York State have equally shared in the cost of public assistance at a 50 percent state, 50 percent local split for this program; and

WHEREAS, the 2008-2009 Executive Budget proposes to break this historic state/local fiscal partnership by shifting a portion of the state's cost for the Family Assistance and the Safety Net program; and

WHEREAS, the 2008-2009 Executive Budget also ends the state reimbursement of the costs associated with operating local detention facilities; and,

WHEREAS, these are both examples of a break in a state/local partnership, where local property taxpayers will be directly impacted; and

WHEREAS, the Governor's budget also includes proposed changes to the Civil Practice Law and Rules of the State of New York which could have a potentially negative impact on County revenues or put Counties in the position of having to raise fees to make up for lost revenues; and,

WHEREAS, state government leaders have acknowledged that high property taxes are a problem for residents and business in New York State, making the state less attractive and less competitive; and

WHEREAS, the Citizens Budget Commission states that local taxes in New York State are 79% higher than the national average and that state laws result in high local tax burdens; and

WHEREAS, the Tax Foundation, based in Washington D.C., reports that nine of the top ten counties nationwide in median real estate taxes as a percentage of median home value are in New York State; and

WHEREAS, the Governor has formed a bipartisan commission to make recommendations on a package of reforms that gets to the root causes of what is driving taxes so high, which includes looking at unfunded mandates on both school districts and municipalities, proposals on how to make our tax relief system fairer to the middle class taxpayer, and a proposal for a fair and effective cap to hold the line on school district property taxes, with said commission due to report its findings in June of this year; and

WHEREAS, while awaiting the recommendations of the Governor's commission on ways to reduce the high property taxes in New York State, state policy makers should refrain from making the problem worse by shifting costs from the state's 2008-2009 budget to county budgets and our property taxpayers; now, therefore, be it

RESOLVED, that the Broome County Legislature calls on the Governor and State Legislature to end the practice of passing the costs for state mandated programs to county government and county property taxpayers; and, be it

FURTHER RESOLVED, that the Broome County Legislature shall forward copies of this Resolution to Governor Spitzer, New York State Legislature and all others deemed necessary and proper.

Mr. Kuzel made a motion to amend the resolution but after discussion he withdrew is motion. Mr. Sanfilippo made a motion, seconded by Mr. Shafer to amend the sixth Whereas paragraph to read "Whereas, the proposed state budget also...". **Amendment carried.** Ayes-18, Nays-0, Absent-1 (Hull). **Resolution as amended carried.** Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 171

By Economic Development and Planning Committee

Seconded by Mr. LaBare

RESOLUTION CONFIRMING THE APPOINTMENT OF THE HONORABLE WAYNE L. HOWARD TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Mark R. Whalen, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987, and Article 18-A of the General Municipal Law of the State of New York, has duly designated and appointed, pending confirmation by the County Legislature, the following named individual to membership on the Broome County Industrial Development Agency Board of Directors for the term indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Wayne L. Howard PO Box 9 Port Crane, NY 13833	unexpired term December 31, 2008

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 172

By Economic Development and Planning, Committee

Seconded by Mr. Garnar

RESOLUTION CREATING A REFERENDUM WITH RESPECT TO THE COMPOSITION OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

WHEREAS, § 895-a of the General Municipal Law established the Broome County Industrial Development Agency (BCIDA) in 1970, and

WHEREAS, § 895-a of the General Municipal Law expanded the Board of Directors of the BCIDA to nine members in 1987, and

WHEREAS, § 895-a of the General Municipal Law states that "its members shall be appointed by the governing body of the County of Broome", and

WHEREAS, Broome County wishes to amend its Charter to mandate the composition of future BCIDA Boards of Directors to ensure that at least one member of the Minority Party of the Broome County Legislature be appointed to the BCIDA Board of Directors, and

WHEREAS, the local Legislative Body of the County of Broome does not have the power to impose such a mandate by local law, and

WHEREAS, it is necessary for this Legislature to adopt a Resolution creating a Referendum to be acted upon by the qualified electors of Broome County at the next general election for the purpose of acting on said Charter amendment, now, therefore be it

RESOLVED, that the Broome County Legislature hereby creates a referendum to be acted upon by the qualified electors of Broome County at the next general election for the purpose of amending the Charter of the County of Broome to mandate the composition of future Broome County Industrial Development Agency Boards of Directors to ensure that at least one member of the Minority Party of the Broome County Legislature be appointed to the Broome County Industrial Development Agency's Board of Directors, and be it

FURTHER RESOLVED, that a question be submitted to the Broome County Board of Elections to be asked of the qualified electors of Broome County in the form of a Referendum on the ballot at the November 4, 2008 general election, and be it

FURTHER RESOLVED, that the question shall read as follows: "Amend the Charter of the County of Broome to mandate that the Broome County Industrial Development Agency's Board of Directors always contain at least one member of the minority party of the Broome County Legislature as approved by the full Legislature.", and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature shall submit this question to the Broome County Board of Elections, in accordance with New York State Election Law, no later than 36 days prior to the next general election in the County of Broome.

Mr. Garnar polled the Economic Development and Planning Committee on the floor to withdraw this resolution. Committee concurred. **Resolution withdrawn.**

RESOLUTINO NO. 173

By: Economic Development and Planning, County Administration Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING A HOME RULE REQUEST WITH RESPECT TO THE COMPOSITION OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

WHEREAS, 895-a of the General Municipal Law established the Broome County Industrial Development Agency (BCIDA), and

WHEREAS, Broome County wishes to mandate the composition of future BCIDA Boards of Directors to ensure that at least one member of the Minority Party of the Broome County Legislature be appointed to the BCIDE Board of Directors, and

WHEREAS, the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and be it

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

RESOLVED, that this County Legislature hereby requests that Bills be introduced in the Senate and the Assembly of the New York State Legislature

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

Mr. Garnar moved a prefiled amendment, seconded by Mr. Howard. **Amendment carried.** Ayes-18, Nay-0, Absent-1 (Hull). Shown below is the amended version of Resolution No. 173.

RESOLUTION AUTHORIZING A HOME RULE REQUEST WITH RESPECT TO THE COMPOSITION OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

WHEREAS, 895-a of the General Municipal Law established the Broome County Industrial Development Agency (BCIDA), and

WHEREAS, Broome County wishes to mandate the composition of future BCIDA Boards of Directors to ensure that at least one member of the Minority Party of the Broome County Legislature be appointed to the BCIDA Board of Directors, and

WHEREAS, the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and

WHEREAS, New York State has worked to make all Public Authorities more open and accountable, and,

WHEREAS, The Broome County Legislature wishes to improve the flow of information between the Legislative Branch of Government and its economic development arm, the Broome County IDA

WHEREAS, requiring Majority and Minority representation on the Broome County IDA Board will help to improve the flow of information, and

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

RESOLVED, that the Broome County Legislature hereby requests that Bills be introduced in the Senate and the Assembly of the New York State Legislature to mandate the composition of future BCIDA Boards of Directors to ensure that at least one member of the Minority Party of the Broome County Legislature be appointed to the BCIDA Board of Directors, and be it

FURTHER RESOLVED, that the Broome County Legislature desires that the composition of the Broome County Industrial Development Agency Board of Directors shall consist of two members of the Broome County Legislature, at least one of which shall be a member of the majority party on the Legislature (the political party with the greatest number of members) and at least one of which shall be a member of the minority party on the County Legislature (the political party with the second greatest number of members), and be it

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

Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 174

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION RESCINDING RESOLUTION 707 OF 2007 AND EXEMPTING THE GEORGE HARVEY JUSTICE BUILDING PROJECT FROM THE REQUIREMENTS OF RESOLUTION 372 OF 2007

WHEREAS, this County Legislature at a regular meeting held on June 21, 2007 adopted Resolution 372 which established a policy requiring a feasibility study and due diligence report and consideration of utilizing a project labor agreement on all county construction projects when the estimated cost of construction will exceed \$1,000,000, and

WHEREAS, this County Legislature at a meeting held on November 20, 2007 adopted Resolution 707 and accepted the due diligence report submitted by the Commissioner of Public Works in connection with the George Harvey Justice Building project and resolved that a project

labor agreement consistent with the due diligence report shall be used for all competitive bids for construction contracts relating to the renovation of the George Harvey Justice Building, and

WHEREAS, pursuant to resolutions 372 and 707 of 2007, a Project Labor Agreement was negotiated with all but two of the construction trades unions that would be involved with work on the George Harvey Justice Building, specifications were prepared and the required notices seeking bids on the project were published, and

WHEREAS, bids were submitted to be opened on December 19, 2007, and

WHEREAS, several non-union contractors along with others commenced a legal proceeding challenging the sufficiency of the bid specifications and the legality of the negotiated project labor agreement, and

WHEREAS, Hon. Ferris Lebus, a justice of the New York Supreme Court, has ruled that the project labor agreement approved by the Broome County Legislature on November 20, 2007 is void and unenforceable as a bid specification for the George Harvey Justice Building Project, and

WHEREAS, the reconstruction of the George Harvey Justice Building is being paid for from the sale of special issue bonds in connection with the Broome Tobacco Asset Securitization Corporation, and pursuant to IRS regulations, Broome County must have a firm commitment to use 85% of the bond proceeds by November 2008, and

WHEREAS, the Broome County Attorney and the Deputy County Executive, after careful review of the time constraints involving the use of the "tobacco money" and the need to have construction contracts in place soon, have recommended that Resolution 707 of 2007 be rescinded and that the George Harvey Justice Building Project be exempted from the requirements of Resolution 372 of 2007, now therefore, be it

RESOLVED, that this County Legislature hereby rescinds Resolution 707 of 2007 and exempts the George Harvey Justice Building reconstruction project from the requirements of Resolution 372 of 2007, and be it

FURTHER RESOLVED, that the County Executive or her 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, Abstain-3 (LaBare, Hutchings, Howard), Absent-1 (Hull)

RESOLUTION NO. 175

By All Members

Seconded by

RESOLUTION OF CONDOLENCE ON THE DEATH OF KATHLEEN M. GREENMUN

The Clerk announced that Resolution No. 175 will be presented at the April 24, 2008 session.

Mr. Schofield made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn Carried,** Ayes-18, Nays-0, Absent-1 (Hull). The meeting was adjourned at 5:47 p.m.

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