

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
AUGUST 19, 2009**

The Legislature convened at 5:00 p.m. with a call to order by the Chair, Daniel D. Reynolds. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Sanfilippo).

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

Mr. Herz made a motion, seconded by Mr. Cleary, that the minutes of July 16, 2009 be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Sanfilippo).

Mr. Reynolds noted that the committee minutes for the period July 16, 2009 through August 18, 2009 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. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Klipsch, seconded by Mr. Diffendorf. **Carried.** Ayes-18, Nays-0, Absent-1 (Sanfilippo).

ANNOUNCEMENTS FROM THE CHAIR

- A. Presentation of Proclamations
 - 1. Proclamation presented to Mari Giurastante by Mr. Howard and Mr. Marinich
 - 2. Proclamation presented to Jeff Martinez by Mr. Moran and Ms. Buchta
 - 3. Proclamation presented to Sheriff Harder by Mr. Materese

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE: None

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel D. Reynolds
 - 1. Designation for Hon. Wayne Howard – 8/10/2009
 - 2. Designation for Hon. Jerry Marinich -- 8/13/2009
 - 3. Letter from Chairman Reynolds to Board of BCC Trustees - 7/24/2009
 - 4. Designation for Hon. Mark Whalen – 8/10/2009
 - 5. Designation for Hon. John Hutchings – 8/12/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications
 - 1. State of New York State Board of Real Property Services – List of Certified 2009 Class Equalization Rates
 - 2. Department of Social Services – Additional Food Stamp Employment & Training Funds for 2008-2009
 - 3. BC Energy Action Team Meeting Minutes 7/8/2009
 - 4. BC Government 2009 Salary Schedule
 - 5. BC Industrial Development Agency – Synopsis of Meeting - 6/19/2009
 - 6. BC Soil & Water Conservation District Directors Meeting Minutes – 6/19/2009
 - 7. BC Arts Council Contract Renewal – Contract Agency, CA 1716 for United Cultural Fund Campaign
 - 8. BC Department of Audit & Control – Quarterly Accounts Receivable Analysis –July 2009

9. BC Soil & Water Conservation District Director's Meeting 7/21/2009
10. Letter from the Postmaster General John E. Potter – regarding Resolution Perm No. 09-290 in opposition to the Area Mail Processing feasibility study
11. Letter of recognition to Broome County & Communities Against Regional Interconnect from the Law Offices of Gilberti, Stinziano, Heintz, & Smith
12. Public Hearing Minutes - Broome Community College Budget 2009-2010 July 6, 2009

C. Notices:

1. Town of Kirkwood – Notice of Public Hearing – 8/4/2009 – 6:00 p.m.
2. BC Legislature – Notice of Committee of the Whole Meeting – 8/19/2009 4:00 pm
3. Cancellation of the Committee of the Whole Meeting -- 8/19/2009

D. Reports:

1. BC Department of Finance- Second Quarterly Report 2009 Sales Tax
2. BC Department of Public Works – 2008 Annual Report
3. BC Historical Society 2009 Fiscal Report
4. BCC Above Minimum Hire Report - June 2009
5. BC Arts Council 2009 Annual Report

Ms. Buchta and Mr. Keibel were designated as participants with Chairman Reynolds in the 'Short Roll Call'.

RESOLUTION RECALLED FROM A PREVIOUS SESSION

Mr. LaBare made a motion, seconded by Mr. Cleary to recall Resolution 09-315 for the purpose of amending. **Motion to recall carried.** Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 315

By County Administration and Finance Committees Seconded by Mr. Sanfilippo
RESOLUTION AUTHORIZING AN EQUIPMENT AND HARDWARE LEASE AGREEMENT WITH KEY GOVERNMENT FINANCING INC. FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009-2014

Mr. Labare made a motion, seconded by Mr. Cleary to amend the resolution as follows: Throughout the resolution replace the word "lease" with "Retail Installment" in the first Whereas paragraph after retail installment agreement add "pursuant to General Municipal Law Section 109-b" and in the last Further Resolved paragraph after agreements, documents or papers, add "including escrow agreement". **Amendment carried.** Ayes-18, Nays-0, Absent-1 (Sanfilippo).
Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 320

By Human Services Committee Seconded by Ms. Messina
RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, Barbara Fiala, County Executive, pursuant to the authority vested in her by Resolution 477 of 1985 has duly designated and appointed the following named individual to membership on the Broome County Family Violence Prevention Council, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Erik Jensen 30 Rush Avenue Binghamton, NY 13903	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 Resolution 477 of 1985, hereby confirms the appointment of the above-named individual to membership on the Broome County Family Violence Prevention Council for the term indicated, in accordance with the appointment by the County Executive.

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

RESOLUTION NO. 321

By Human Services Committee

Seconded by Ms. Messina

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Barbara Fiala, 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>
C. Omarr Evans 14 Addison Court Binghamton, NY 13904	8/18/2013

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 terms indicated, in accordance with the appointment by the County Executive.

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

RESOLUTION NO. 322

By Personnel, Public Health and Environmental Protection, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request contained in PCR # 09-187 from the Director of Department of Health, this County Legislature hereby authorizes the position of Medical Director TB, Grade N/A, Union Code 01, at budget line 480228.1500.101000 at a salary of \$45.00 per hour, to be changed to Medical Director TB, Grade N/A, Union Code 01, at budget line 480228.1500.101000 at a salary of \$60.00 per hour effective September 1, 2009.

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

RESOLUTION NO. 323

By Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF AUDIT AND CONTROL

RESOLVED, that in accordance with a request contained in PCR # 09-198 from the Comptroller of the Office of Audit and Control, this County Legislature hereby authorizes the position of Internal Auditor, Grade 21, Union Code 04 CSEA, at budget line 360008.1000.101000 at a salary of \$22.73 per hour, to be downgraded to Internal Auditor Trainee, Grade 19, Union Code 04 CSEA, at budget line 360008.1000.101000 at a salary of \$20.53 per hour effective September 01, 2009.

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

RESOLUTION NO. 324

By Transportation and Rural Development and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC FOR LEASE OF BUS TIRES FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2009-2012

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Bridgestone Americas Tire Operations, LLC for lease of bus tires for the Department of Public Transportation at a cost not to exceed \$193,961.31 for the period August 1, 2009 through July 31, 2012, with Broome County's option for two one-year renewals, and

WHEREAS, said agreement is necessary for the lease of city/suburban 55 m.p.h. tires for BC Transit buses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Bridgestone Americas Tire Operations, LLC, 1200 Firestone Parkway, Akron, Ohio 44317 for the lease of bus tires for the Department of Public Transportation for the period August 1, 2009 through July 31, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for the period August 1, 2009 through July 31, 2012 as follows:

Year	Tire Size	Base Rate Per Tire Mile	Annual Rental
1	12R22.5	.0071	22,294.71
	305/70R22.5	.006594	40,422.97
2	12R22.5	.0071	22,294.71
	305/70R22.5	.006858	42,041.36
3	12R22.5	.007384	23,186.50
	305/70R22.5	.007132	43,721.06
Three year total			\$193,961.31

and be it

FURTHER RESOLVED, that Broome County has the option for two one-year renewals as follows:

Year	Tire Size	Base Rate Per Tire Mile	Annual Rental
1 st year renewal	12R22.5	.007679	24,112.83
	305/70R22.5	.007418	45,474.31
1 st year renewal total			\$69,587.14
2 nd renewal	12R22.5	.007987	25,079.98
	305/70R22.5	.007714	47,288.87
2 nd year renewal total			\$72,368.85

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4348.203115 (Tires and Tubes), 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 (Sanfilippo)

RESOLUTION NO. 325

By Public Safety and Emergency Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF MAINE FOR USE OF SPACE AT TOWN HALL FOR THE OFFICE OF THE SHERIFF FOR 2009

WHEREAS, this County Legislature, by Resolution 378 of 2008, authorized renewal of the agreement with the Town of Maine for use of space at Town Hall for the Office of the Sheriff, at no cost to the County, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for the Office of the Sheriff to use a portion of the Maine Town Hall as a substation, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Maine, PO Box 336, Maine, New York 13802 for use of space at Town Hall for the Office of the Sheriff at no cost to the County, for the period January 1, 2009 through December 31, 2009, 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 (Sanfilippo)

RESOLUTION NO. 326

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK OFFICE OF RESEARCH AND SPONSORED PROGRAMS FOR STUDENT INTERNS TO PROVIDE CLINICAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 349 of 2008, authorized renewal of the agreement with The Research Foundation, State University of New York Office of Research and Sponsored Programs for student interns to provide clinical services for the Department of Mental Health at an amount not to exceed \$77,198, for the period September 1, 2008 through August 31, 2009, and

WHEREAS, said agreement is necessary for Binghamton University Psychology (PhD) students to provide clinical services to the Broome County Department of Mental Health, and

WHEREAS, said agreement expires by its terms on August 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$36,200 for the period September 1, 2009 through August 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Research Foundation, State University of New York, Office of Research & Sponsored Programs, PO Box 6000, Binghamton, NY 13902 for student interns to provide clinical services for the Department of Mental Health for the period September 1, 2009 through August 31, 2010 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000, (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 (Sanfilippo)

RESOLUTION NO. 327

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE INMATE STD TESTING/JAIL PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 631 of 2007, authorized renewal of the Inmate STD Testing/Jail Program Grant for the Department of Health and adopted a program budget in the amount of \$48,667 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides STD/HIV education, testing and treatment of inmates at the Broome County Correctional Facility, and

WHEREAS, it is desired to renew said program grant in the amount of \$49,645 for the period of January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$49,645 from the Broome County Correctional Facility, 155 Lt. VanWinkle Drive, PO Box 2047, Binghamton, New York 13902-2047, for the Department of Health's Inmate STD Testing/Jail Program Grant for the period January 1, 2010 through December 31, 2010, 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 \$49,645, 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 (Sanfilippo)

RESOLUTION NO. 328

By Public Safety and Emergency Services, and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE, BULLETPROOF VEST PARTNERSHIP PROGRAMS, FOR BROOME COUNTY GOVERNMENT LAW ENFORCEMENT AGENCIES AND ADOPTING A PROGRAM BUDGET FOR 2008-2010

WHEREAS, the Department of Public Works requests authorization to accept funds from the United States Department of Justice, Office of Justice Programs, for Broome County Government Law Enforcement Agencies and adopt a program budget in the amount of \$1,360.47 for the period April 1, 2008 through March 10, 2010, and

WHEREAS, acceptance of said funds is necessary for the reimbursement of county funds spent for bulletproof vests by the Broome County Probation Department, Broome County Security Division, Broome County Sheriff's Department and the BCC Campus Safety Office during 2008 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of United States Department of Justice, Bulletproof Vest Partnership Funds for Broome County Government Law Enforcement Agencies from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, 810 Seventh St., NW, Washington, DC 20531 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the distribution of \$724.96 for BCC Public Safety, \$150.03 for Probation, \$84.04 for Security, \$40.45

for Sheriff, in the total amount of \$1,360.47, for the period of April 1, 2008 through March 10, 2010, 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.

Actual Reimbursement by Agency

<u>Agency</u>	<u>% of Total Request</u>	<u>Reimbursement</u>
BCC Public Safety	53.29%	\$ 724.96
DA Investigators	0.00%	\$ 0.00
Probation	11.03%	\$ 150.03
Security	6.18%	\$ 84.04
Sheriff	29.51%	\$ 40.45
Total	100%	\$1,360.47

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

RESOLUTION NO. 329

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 406 of 2008, authorized and approved the DSS/BCC Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$82,684 for the period August 1, 2008 through July 31, 2009 and

WHEREAS, said program grant provides educational training program with Broome Community College for credit and non-credit classes to develop employees' on the job skills, and

WHEREAS, it is desired to renew said program grant in the amount of \$55,542 for the period August 1, 2009 through July 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,542 from New York State Office of Children and Family Services, for the Department of Social Services/Broome Community College Credit and Non-credit Training Program Grant for the period August 1, 2009 through July 31, 2010, 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 \$55,542 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 (Sanfilippo)

RESOLUTION NO. 330

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF DSS/ BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 408 of 2008, authorized and approved renewal of the DSS/BU Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$38,948 for the period August 1, 2008 through July 31, 2009, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$58,194, for the period August 1, 2009 through July 31, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$58,194 from New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, NY 12144, for the DSS/BU Credit and Non-Credit Training Program Grant for the period August 1, 2009 through July 31, 2010, 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 \$58,194, 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 (Sanfilippo)

RESOLUTION NO. 331

By Economic Development and Planning Committee

Seconded by Ms. Messina

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIPS ON THE BROOME-TIOGA WORKFORCE INVESTMENT BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 499 of 2000, has duly designated and appointed the following named individuals to membership on the Broome-Tioga Workforce Investment Board, for the terms indicated, subject to confirmation by this County Legislature:

NAME

ALL TERMS EXPIRING

7/17/2012 (3 yr.)

Timothy Grippen – NYSDOL Regional Representative

171 Front St. Binghamton, NY 13905

Kevin McLaughlin – Empire State Development, Regional Director,
 State Office Building
 44 Hawley Street, Room 1508
 Binghamton, NY 13902

Janet Hertzog – Broome Community College
 Director of Workforce Development Continuing Education
 P.O. Box 1017 Upper Front Street
 Binghamton, NY 13902

Frank Girardi – President PB Industries
 448 Commerce Road
 Vestal, NY 13850

James Julian – VMR Electronics
 Vice President- Administration
 VMR Electronics, L.L.C8
 11 North St., Endicott, NY 13760

Christine Pierce – LCP Group – Owner (Specializes in Deconstruction, Environmental Remediation)
 633 Anderson Road
 Vestal, NY 13850
 and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 499 of
 2000, confirms the appointments of the above-named individuals to membership on the Broome-
 Tioga Workforce Investment Board for the terms indicated, in accordance with their appointment
 by the County Executive.

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

RESOLUTION NO. 332

By Finance and Public Health and Environmental Protection Committees
 Seconded by Ms. Messina

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health , in order to
 maximize funds for Building a Healthy Nation – Strategic Alliance for Health Federal Program Grant
 08/09, as requested by BF# 8092 and 8093, 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:	480376	4346	105538	Training & Education Supp	\$ 175
	480376	4448	105538	Advertising & Promo Exp	\$ 6,056
	480376	4461	105538	Mileage & Parking	\$ 585
	480376	4462	105538	Travel, Hotel, Meals	\$ 1,565
	480376	4615	105538	Gas chargeback	\$ 500
	480376	4616	105538	Fleet Service Chargeback	\$ 250
	480376	4617	105538	Dup/printing Chargeback	\$ 800
	480376	4626	105538	Transportation Svc Chargeback	\$ 250
TO:	480376	1500	105538	Salaries-Part Time	\$ 281

2009 JOURNAL OF PROCEEDINGS

480376	4319	105538	Office Supplies	\$ 600
480376	4349	105538	Misc Operational Exp	\$ 2,400
480376	4359	105538	Computer Software	\$ 975
			Supplies	
480376	4457	105538	Subcontracted Program	\$ 5,775
			Exp	
480376	4463	105538	Education & Training	\$ 150

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

RESOLUTION NO. 333

By Human Services and Finance Committee

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT OF THE AGREEMENT WITH CONTINENTAL HEALTH EQUIPMENT FOR WILLOW POINT NURSING HOME FOR 2009

WHEREAS, the Board of Acquisition and Contract, through CA# 17-507, authorized an agreement with Continental Health Equipment for the rental of anticipated equipment needs, in an amount not to exceed \$14,500, for the Willow Point Nursing Home, and

WHEREAS, the Willow Point Nursing Home requests authorization to amend the agreement with Continental Health Equipment to increase the not to exceed amount by \$10,500, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said amendment is necessary to provide for additional anticipated equipment needs for the remainder of 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with Continental Health Equipment 758 Butler Road, Kittanning, Pa. 16201, to increase the not to exceed amount by \$10,500, for the period January 1, 2009 through December 31, 2009, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226.4512.204000 (Outside Rentals), 160226.4363.204000 (Medical, Lab. & Clinic Supplies), 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 (Sanfilippo)

RESOLUTION NO. 334

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE 2009 CRIME VICTIMS ASSISTANCE PROGRAM GRANT AND EXTENDING THE TERM OF THE AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER, INC., FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2009

WHEREAS, this County Legislature, by Resolution 217 of 2009, authorized and approved the acceptance of a Crime Victims Assistance Grant for the State of New York, for the Department of Mental Health, adopted a program budget in the amount of \$100,000, and authorized a contract with Crime Victims Assistance Center, Inc., for the period April 3, 2009 through October 2, 2009, and

WHEREAS, said services are necessary to provide services such as counseling, legal assistance and other needs, due to devastating tragedy at the American Civic Association, and

WHEREAS, it is necessary at this time to revise said program to reflect an extension to December 31, 2009, at no additional expense to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the 2009 Crime Victims Assistance Grant to reflect an extension of the term of the grant through December 31, 2009, at no additional expense to Broome County, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an extension of the term of the agreement with Crime Victims Assistance Center, Inc. through December 31, 2009, at no additional expense to Broome County, and be it

FURTHER RESOLVED, that Resolution 217 of 2009, 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 (Sanfilippo)

RESOLUTION NO. 335

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH CAPITAL DISTRICT PHYSICIAN'S HEALTH PLAN (CD PHP) FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2009-2013

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Capital District Physicians' Healthcare Network, Inc. for services rendered to Department of Mental Health clients with CDPHP insurance, at rates listed on Exhibit "A" with revenue to the County estimated at \$140,000 for the period July 1, 2009 through December 31, 2013, and

WHEREAS, said services are necessary to provide initial evaluations, individual therapy, group therapy, family therapy and medication management services to Department of Mental Health clients and receive reimbursement accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Capital District Physician's Healthcare Network, Inc., 500 Patroon Creek Blvd., Albany, NY 12206-1057 for services rendered to Department of Mental Health clients with CD PHP Insurance for the period July 1, 2009 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall reimburse the County at the rates listed on Exhibit "A", total amount estimated at \$140,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 470013.0077.101000 (Mental Health Fees), 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 (Sanfilippo)

RESOLUTION NO. 336

By Public Health and Environmental Protection, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TIOGA COUNTY HEALTH DEPARTMENT FOR PROFESSIONAL SERVICES FOR DEPARTMENT OF HEALTH'S TOBACCO CONTROL PROGRAM FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 264 of 2009, authorized renewal of the agreement with the Tioga County Health Department for Professional Services in conjunction with the Tobacco Control Program for the Health Department at an amount not to exceed \$90,000 for the period August 1, 2008, through July 31, 2009, and

WHEREAS, said agreement provides a contract for professional services in Tioga County in conjunction with the Tobacco Control Program, to continue to partner with the Broome County Health Department to develop, facilitate and achieve all workplan goals and objectives as set forth by the New York State Department of Health Tobacco Control Program, and

WHEREAS, said agreement expires by its terms on July 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$50,000, for the period August 1, 2009 through June 30, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Tioga County Health Department, PO Box 120, 1062 State Route 38, Owego, NY 13827, for the period August 1, 2009 through June 30, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105471 (Sub-contracted 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 (Sanfilippo)

RESOLUTION NO. 337

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR SERVICES IN CONNECTION WITH THE DEPARTMENT OF HEALTH'S BUILDING A HEALTHY NATION: STRATEGIC ALLIANCE FOR HEALTH CDC GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR 2009

WHEREAS, this County Legislature, by Resolution 183 of 2009, authorized an intermunicipal agreement with the City of Binghamton for services in connection with the Department of Health's Building a Healthy Nation: Strategic Alliance for Health Program Grant by the, adopted a program budget in connection therewith in the total amount of \$500 and authorized an agreement for the period February 1, 2009 through September 29, 2009, and

WHEREAS, said agreement is necessary to conduct the CHANGE process with a neighborhood community coalition to identify areas of need and provide local relevant data and assist in completing the Community Health Assessment which will validate perceptions about areas in need of improvement related to chronic disease and associated risk factors, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,000 in grant appropriations and amend the intermunicipal agreement with the City of Binghamton to reflect an increase, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Department of Health's Building a Healthy Nation: Strategic Alliance for Health Program Grant to reflect an increase in grant appropriations of \$1,000 for the period February 1, 2009 thru September 29, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with City of Binghamton, 38 Hawley Street, 4th Floor, Binghamton, NY 13901, to reflect an increase of \$1,000 for Building a Healthy Nation: Strategic Alliance for Health 08-09

for the Department of Health for the period February 1, 2009 through September 29, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105538 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 183 of 2009, 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 (Sanfilippo)

RESOLUTION NO. 338

By Public Health and Environmental Protection, Finance, and Personnel Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE TO BIOTERRORISM FOR THE DEPARTMENT OF HEALTH'S PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 280 of 2009, authorized the renewal of the Public Health Emergency Preparedness & Response to Bioterrorism Program Grant by the Department of Health and adopted a program budget in the amount \$209,337 for the period August 10, 2008 through August 9, 2009, and

WHEREAS, said grant program provides funds for preparedness activities surrounding communicable disease outbreaks, biological, radiological, terrorism, and other natural and manmade disasters, and

WHEREAS, it is necessary at this time to revise said program to reflect decrease in the amount of \$30,289 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Public Health Emergency Preparedness & Response to Bioterrorism to reflect a decrease of \$30,289 for the period August 10, 2008 through August 9, 2009, 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 \$179,048, and be it

FURTHER RESOLVED, that Resolution 280 of 2009, 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 (Sanfilippo)

RESOLUTION NO. 339

By Public Health, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION RENEWING THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 364 of 2008, as amended by companion Resolution, authorized and approved the renewal of the Public Health Preparedness and Response to Bioterrorism Program Grant for the Department of Health and adopted a program budget in the amount of \$179,048 for the period August 10, 2008 through August 9, 2009, and

WHEREAS, said program grant is designed to develop and assist in the implementation of response plans that address all forms of communicable disease outbreaks and terrorist threats including biological, chemical, and radiological, to include training, functional drills/exercises, refinement of redundant communication/technology infrastructure, community training, and continuity of operations among other required deliverables, and

WHEREAS, it is desired to renew said program grant in the amount of \$170,247 for the period August 10, 2009 through August 9, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$170,247 from New York State Department of Health, PO Box 22002, Albany, New York 12201-2002, for the Department of Health's Public Health Emergency Preparedness & Response to Bioterrorism Grant Program, for the period August 10, 2009 through August 9, 2010, 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 \$170,247, 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 (Sanfilippo)

RESOLUTION NO. 340

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE BUILDING A HEALTHY NATION: STRATEGIC ALLIANCE FOR HEALTH PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 64 of 2008, authorized and approved the Building A Healthy Nation: Strategic Alliance for Health Program Grant for the Department of Health and adopted a program budget in the amount of \$85,000 for the period September 30, 2008 through September 29, 2009, and

WHEREAS, said program grant promotes healthy lifestyles through community and school based interventions in order to prevent and control cardiovascular disease, diabetes, and obesity in Broome County, and

WHEREAS, it is desired to renew said program grant in the amount of \$168,000 for the period September 30, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$168,000 from the Health Research Inc., One University Place, Rensselaer, New York 12144-3455 for the Department of Health's Building a Healthy Nation: Strategic Alliance for Health Program Grant for the period September 30, 2009 through September 29, 2010, 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 \$168,000, 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 (Sanfilippo)

RESOLUTION NO. 341

By Public Health and Environmental Protection, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER CANCER SERVICES PARTNERSHIP HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 483 of 2008, authorized and approved renewal of the Southern Tier Cancer Services HRI Program Grant for the Department of Health and adopted a program budget in the amount of \$95,190 for the period June 30, 2008 through June 29, 2009, and

WHEREAS, said program grant provides a regional approach to breast and cervical cancer screening and diagnostic services for eligible women in Broome, Tioga & Chenango counties, and

WHEREAS, it is desired to renew said program grant in the amount of \$118,883 for the period June 30, 2009 through June 29, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$118,883 from Health Research Inc., Riverview Center, 150 Broadway-Suite 560, Menands, New York 12204, for the Department of Health's Southern Tier Cancer Services HRI Program for the period June 30, 2009 through June 29, 2010, 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 \$118,883, 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 (Sanfilippo)

RESOLUTION NO. 342

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF A CANCER SERVICES PARTNERSHIP OF CHEMUNG AND SCHUYLER COUNTIES HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 482 of 2008, authorized and approved the Cancer Services Partnership of Chemung and Schuyler Counties HRI Program Grant for the Department of Health and adopted a program budget in the amount of \$27,333 for the period of June 30, 2008 to June 29, 2009, and

WHEREAS, said program grant provides early screening and detection of breast and cervical cancer to uninsured and under-served individuals in Chemung and Schuyler Counties, and

WHEREAS, it is desired to renew said program grant in the amount of \$36,512 for the period of June 30, 2009 to June 29, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$36,512 from Health Research Inc., Riverview Center, 150 Broadway-Suite 560, Menands, New York 12204 for the Department of Health's Cancer Services of Chemung and Schuyler Counties HRI Program Grant for the period June 30, 2009 through June 29, 2010, 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 \$36,512, 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 (Sanfilippo)

RESOLUTION NO. 343

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE COLLEGE OF COMMUNITY AND PUBLIC AFFAIRS, STATE UNIVERSITY OF NEW YORK TO DEVELOP AN

INTEGRATED INTERAGENCY PLANNING PROCESS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2009

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with the College of Community and Public Affairs, State University of New York to develop an integrated interagency planning process for the Department of Social Services at a cost not to exceed \$20,200, for the period September 1, 2009 through May 31, 2010, and

WHEREAS, said agreement is necessary to develop a Virtual Binghamton Website, a neighborhood index and identify community intervention, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the College of Community and Public Affairs, State University of New York, PO Box 6000, Binghamton, New York 13902-6000, to develop an integrated interagency planning process for the Department of Social Services for the period September 1, 2009 through May 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4747.103000 (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 (Sanfilippo)

RESOLUTION NO. 344

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES PURCHASE OF SERVICES PROGRAM FOR 2009

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Catholic Charities of Broome County for services for the Department of Social Services Purchase of Services Program at a cost not to exceed \$54,856, for the period September 1, 2009 through December 31, 2009, and

WHEREAS, said services are necessary for a PINS/JD Case Management Program-Sharing Hope and Inspiring New Energy (SHINE) Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 for professional services for the Department of Social Services Purchase of Services Program for the period September 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$54,856 for the term of the agreement, and be it

FURTHER RESOLVED, that the Department of Social Services is hereby authorized to accept and pass through approved New York State Cost of Living Adjustments, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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 (Sanfilippo)

RESOLUTION NO. 345

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC., FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2009

WHEREAS, this County Legislature, by Resolution 43 of 2009, authorized renewal of the agreement with The Addiction Center of Broome County, Inc., for drug testing services for the Department of Social Services at a cost not to exceed \$13,400 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to ensure the safety of children by performing drug screens on parents/caretakers when drug and or alcohol abuse is suspected by the Department of Social Services Child Protective Services, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$8,400 for additional drug and alcohol screenings for the Department of Social Services, 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 The Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901 to increase the not to exceed amount by \$8,400 for additional drug and alcohol screenings for the Department of Social Services for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$21,800, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670059.4701.103000 (Medical and Physical Exams), and be it

FURTHER RESOLVED, that Resolution 43 of 2009, 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 (Sanfilippo)

RESOLUTION NO. 346

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 416 of 2008, authorized and approved the Home Energy Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$80,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides funding for administrative expenses associated with operating the HEAP program for over age 60 residents of Broome County, and

WHEREAS, it is desired to renew said program grant in the amount of \$100,845 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,845 from the Broome County Department of Social Services, 36-38 Main Street, Binghamton, New York 13901, for the Office for Aging's Home Energy Assistance Program Grant for the period October 1, 2009 through September 30, 2010, 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 \$100,845, 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 (Sanfilippo)

RESOLUTION NO. 347

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE VILLAGE OF DEPOSIT FOR LEASE OF SPACE FOR THE DEPOSIT SENIOR CENTER FOR THE OFFICE FOR AGING FOR 2009

WHEREAS, this County Legislature, by Resolution 711 of 2008, authorized an agreement with the Village of Deposit for lease of space for the Deposit Senior Center for the Office for Aging at a cost not to exceed \$2,400, for January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement provides space needed for the activities of the senior community and for the Meals on Wheels Program where meals are delivered to central points for volunteers to pick up and deliver to residents in Broome County, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$348 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, the Director of the Office for Aging 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 the Village of Deposit, 146 Front Street, Deposit, New York 13754 to increase the not to exceed amount by \$348 for lease of space for the Deposit Senior Center for the Office for Aging for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,748, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761130.4422.105489 (Building & Land Rental), and be it

FURTHER RESOLVED, that Resolution 711 of 2008, 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 (Sanfilippo)

RESOLUTION NO. 348

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF UNION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE OFFICE FOR AGING FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 425 of 2008, authorized renewal of the agreement with the Town of Union for a Community Development Block Grant for the Office for Aging with revenue to the County in the amount of \$27,500 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said agreement is necessary to offset operating expenses associated with the Broome West Senior Center, and

WHEREAS, said agreement expires by its terms on September 30, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$29,000, for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760 for a Community Development Block Grant for the Office For Aging for the period October 1, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Town of Union shall pay the County \$29,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761130.0900.105489 (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.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo)

RESOLUTION NO. 349

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH RETIRED & SENIOR VOLUNTEER PROGRAM (RSVP) FOR SERVICES FOR THE OFFICE FOR AGING'S AOA EMPOWERING OLDER PEOPLE GRANT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 424 of 2008, as amended by Resolution 708 of 2008, authorized renewal of the agreement with Retired & Senior Volunteer Program (RSVP) for services for the Office for Aging's AoA Empowering Older People Grant at an amount not to exceed \$68,500 for the period August 1, 2008 through October 31, 2009, and

WHEREAS, said agreement is necessary to administer chronic disease management programs, and

WHEREAS, said agreement expires by its terms on October 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$47,605, for the period August 1, 2009 through July 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Retired & Senior Volunteer Program (RSVP), 230 Main Street, Binghamton, New York 13905 for services for the Office for Aging's AoA Empowering Older People Grant for the period August 1, 2009 through July 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$47,605 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105605 (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 (Sanfilippo)

RESOLUTION NO. 350

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AOA EVIDENCE BASED CHRONIC DISEASE MANAGEMENT GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 714 of 2008, authorized and approved renewal of the AoA Evidence Based Chronic Disease Management Grant for the Office for Aging

and adopted a program budget in the amount of \$89,500 for the period August 1, 2008 through October 31, 2009, and

WHEREAS, said program is designed to empower people to take control of their health through evidence-based prevention programs, and

WHEREAS, it is desired to renew said program grant in the amount of \$64,364 for the period August 1, 2009 through July 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$56,364 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-1251 for the Office for Aging's AoA Evidence Based Chronic Disease Management Grant for the period August 1, 2009 through July 31, 2010, 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 \$64,364, 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 (Sanfilippo)

RESOLUTION NO. 351

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE NUTRITION SERVICES INCENTIVE PROGRAM (NSIP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 415 of 2008, authorized and approved renewal of the Nutrition Services Incentive Program Grant for the Office for Aging and adopted a program budget in the amount of \$169,459 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides a per meal reimbursement for congregate and home delivered meals served through the Office for Aging Nutrition Program, and

WHEREAS, it is desired to renew said program grant in the amount of \$174,074 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$174,074 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-1251 for the Office for Aging's Nutrition Services Incentive Program for the period October 1, 2009 through September 30, 2010, 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 \$174,074, 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 (Sanfilippo)

RESOLUTION NO. 352

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF FOSTER GRANDPARENTS SOFA PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 284 of 2008, authorized and approved the renewal of the Foster Grandparents SOFA Program Grant for the Office for Aging and adopted a program budget in the amount of \$13,543 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said program grant provides funding for intergenerational programs for seniors who serve children, and

WHEREAS, it is desired to renew said program grant in the amount of \$13,543 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,243 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-1251, for the Office for Aging's Foster Grandparents SOFA Program Grant for the period April 1, 2009 through March 31, 2010, 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 \$13,543, 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 (Sanfilippo)

RESOLUTION NO. 353

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE GRANT-IN-AID PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 285 of 2008, authorized and approved renewal of the Grant-In-Aid Program Grant for the Office of Aging and adopted a program budget in the amount of \$10,000 for the period April 1, 2008 through July 31, 2009, and

WHEREAS, said program grant provides funding for new or expanded services to senior centers, and

WHEREAS, it is desired to renew said grant program in the amount of \$13,000 for the period April 1, 2009 through July 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,000 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-1251 for the Office for Aging's Grant-In-Aid Program Grant for the period April 1, 2009 through July 31, 2010 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 \$13,000 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 (Sanfilippo)

RESOLUTION NO. 354

By Human Services and Finance Committees

Seconded by Ms .Messina

RESOLUTION AUTHORIZING RENEWAL OF THE READY BY 21-QUALITY COUNTS PROGRAM GRANT FOR THE YOUTH BUREAU AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 97 of 2008, authorized and approved the Ready By 21-Quality Counts Program Grant for the Youth Bureau and adopted a program budget in the amount of \$50,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant provides training to become a facilitator in High/Scope Educational Research Foundation's Youth Worker Methods which will enhance the current professional development training the Youth Bureau provides to youth workers across Broome County, and

WHEREAS, it is desired to renew said program grant in the amount of \$50,000 for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the New York State Office of Children and Family Services, Capital View Office park, 52 Washington Street, Rensselaer, New York 12144 for the Youth Bureau's Ready By 21-Quality Counts Program Grant for the period January 1, 2009 through December 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

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 (Sanfilippo)

RESOLUTION NO. 355

By Finance Committee

Seconded by Ms. Messina

RESOLUTION APPROVING SALE OF COUNTY OWNED REAL PROPERTY IN THE TOWN OF UNION

WHEREAS, the County of Broome now owns a parcel of real property located at 4301 Watson Boulevard in the Town of Union (Tax Map No. 142.02-1-19), and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to E & D Land LLC, at a bid amount of \$260,000, and

WHEREAS, Broome County will retain all mineral, gas, oil and subsurface rights on said parcel, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County owned real property located at 4301 Watson Boulevard in the Town of Union (Tax Map No. 142.02-1-19) to E & D Land, LLC, 22 Lori Drive, Apalachin, New York 13732 for the amount of \$260,000, and be it

FURTHER RESOLVED, that Broome County will retain all mineral, gas, oil and subsurface rights on said parcel, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

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

Mr. Whalen made a motion, seconded by Mr. Nirchi to amend the second Whereas paragraph and the first Resolved paragraph to read "...sell the property to Paul Darpino, upon assignment of bid from E & D Land LLC....". **Amendment carried.** Ayes-18, Nays-0, Absent-1 (Sanfilippo). Resolution held over by Mr. Nirchi.

RESOLUTION NO. 356

By Finance Committee

Seconded by Ms. Messina

RESOLUTION APPROVING SALE OF 2007 IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in rem for 2007, and

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

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

RESOLVED, that the sale back to former owners of the parcels listed on Exhibit "A" for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as well as the undue hardship to the former owners that the failure to approve such sales would cause, and be it

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

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

RESOLUTION NO. 357

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION FUNDING FOR THE AIRPORT CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Commissioner of Aviation requests authorization to accept Federal Aviation Administration Funding in the amount of \$310,790 for the Airport Capital Improvement Program, and

WHEREAS, said funding is necessary to complete an Environmental Assessment for the project to replace or restore the existing Engineered Material Arresting System now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$310,790 from the Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 for Airport Capital Improvement Program, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.502396 (Federal Aid), 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 (Sanfilippo)

RESOLUTION NO. 358

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON INC., FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc. for professional services at a cost not to exceed \$297,148, for the period August 20, 2009 through August 1, 2010, and

WHEREAS, said services are necessary to perform Environmental Assessment and Conceptual Design for the Runway 16-34 Safety Area Improvements Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland Johnson, Inc., 49 Court Street, PO Box 1980, Binghamton, New York 13902-9421 for professional services for the Department of Aviation for the period August 20, 2009 through August 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$297,148 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211012.2015.502396 (Runways), 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 (Sanfilippo)

RESOLUTION NO. 359

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION FUNDING FOR THE AIRPORT CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Commissioner of Aviation requests authorization to accept Federal Aviation Administration Funding in the amount of \$635,585 for the Airport Capital Improvement Program, and

WHEREAS, said funding will cover 95% of the cost for the rehabilitation of Engineered Material Arresting Systems on Runway 16/34, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$635,585 from the Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 for the Airport Capital Improvement Program, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.502393 (Federal Aid), 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 (Sanfilippo)

RESOLUTION NO. 360

By Economic Development and Planning and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF A POLICE CONSOLIDATION FEASIBILITY STUDY AND IMPLEMENTATION PLAN GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2008-2011

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Police Consolidation Feasibility Study and Implementation Plan Grant and adopt a program budget in the amount of \$55,555 for the period April 1, 2008 through March 31, 2011, and

WHEREAS, said program grant provides funds to hire a consultant firm to assess the feasibility of the consolidation of law enforcement agencies and develop an implementation strategy based on the assessment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231-0001 for the Department of Economic Development's Police Consolidation Feasibility Study and Implementation Plan Grant for the period April 1, 2008 through March 31, 2011, 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 \$55,555, 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 (Sanfilippo)

RESOLUTION NO. 361

By Finance and County Administration Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF JOHNSON CITY FOR LEASE OF SPACE AT 243 MAIN STREET JOHNSON CITY AND ASSOCIATED EXPENSES FOR THE OFFICE OF RISK AND INSURANCE FOR 2009

WHEREAS, the Manager of Risk and Insurance requests authorization for an agreement with the Village of Johnson City for lease of space at 243 Main Street, Johnson City, New York 13790 and associated expenses, at a cost not to exceed \$4,585.25, for the period April 19, 2009 through May 13, 2009, and

WHEREAS, said agreement is necessary to house the County Clerk/DMW during the declared State of Emergency on April 14, 2009 during the dust incident at the County Office Building, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Johnson City, 243 Main Street, Johnson City, New York 13790 for lease of space and associated expenses for the Office of Risk and Insurance for the period April 19, 2009 through May 13, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,585.25 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4520.254000 (Property Loss), 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 (Sanfilippo)

RESOLUTION NO. 362

By Human Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY BINGHAMTON FOR PROFESSIONAL SERVICES FOR THE BROOME COUNTY YOUTH BUREAU FOR 2009

WHEREAS, this County Legislature, by Resolution 98 of 2008, authorized an agreement with the Research Foundation of SUNY Binghamton for professional services for the Broome County Youth Bureau at an amount not to exceed \$35,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said services are necessary to continue development of a baseline data measure and to perform external data assessment of Youth Bureau funded agencies with High/Scope Educational Research Foundation Youth Program Quality Assessment tool, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$42,288, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Research Foundation of SUNY Binghamton, Research Development Services, Binghamton University, PO Box 6000, New York 13902-6000 for professional services for the Broome County Youth Bureau for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$42,288 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640177.4545.105xxx (Youth Services Program), 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 (Sanfilippo)

RESOLUTION NO. 363

By Public Health and Environmental Protection, Personnel and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE TOBACCO CONTROL AND INSURANCE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 352 of 2008, as amended by Resolution 165 of 2009, authorized and approved renewal of the Tobacco Control and Insurance Initiative Program Grant for the Department of Health and adopted a program budget in the amount of \$256,810 for the period August 1, 2008 through July 31, 2009, 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 desired to renew said program grant in the amount of \$200,000 for the period August 1, 2009 through June 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,000 from the New York State Department of Health, Corning Tower, Room 515, Albany, New York 12237 for the Department of Health's Tobacco Control and Insurance Initiative Program Grant for the period August 1, 2009 through June 30, 2010, 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 \$200,000, and be it

FURTHER RESOLVED, that the Broome County Health Department is authorized to modify the grant budget to reflect any increases or decreases in grant funding as may be required by New York State from August 1, 2009 through June 30, 2010 provided there are no increases or decreases in employee head count and that Broome County's financial contribution is not increased, 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 (Sanfilippo)

RESOLUTION NO. 364

By Finance, Public Works and Transportation and Rural Development Committees
Seconded by Mr. Moran

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE T-HANGAR IMPROVEMENT PROJECT

RESOLVED, that the 2009 Capital Improvement Program is hereby amended to create a new project for the Department of Aviation as follows:

2009 JOURNAL OF PROCEEDINGS

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501604	T-Hangar Improvements	\$750,000	\$600,000	\$0	\$150,000

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2009	10	14	\$750,000	0	

and be it

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

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

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

RESOLUTION NO. 365

By Finance, Public Works and Transportation and Rural Development Committees
Seconded by Ms. Buchta

RESOLUTION AMENDING THE 2007 CAPITAL IMPROVEMENT PROGRAM FOR THE CORPORATE HANGAR IMPROVEMENTS PROJECT

RESOLVED, that the 2007 Capital Improvement Program is hereby revised as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501515	07 Corporate Hangar Improvements	\$750,000	\$241,000	\$0	\$509,000

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2007	10	14	\$750,000	0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501515	07 Corporate Hangar Improvements	\$750,000	\$541,000	\$0	\$209,000

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2007	10	14	\$750,000	0	

and be it

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

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

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

RESOLUTION NO. 366

By Finance, Public Works and Transportation and Rural Development Committees
 Seconded by Mr. Moran

RESOLUTION AMENDING THE 2008 CAPITAL IMPROVEMENT PROGRAM FOR THE MATERIAL ARRESTOR SYSTEM PROJECT

RESOLVED, that the 2008 Capital Improvement Program is hereby revised as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County*</u>
			<u>State</u>	<u>Federal/Other</u>		
50239	Rehabilitation-Engineered	\$350,000	\$8,750	\$332,500		\$8,750
3	Material Arrestor System					

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2008	10	14	0	0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County*</u>
			<u>State</u>	<u>Federal/Othe</u>		
502393	Rehabilitation-Engineered	\$1,151,80	\$28,79	\$1,094,210		\$28,795
	Material Arrestor System	0	5			

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2008	10	14	0	0	

*County's portion funded by PFC funds
 and be it

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

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

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

RESOLUTION NO. 367

By Finance, Public Works and Transportation and Rural Development Committees
 Seconded by Ms. Messina

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE RUNWAY SAFETY AREA IMPROVEMENTS ENVIRONMENTAL ASSESSMENT PROJECT FUNDING

RESOLVED, that the 2009 Capital Improvement Program is hereby amended to create a new project for the Department of Aviation as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County*</u>
			<u>State</u>	<u>Federal/Other</u>		
502396	Runway Safety Area	\$327,148	\$8,17	\$310,790		\$8,179
	Improvements Environmental		9			
	Assessment Project Funding					

<u>Local Finance Law Section 11</u>				<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2009	5	62a	0	0	

*County's portion funded by PFC funds
and be it

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

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

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

RESOLUTION NO. 368

By Transportation and Rural Development, and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT TO FUND THE AIRPORT IMPROVEMENT AND REVITALIZATION GRANT PROGRAM

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Department of Transportation Grant in the amount of \$300,000 for the airport capital project, and

WHEREAS, Included in the Department of Aviation's current capital improvement program is a project that involves improvements to a large corporate aircraft hangar including rehabilitating the existing large aircraft doors on the facility, and

WHEREAS, to assist with the funding of this project, the Department of Aviation is requesting approval to accept and execute an Aviation Project Funding Agreement issued under the New York State Transportation Bond Act of 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$300,000 from the New York State Department of Transportation for the Airport Improvement and Revitalization Grant Program, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211011.0466.501515 (Airport State Aid), 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 (Sanfilippo)

RESOLUTION NO. 369

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF AIRPORT IMPROVEMENT AND REVITALIZATION PROGRAM FUNDING FOR THE DEPARTMENT OF AVIATION

WHEREAS, the Commissioner of Aviation requests authorization to accept an Airport Improvement and Revitalization Program Funding in the amount of \$600,000 for the Department of Aviation, and

WHEREAS, said funding will be used for the T Hangars rehabilitation or replacement project which is included in the Department of Aviation's Airport Master Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$600,000 from the New York State Department of Transportation, 50 Wolf Road, PO Box 54, Albany, New York 12232 for the Department of Aviation's Airport Improvement and Revitalization Program, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211011.0466.501604 (Airport State Aid), 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 (Sanfilippo)

RESOLUTION NO. 370

By Public Works and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL AID HIGHWAY AND STATE MARCHISELLI AID LOCAL PROJECT ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFOR

WHEREAS, a Project for Broome County Road 48 over the Susquehanna River, BIN 3349850, Town of Vestal, Village of Endicott, Broome County, P.I.N. 9753.41 D031972 (the "Project") is eligible for funding as an economic recovery project under Title 23 U.S. Code, as amended, which provide 100% Federal funds for the cost of construction and construction inspection with the County paying 100% of the non-construction costs of the project to include design, bidding and administrative expenses through the awarding of the contract, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Locally Administered costs and 100% of the non-Federal share of the State Administered cost of the Construction and Construction Supervision and Inspection work in the first instance, and

WHEREAS, this County Legislature has included the Project in the 2009 Capital Improvement Program (C.I.P.) as Project 501602 (Vestal-Endicott Bridge Painting), now, therefore, be it

RESOLVED, that this County Legislature hereby approves the above-subject project; and be it

FURTHER RESOLVED, that the Broome County Commissioner of Finance is authorized to pay 100% of the Federal and non-Federal share of the Locally Administered costs and 100% of the non-Federal share of the State Administered costs of the Construction and Construction Supervision and Inspection work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the sum of \$1,982,000 as previously appropriated pursuant to the 2009 C.I.P., Project 501602 (Vestal-Endicott Bridge Painting), is made available to cover the up front federal and state share of the cost of the above Project and the County's share of the project cost, and be it

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

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

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 371

By Public Works and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2011

WHEREAS, this County Legislature, by Resolution 379 of 2007, authorized renewal of the agreement with the Village of Endicott for the final treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill at a formula based cost not to exceed \$180,000, plus the necessary lab analysis fees, for the period September 1, 2007 through August 31, 2009, and

WHEREAS, said agreement is necessary to dispose of effluent from the County leachate treatment facility at an approved wastewater treatment plant, and

WHEREAS, said agreement expires by its terms on August 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rates based on the following formulas, total cost not to exceed \$90,000 per year, total amount not to exceed \$180,000 for the period September 1, 2009 through August 31, 2011:

1. \$12 per 1,000 gallons for those discharges to the Endicott facility in excess of 70 percent of the total monthly leachate production from the Nanticoke Landfill
2. \$13 per 1,000 gallons for those discharges to the Endicott facility greater than 50 percent, but less than 70 per cent of the total monthly leachate production from the Nanticoke Landfill
3. \$14 per 1,000 gallons for those discharges to the Endicott facility greater than 30 percent but less than 50 per cent of the total monthly leachate production from the Nanticoke Landfill
4. \$15 per 1,000 gallons for those discharges to the Endicott facility less than 30 percent of the total monthly leachate production from the Nanticoke Landfill,

and

WHEREAS, laboratory expenditures incurred as a result of leachate disposal and treatment shall be paid by Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York 13760, for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill, for the Division of Solid Waste Management for the period September 1, 2009 through August 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount based on the above formulas, plus necessary lab analysis fees, total cost not to exceed \$90,000 per year, total amount not to exceed \$180,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (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 (Sanfilippo)

RESOLUTION NO. 372

By Economic Development and Planning, and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF FUNDING UNDER THE NEW YORK STATE EFP PARK DEVELOPMENT AND PLANNING PROGRAM FOR DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the Department of Planning and Economic Development requests authorization to submit an application for and to accept funds from the New York State Office of Parks, Recreation and Historic Preservation Program of up to \$600,000, and

WHEREAS, said funds are being sought for design, construction, and site work for a Regional Farmers Market facility at Otsiningo Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the application for and approves acceptance of funds from the New York State EPF Park Development and Planning Program, for the Department of Planning and Economic Development from the New York State Office of Parks, Recreation and Historic Preservation, Central Region, Clark Reservation, Jamesville, New York 13078-9516, 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 (Sanfilippo)

RESOLUTION NO. 373

By Human Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET, AND AUTHORIZING AN AGREEMENT WITH VARIOUS VENDORS TO ADMINISTER SAID PROGRAM FOR 2009 THROUGH 2012

WHEREAS, the Commissioner of Social Services requests authorization to accept the 2009-2012 Homeless Prevention Program Grant, to adopt a program budget in the amount of \$693,250 and to enter into an agreement with various vendors to administer said program for the period September 15, 2009 through September 15, 2012, and

WHEREAS, said program grant provides case management and outreach services including client financial assistance and will also provide administrative duties including on-site reviews, data collection and evaluation of collected data, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$698,555 from the City of Binghamton, 38 Hawley St., Binghamton, NY 13901 for the Department of Social Services for the 2009-2012 Homeless Prevention Program Grant for the period September 15, 2009 through September 15, 2012, and be it

FURTHER RESOLVED, that the grant proceeds hereinabove authorized shall be credited to budget line 670513.0166.105xxx (Miscellaneous Contributions), and be it

FURTHER RESOLVED, that the Broome County Legislature hereby approves and adopts the program budget attached hereto as "Exhibit A", and be it

FURTHER RESOLVED, that the Broome County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611 to

provide administrative duties, data collection, and evaluation of collected data, for the period of September 15, 2009 through September 15, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Coordinated Care Services, Inc. an amount not to exceed \$36,000.00 for the term of the agreement, from budget line 670513.4747.105xxx (Other Fees for Services), and be it

FURTHER RESOLVED, that the Broome County Legislature hereby authorizes an agreement with Mental Health Association of the Southern Tier, 153 Court Street, Binghamton, NY 13901 to provide case management and client financial assistance, for the period September 15, 2009 through September 15, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Mental Health Association of the Southern Tier an amount not to exceed \$662,555.00 for the term of the agreement, from budget line 670513.4747.105xxx (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, 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) are 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 (Sanfilippo)

RESOLUTION NO. 374

By Personnel, Transportation and Rural Development, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

RESOLVED, that in accordance with a request contained in PCR# 09-188 from the Commissioner of Public Transportation, this County Legislature hereby authorizes the position of Sr. Clerk, Grade 08, Union Code 08 CSEA, minimum salary \$11.85 per hour, at budget line 225029.1500.213008, to be abolished effective July 1, 2009, as this position is no longer needed.

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

RESOLUTION NO. 375

By Finance Committee

Seconded by Ms. Messina

RESOLUTION INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

SECTION 1. The first sentence of Section Two of Resolution No 180 of 1965, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after June 1, 1974, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March 1, 1994, and ending

November 30, 2011, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (e) of Section Three of Resolution No. 180 of 1965, as amended, is amended to read as follows:

- (e) With respect to the additional tax of one percent imposed for the period commencing March 1, 1994, and ending November 30, 2011, the provisions of subdivision, (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to March 1, 1994, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1994. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1994, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section Four of Resolution No. 180 of 1965, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1994, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994 and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an additional or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D), and (E) of subdivision (a) of this section, for the period March 1, 1994, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance for the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1994, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person

SECTION 4. Subdivision (k) of Section Six of Resolution No. 180 of 1965, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections two and four, respectively, of this resolution for the period commencing March 1, 1994, and ending November 30, 2011.

SECTION 5. Paragraph (B) of subdivision One of Section Eleven of Resolution No. 180 of 1965, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning March 1, 1994 and ending November 30, 2011, in respect to the use of property used by the purchaser in this County prior to March 1, 1994.

SECTION 6. Subdivision (e) of Section 14 of Resolution No. 180 of 1965, as amended, is amended to read as follows:

(e) Notwithstanding any other provision of this section to the contrary, one hundred percent of the net collections from the additional one percent rate of sales and compensating use taxes imposed for the period December 1, 2007

through November 30, 2011, is hereby set aside for county purposes and shall be available for any county purpose.

SECTION 7. This enactment shall take effect December 1, 2009.

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

RESOLUTION NO. 376

By Public Safety and Emergency Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING BROOME COUNTY AS CO-APPLICANT WITH THE TOWN OF UNION FOR SUBMISSION OF AN APPLICATION FOR A LOCAL GOVERNMENT EFFICIENCY IMPLEMENTATION PROGRAM GRANT FOR 2010-2011

WHEREAS, the Sheriff requests authorization for Broome County as co-applicant with the Town of Union for submission of an application for a Local Government Efficiency Implementation Program Grant in the amount of \$400,000 for the period 2010-2011, and

WHEREAS, said funding will assist the Town of Union with miscellaneous costs relating to the dissolution of the Village of Johnson City and the formation of a Johnson City Police District, and

WHEREAS, the Town of Union will be responsible for the local share of said grant in the amount of \$40,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves Broome County as co-applicant with the Town of Union for submission of application for a Local Government Efficiency Implementation Program Grant in the amount of \$400,000 for 2010-2011, and be it

FURTHER RESOLVED, that the Town of Union will be responsible for the local share of said grant in the amount of \$40,000, and be it

FURTHER RESOLVED, that there will be no expense to Broome County as co-applicant with the Town of Union for submission of application or the acceptance of a Local Government Efficiency Implementation Program Grant, 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 (Sanfilippo)

RESOLUTION NO. 377

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION GRANT FOR THE AIRPORT CAPITAL IMPROVEMENT PROGRAM SNOW REMOVAL EQUIPMENT PROJECT

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$151,626 for the Airport Capital Improvement Program, and

WHEREAS, said funding will cover 95% of the cost of the airport snow removal equipment which will be used to clear snow and winter contaminants from runways, taxiways, and parking aprons to maintain a safe environment for aeronautical activities at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$151,626 from the Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 for the Airport Capital Improvement Program Snow Removal Equipment Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211011.0384.501576 (Federal Aid), 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 (Sanfilippo)

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn Carried,** Ayes-19, Nays-0, Absent-1 (Sanfilippo). The meeting was adjourned at 5:36 p.m.

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