

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
OCTOBER 22, 2009**

The Legislature convened at 5:02 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-19, Absent-0.

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. Garnar made a motion, seconded by Mr. Herz, that the minutes of October 8, 2009 be approved as prepared and presented by the Clerk. **Carried.** Ayes-19, Nays-0, Absent-0.

Mr. Reynolds noted that the committee minutes for the period September 22, 2009 through October 21, 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. Cleary, seconded by Ms. Buchta. **Carried.** Ayes-19, Nays-0, Absent-0.

ANNOUNCEMENTS FROM THE CHAIR: None

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. Matthew Pasquale-10/7/2009
 2. Designation for Hon. Marchie Diffendorf-10/5/2009
 3. Designation for Hon. John Hutchings – 10/7/2009
 4. Chairman Daniel D. Reynolds – Memo regarding Budget Procedures – 10/12/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. PETITIONS: None
- B. COMMUNICATIONS:
1. Legislature–Budget Hearing Schedule-2010 BC Budget Time Line
 2. Cornell Cooperative Extension of Broome County–Board of Directors 6/25/2009 Meeting Minutes
 3. BCC Local Law Intro No. 8, 1990 Amending Charter & Code 9/3/2009
 4. BC Soil & Water Conservation District Director's Meeting Minutes 8/18/2009
 5. Energy Action Team Meeting Minutes–9/9/2009
 6. State of New York State Board of Real Property Services–Certificate of County Equalization Rates for 2009
 7. DSS–HEAP Administrative Allocation 2008-2009 – 9/16/2009
 8. BCC June, July & August 2009 Budget Transfers
 9. Risk & Insurance–Medco Business Confidential Annual Performance Review 2007/2009
 10. Law Department–Joseph J. Sluzar–Memo regarding Budget Procedure–10/7/2009
 11. County Executive's Office - Barbara Fiala - Memo regarding Budget Procedure–10/13/2009
- C. NOTICES:
1. Legislature – Notice of Special Session 10/8/2009 5:25pm

2. Legislature -- Notice of Finance Meeting 10/22/2009 4:50pm
3. Legislature – Notice of County Administration 10/22/2009 4:45pm

D. REPORTS:

1. BC Regional Farmer's Market Feasibility Study 8/11/2009
2. Potential Economic and Fiscal Impacts from Natural Gas Production in Broome County July 2009 – Bernard L. Weinstein, PhD. & Terry L. Clower, Ph.D.
3. Broome County Executive Barbara Fiala's - BC Budget Message 2010
4. Broome County Recommended 2010-2015 - Capital Improvement Program
5. Broome County Recommended 2010 Budget
6. BCC Above Minimum Hire Report – July & August 2009
7. BCC Above Minimum Hire Report - September, 2009

Mr. Cleary and Mr. Pasquale were designated as participants with Chairman Reynolds in the 'Short Roll Call'.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 440

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORRECTIONAL MEDICAL CARE, INC., FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2010

WHEREAS, this County Legislature, by Resolution 24 of 2009, authorized renewal of the agreement with Correctional Medical Care, Inc., for medical services at the Broome County Jail for the Office of the Sheriff at an amount not to exceed \$2,659,990.58 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for medical, dental, forensic and related health care and administrative services at the Broome County Jail, and

WHEREAS, said agreement expires by its terms on December 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 \$2,779,790.20, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Correctional Medical Care, Inc., 653 Skippack Pike, Suite 118, Blue Bell, Pennsylvania 19422 for medical services at the Broome County Jail for the Office of the Sheriff for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,779,790.20 for the term of the agreement, and be it

FURTHER RESOLVED, that the base contract cost of \$2,464,790.20 plus catastrophic and per diem costs of \$195,000 shall be made from budget line 450023.4715.101000 (Other Health and Medical Services) and the annual psychiatric fee of \$120,000 shall be made from budget line 450023.4435.101000 (Inmate Expense-Other Facilities), 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-19, Nays-0

RESOLUTION NO. 441

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Moran
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES FOR RELIGIOUS SERVICES FOR INMATES OF THE BROOME COUNTY SHERIFF'S CORRECTIONAL FACILITY FOR 2010

WHEREAS, this County Legislature, by Resolution 654 of 2008, authorized renewal of the agreement with the Broome County Council of Churches for religious services for inmates of the Broome County Sheriff's Correctional Facility at a cost of \$43,260 for Chaplaincy Services and \$26,066 for Pre-Release Services for a total amount not to exceed \$69,326 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said services are necessary for compliance with Minimum Standards applicable to the Broome County Sheriff's Correctional Facility promulgated by the New York State Commission of Correction, and

WHEREAS, said agreement expires by its terms on December 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 \$72,099, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Broome County Council of Churches, 3 Otsenigo Street, Binghamton, New York 13903 for religious services for inmates of the Broome County Sheriff's Correctional Facility for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$72,099 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4437.101000 (Religious 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-19, Nays-0

RESOLUTION NO. 442

By County Administration, Personnel and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE COMPUTER PROGRAMMER ANALYST SUPPORT PROGRAM GRANT FOR DIVISION OF INFORMATION TECHNOLOGY AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 655 of 2008, authorized and approved renewal of the Health Department Computer Programmer Analyst Support Program Grant for the Division of Information Technology and adopted a program budget in the amount of \$89,766.15 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant dedicates a person to support the Health Department and Willow Point Nursing Home for emergency preparedness, disaster planning and application support, and

WHEREAS, it is desired to renew said program grant in the amount of \$95,897.90 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$95,897.90 from the Broome County Health Department and the Willow Point Nursing Home for the Division of Information Technology's Computer Programmer Analyst Support 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 \$95,897.90, 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-19, Nays-0

RESOLUTION NO. 443

By County Administration and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 53 OF 2008 AUTHORIZING AN AGREEMENT WITH DLT SOLUTIONS, INC., SALES AGENT FOR ORACLE USA, INC. FOR COMPUTER SOFTWARE AND MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2008-2018

WHEREAS, this County Legislature, by Resolution 53 of 2008, authorized an agreement with DLT Solutions, Inc., for computer software and maintenance for the Division of Information Technology at a cost not to exceed \$2,103,730 for the period February 28, 2008 through February 27, 2018, and

WHEREAS, said agreement is necessary to replace the 25 year old HR/Payroll and Financial systems, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect that the remaining payments of the \$1,473,730 be made from budget line 370007.4513.101000 (Software Maintenance) for the Division of Information Technology, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 53 of 2008 to reflect that the remaining payments of the \$1,473,730 be made from budget line 370007.4513.101000 (Software Maintenance), for the Division of Information Technology for the period February 8, 2008 through February 27, 2018, and be it

FURTHER RESOLVED, that Resolution 53 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-19, Nays-0

RESOLUTION NO. 444

By Economic Development and Planning Committee

Seconded by Mr. Whalen

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE REVIEW OF THE FARMERS MARKET PROPOSED FOR OTSININGO PARK

WHEREAS, the Department of Planning and Economic Development has filed with this Legislature the Broome County Regional Farmers' Market Feasibility Study prepared by Market Ventures Inc., and

WHEREAS, Market Ventures Inc. has recommended Otsiningo Park as the preferred site for a Regional Farmers' Market, and

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the review of the farmers market proposed for Otsiningo Park and

directs the Department of Planning and Economic Development to coordinate review of the proposed action with the other involved or interested parties.

Carried. Ayes-19, Nays-0

RESOLUTION NO. 445

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF DELINQUENT TOWN AND COUNTY TAXES ON PROPERTIES IN THE TOWN OF LISLE

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

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

Parcel ID/Tax Map No.: 019.14-1-11.111

Town/Village: Town of Lisle

Owner: Jacqueline Madison

Address: 179 Perce Road

Action Required: Refund of Overpayment of Town and County Taxes

Reason: Assessment from \$91,600 to \$25,000

	<u>Incorrect Bill</u>	<u>Correct Bill</u>	
County	737.85	201.38	
Town	100.47	27.42	
Hgwy	193.38	52.78	
Fire	<u>229.05</u>	<u>62.52</u>	
	1,260.75	344.10	
NSF	<u>20.00</u>	<u>20.00</u>	
	1,280.75	364.10	Plus interest and penalty
Penalty & Interest	<u>103.78</u>		
	1,384.53		

Parcel ID/Tax Map No.: 019.14-1-10

Town/Village: Town of Lisle

Owner: Jacqueline Madison

Address: 193 Perce Road

Action Required: Refund of Overpayment of Town and County Taxes

Reason: Assessment from \$11,700 to \$6,000

	<u>Incorrect Bill</u>	<u>Correct Bill</u>	
County	94.25	48.33	
Town	12.83	6.58	
Hgwy	24.70	12.67	
School	284.64	145.97	
Fire	<u>29.26</u>	<u>15.00</u>	
	445.68	228.55	
NSF	<u>20.00</u>	<u>20.00</u>	
	465.68	\$248.55	Plus interest and penalty
Penalty & Interest	<u>37.34</u>		
	\$503.02		

Carried. Ayes-19, Nays-0

RESOLUTION NO. 446

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION APPROVING SALE OF AN IN REM FORECLOSURE PROPERTY TO FORMER OWNERS

WHEREAS, the County of Broome now owns a certain parcel of real property by virtue of the completion of proceedings and foreclosure in rem, and

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

WHEREAS, the Director of Real Property Tax Services advises that the former owner of a certain property has requested to have the property sold back to them, and the Director recommends that such request be granted based on the unusual circumstances, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcel listed below for the amount as stated is hereby approved by this County Legislature based on the unusual circumstances, as determined by the Director of Real Property Tax Services as well as the undue hardship to the former owner that the failure to approve such sale would cause:

Serial: 207-992

Tax Map #:157.11-1-1

Address: 1408 Broad Street

Former Owners: Joseph L. & Yvonne Nester, 1408 Broad Street, Endicott, New York 13760

Sellback Amount: \$9,349 plus accrued interest and penalties

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-19, Nays-0

RESOLUTION NO. 447

By Economic Development and Planning and Finance Committees Seconded by Mr. Reynolds
RESOLUTION AUTHORIZING RENEWAL OF THE INTERMUNCIPAL AGREEMENT BETWEEN THE CITY OF BINGHAMTON AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR SPONSORSHIP FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 600 of 2008, authorized an intermunicipal agreement between the City of Binghamton and the Department of Planning and Economic Development for sponsorship at an amount not to exceed \$5,000 for the period December 1, 2008 through November 30, 2009 , and

WHEREAS, said intermunicipal agreement provides marketing and economic development funds to sponsor the Binghamton WiFi system to help promote area events to users, and

WHEREAS, said agreement expires by its terms on November 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 \$10,000, for the period December 1, 2009 through November 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement between the City of Binghamton, City Hall, 38 Hawley Street, Binghamton, New York 13901 and the Broome County Department of Planning and Economic Development for sponsorship for the period December 1, 2009 through November 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 910182.5068.101000 (Marketing and Economic Development), 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.

Mr. Herz made a motion, seconded by Mr. Whalen to amend the amount in the 3rd Whereas paragraph and the 1st Further Resolved paragraph to \$5,000. **Amendment failed.** Ayes-9, Nays-10 (Moran, Whalen, Nirchi, LaBare, Pasquale, Howard, Cleary, Garnar, Hutchings, Klipsch).

Resolution failed. Ayes-4, Nays-15 (Materese, Keibel, Moran, Whalen, Whalen, Nirchi, LaBare, Pasquale, Howard, Diffendorf, Marinich, Herz, Buchta, Klipsch, Reynolds)

RESOLUTION NO. 448

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ACCEPTANCE OF MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2009-2010

WHEREAS, the Director of the Office for Aging requests authorization to accept a Medicare Improvements for Patients and Providers Act Program Grant, to adopt a program budget in the amount of \$6,225 and to enter into an agreement with the Action for Older Persons, Inc. to administer said program for the period June 1, 2009 through May 31, 2010, and

WHEREAS, said program grant will serve as a funding supplement to the HIICAP program, providing funds for targeting low-income Medicare beneficiaries, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,225 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251 for the Office for Aging's Medicare Improvements for Patients and Providers Act Program Grant for the period June 1, 2009 through May 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 \$6,225, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, NY 13901 to administer said program grant, for the period June 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 \$6,225 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105XXX (Subcontracted Program Expense), and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-19, Nays-0

RESOLUTION NO. 449

By Human Services and Finance Committees

Seconded by Mr. Whalen

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

WHEREAS, this County Legislature, by Resolution 346 of 2009, authorized and approved the acceptance of the Home Energy Assistance Program Grant for the Office For Aging and

adopted a program budget in the amount \$100,845 for the period October 1, 2009 through September 30, 2010, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$ 42,463 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the 2009-2010 Home Energy Assistance (HEAP) Program Grant to reflect an increase of \$42,463 for the period October 1, 2009 through September 30, 2010, 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 \$143,308, and be it

FURTHER RESOLVED, so that the County is not placed at risk of losing HEAP funds, the Department requests this authorizing resolution permit Office for Aging to accept and allocate such additional administrative funding as may be allocated by New York State through the Broome County Department of Social Services from October 1, 2009 through September 30, 2010, provided there is no increase in employee head count and that the County's financial contribution is not increased, and be it"

FURTHER RESOLVED, that Resolution 346 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-19, Nays-0

RESOLUTION NO. 450

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-E CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 699 of 2008, authorized and approved the acceptance of the Title III-E Family Caregiver Program Grant for the Office For Aging and adopted a program budget in the amount \$185,483 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant is necessary to provide support for a variety of services including Caregiver education, transportation, in-home and institutional respite and information and assistance, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$9,548 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-E Family Caregiver Grant to reflect a decrease of \$9,548 for the period January 1, 2009 through December 31, 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 \$175,935, and be it

FURTHER RESOLVED, that Resolution 699 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 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-19, Nays-0

RESOLUTION NO. 451

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ACTION FOR OLDER PERSONS FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 133 of 2009, authorized the continued participation in the Health Insurance Information and Counseling Assistance Program Grant by the Office for Aging, adopted a program budget in connection therewith in the total amount of \$43,130 and authorized an agreement with Action for Older Persons, Inc., in the amount of \$36,921 to administer said program for the period April 1, 2009 to March 31, 2010, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$13,229 in grant appropriations and amend the agreement with Action for Older Persons, Inc. to reflect a decrease of \$8,020, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Insurance Information and Counseling Assistance Program Grant to reflect a decrease of \$13,229 for the period April 1, 2009 to March 31, 2010, 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 \$29,901, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc., to reflect an decrease of \$8,020 to administer said program for the Office for Aging for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$28,901 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 133 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-19, Nays-0

RESOLUTION NO. 452

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH S.E.P.P., INC. FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEALS PROGRAM FOR 2009

WHEREAS, this County Legislature, by Resolution 710 of 2008, authorized an agreement with S.E.P.P., Inc. for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program with revenue to the County at \$3.30 per meal, total amount estimated at, but not limited to \$12,078 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the Office for Aging to provide hot congregate meals to S.E.P.P. housing residents and guests at the Marian Apartments in Endwell, New York, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include the Harry L Apartments in Johnson City, New York in the agreement for the Office for Aging to provide hot congregate meals to S.E.P.P. housing residents residing there, and

WHEREAS, the Director of Office for Aging has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with S.E.P.P., Inc., 53 Front Street, Binghamton, New York, 13905 for meal services at the Harry L Apartments in Johnson City, New York, in addition to the Marian Apartments in Endwell, New York through the Office for Aging's Title III-C-1 Congregate Meals Program for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, S.E.P.P., Inc. shall pay the County \$3.30 per meal, total amount estimated at, but not limited to \$15,078, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 761130.0628.105489 (Contracted Meals Revenue), and be it

FURTHER RESOLVED, that Resolution 710 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-19, Nays-0

RESOLUTION NO. 453

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-C-1 CONGREGATE MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 696 of 2008, authorized and approved the renewal of the Title III-C-1 Congregate Meals Program Grant for the Office For Aging and adopted a program budget in the amount \$1,145,952 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides senior center operations including meals, health and education programs, and access to benefits in accordance with the standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$ 35,015 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-C-1 Congregate Meals Program Grant to reflect a decrease of \$35,015 for the period January 1, 2009 through December 31, 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 \$1,110,937, and be it

FURTHER RESOLVED, that Resolution 696 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 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-19, Nays-0

RESOLUTION NO. 454

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-B SUPPORTIVE SERVICES PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 715 of 2008, authorized and approved the renewal of the Title III-B Supportive Services Program Grant for the Office For Aging and adopted a program budget in the amount \$823,571 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides a variety of services, including transportation, information and assistance, legal assistance, shopping services and caregiver services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$29,940 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-B Supportive Services Grant to reflect a increase of \$29,940 for the period January 1, 2009 through December 31, 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 \$853,511, and be it

FURTHER RESOLVED, that Resolution 715 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 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-19, Nays-0

RESOLUTION NO. 455

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-C-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 697 of 2008, authorized and approved the renewal of the Title III-C-2 Home Delivered Meals Program Grant for the Office For Aging and adopted a program budget in the amount \$678,398 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides home delivered meals to eligible individuals age 60 and over in accordance with standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$29,512 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-C-2 Home Delivered Meals Program Grant to reflect an increase of \$29,512 for the period January 1, 2009 through December 31, 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 \$707,910, and be it

FURTHER RESOLVED, that Resolution 697 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 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-19, Nays-0

RESOLUTION NO. 456

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK ON BEHALF OF THE CLINICAL CAMPUS AT THE COMMUNITY FREE CLINIC FOR THE DEPARTMENT OF HEALTH FOR 2010

WHEREAS, this County Legislature, by Resolution 580 of 2008, authorized renewal of the agreement with the Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic for medical and dental services for the Department of Health at an amount not to exceed \$100,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for enhanced medical and dental services to the uninsured through the Community Free Clinic, to enable a core staff of physicians to be regularly present and to expand the volunteer base, thereby assuring consistency in the provision of medical care, and

WHEREAS, said agreement expires by its terms on December 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 \$100,000, for the period January 1, 2010 through December 31, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic, 425 Robinson Street, Binghamton, New York 13904 for medical and dental services for the Department of Health for the period January 1, 2010 through December 31, 2010 for, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4457.101000 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried. Ayes-19, Nays-0

RESOLUTION NO. 457

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH F. KEITH KENNEDY, MD, PC, FOR MEDICAL DIRECTOR SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 516 of 2008, authorized renewal of the agreement with F. Keith Kennedy, MD, PC for Medical Director services for the Willow Point Nursing Home at an amount not to exceed \$71,292, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to have a Medical Director on staff at the Willow Point Nursing Home as required by New York State, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an amount not to exceed \$73,428, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with F. Keith Kennedy, MD, PC, 21 Mitchell Avenue, Binghamton, New York 13903 for Medical Director services for the Willow Point Nursing Home for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$6,119 per month, total amount not to exceed \$73,428 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160044.4712.204000 (Physician 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-19, Nays-0

RESOLUTION NO. 458

By Human Services and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH K & A RADIOLOGICAL TECHNOLOGY, INC. FOR PROFESSIONAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 527 of 2008, authorized renewal of agreement with K & A Radiological Technology, Inc. for professional services for the Willow Point Nursing Home at an amount not to exceed \$20,850, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for on-site portable x-ray, EKG and Holter monitoring services for nursing home residents and to directly bill the nursing home for Medicare Part A eligible residents, and

WHEREAS, said agreement expires by its terms on December 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 \$26,400, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with K & A Radiological Technology, Inc., 2706 East Main Street, Endicott, New York 13760 for professional services for the Willow Point Nursing Home for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$26,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (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-19, Nays-0

RESOLUTION NO. 459

By Human Services and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DENTSERV FOR DENTAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 517 of 2008, authorized renewal of the agreement with DentServ for dental services for the Willow Point Nursing Home at an amount not to exceed \$65,192 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for full dental services for residents at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 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 \$5,266 per month, plus an additional \$2,000 for outpatient surgery, total amount not to exceed \$65,192, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with DentServ, 15 Canal Road, Pelham Manor, New York 10803 for dental services for the Willow Point Nursing Home for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$5,266 per month, plus an additional \$2,000 for outpatient surgery, total amount not to exceed \$65,192 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physician 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-19, Nays-0

RESOLUTION NO. 460

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PATRICIA M. MONZO-SALMON, RPH, FOR PHARMACY CONSULTANT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 718 of 2008, authorized renewal of the agreement with Patricia M. Monzo-Salmon, RPh, for pharmacy consultant services for the Willow Point Nursing Home at a rate of \$43 per hour for up to 950 hours, total amount not to exceed \$40,850, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to assist in pharmacy issues and cost containment at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$45 per hour for up to 907 hours, total amount not to exceed \$40,843 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Patricia M. Monzo-Salmon, RPh, 98 Moore Avenue, Binghamton, New York 13903-3124, for pharmacy consultant services at the Willow Point Nursing Home for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$45 per hour for up to 907 hours, total amount not to exceed \$40,843 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160200.4747.204000 (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-19, Nays-0

RESOLUTION NO. 461

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH UNITED BEHAVIORAL HEALTH, INC. FOR INSURANCE REIMBURSEMENT FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2009-2014

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with United Behavioral Health, Inc., for insurance reimbursement for the Department of Mental Health at rates according to the UBH Clinic Fee Schedule for the period September 1, 2009 through December 31, 2014, and

WHEREAS, said agreement is necessary to accept revenue for services rendered to Broome County Mental Health clients with United Behavioral Health insurance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Behavioral Health, Inc., 900 Watervliet-Shaker Road, Suite 103, Albany, New York 12205 for insurance reimbursement for the Department of Mental Health for the period September 1, 2009 through December 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Contractor shall reimburse the County at the rates according to the UBH Clinic Fee Schedule attached as Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue 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-19, Nays-0

RESOLUTION NO. 462

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE CATHOLIC CHARITIES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 537 of 2008, authorized and approved renewal of the Catholic Charities Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$2,578,881 and authorized an agreement with Catholic Charities of Broome County to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program provides psychiatric, financial, legal, medical and other support and services needed for clients with severe and persistent mental illness who are at greatest risk of relapse and rehospitalization or repeated utilization of emergency services, and

WHEREAS, it is desired to renew said grant program in the amount of \$2,590,999, adopt a program budget and renew the agreement with Catholic Charities of Broome County to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,590,999 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Catholic Charities 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 \$2,590,999, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 to administer said program for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,590,999 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5031.105xxx (Contracted Services-Catholic Charities), 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-19, Nays-0

RESOLUTION NO. 463

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 538 of 2008, authorized and approved renewal of the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$27,471 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides services to the Office of Mental Health clients enrolled in the VESID Program to assist with maintaining employment, such as integration skills and activities, pre-vocational skills training, employment preparation, and on-the-job training for individuals with disabilities, and

WHEREAS, it is desired to renew said program grant in the amount of \$30,228, adopt a program budget and renew the agreement with Community Options, Inc. to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,228 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Community Options 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 \$30,228, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Community Options of New York, Inc., 182-184 State Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,228 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5078.105xxx (Contracted Services-Community Options), 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-19, Nays-0

RESOLUTION NO. 464

By Public Health and Environmental Protection and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 539 of 2008, authorized and approved renewal of the Family and Children's Society Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$223,738 and authorized an agreement with the Family and Children's Society to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant allows the Family and Children's Society to work with local school systems to provide mental health services to children in the community and enhance their family support center, and

WHEREAS, it is desired to renew said program grant in the amount of \$223,145, adopt a program budget and renew the agreement with the Family and Children's Society to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$223,145 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Family and Children's Society 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 \$223,145, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Family and Children's Society, 257 Main Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$223,145 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5025.105xxx (Contracted Services-Family and Children's Society), 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-19, Nays-0

RESOLUTION NO. 465

By Public Health and Environmental Protection and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE LOURDES HOSPITAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET

AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 611 of 2008, authorized and approved renewal of the Lourdes Hospital Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$354,999 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides school-based counseling and prevention services to students who are at risk of drug and alcohol use due to personal, school, peer or family problems, who are exhibiting risk-taking behaviors, and

WHEREAS, it is desired to renew said program grant in the amount of \$354,999 adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$354,999 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12223-3526 for the Department of Mental Health's Lourdes Hospital 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 \$354,999, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$354,999 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4718.105xxx (Contracted Services-Lourdes), 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-19, Nays-0

RESOLUTION NO. 466

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 541 of 2008, authorized and approved renewal of the Vocational Rehabilitation Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$76,451 and authorized an agreement with

Vocational Rehabilitation Services to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides services to enable individuals with disabilities to improve quality of life through productive employment, including vocational evaluation, counseling and training programs, sheltered employment and vocational guidance, and

WHEREAS, it is desired to renew said program grant in the amount of \$62,660, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$62,660 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Health's Vocational Rehabilitation Services 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 \$62,660, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, PO Box 310, Binghamton, New York 13902 to administer said program for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$62,660 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5009.105xxx (Contracted Services-Vocational Rehabilitation 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) 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-19, Nays-0

RESOLUTION NO. 467

By Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2009

WHEREAS, this County Legislature authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, Exhibit "A" of said authorization, included the approval for the position of County Custodian of Voting Machines at the rate of \$250 per election, and

WHEREAS, due to the Help America Vote Act regulations imposed by the New York State Board of Elections, the responsibilities of the County Custodian of Voting Machines have increased before, during and after the election, and

WHEREAS, it is desired at this time, at the request of the Broome County Board of Elections, to increase the rate of Custodian of Voting Machines to \$3,000 per election, and add the title of Voting Machine Trainer, at the rate of \$20 per hour, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the revision of the Rate Schedule for Non-Union, Temporary and Seasonal Employees for 2009 to increase the rate of Custodian of Voting Machines to \$3,000 per election, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves the revision of the Rate Schedule for Non-Union, Temporary and Seasonal Employees for 2009 to add the title of Voting Machine Trainer at the rate of \$20 per hour, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately, 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.
Carried. Ayes-19, Nays-0

RESOLUTION NO. 468

By Education, Culture and Recreation Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LAURA BIASILLO, D/B/A OTSININGO FARMERS MARKET FOR THE USE OF OTSININGO PARK FOR 2009

WHEREAS, this County Legislature, by Resolution 61 of 2009, authorized an agreement with Laura Biasillo d/b/a Otsiningo Farmers Market for the use of Otsiningo Park at no cost to Broome County for the period May 2, 2009 through October 31, 2009, and

WHEREAS, said agreement allows for a farmers market on Saturdays from 7:00 am to 3:00 pm from May 2, 2009 through October 31, 2009, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include Saturdays through December 31, 2009, and

WHEREAS, the Commissioner of Parks and Recreation 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 Laura Biasillo d/b/a Otsiningo Farmers Market, 9 Hi-Over Road, Binghamton, New York 13901 to include Saturdays through December 31, 2009, at no cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 61 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-19, Nays-0

RESOLUTION NO. 469

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE SPECIAL DELINQUENCY PREVENTION PROGRAM (SDPP) GRANT FOR THE YOUTH BUREAU, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY AND BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH FOR 2009

WHEREAS, this County Legislature, by Resolution 242 of 2009, authorized application for state aid and execution of contracts for the Special Delinquency Prevention Program (SDPP) Grant for the Youth Bureau, adopted a budget in the amount of \$76,586.50 and authorized agreements with various vendors to administer said programs for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant supports Summer Employment & Action, Gateway Center for Youth, LIFE House and Youth Counseling/Crisis Programs, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$16,635.90 in grant appropriations, amend the agreement with Catholic Charities of

Broome County to increase the not to exceed amount by \$6,404 and amend the agreement with Berkshire Farm Center and Services for Youth to increase the not to exceed amount by \$10,231.90, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Special Delinquency Prevention Program (SDPP) Grant to reflect an increase of \$16,635.90 for the period January 1, 2009 through December 31, 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 \$93,222.40, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Catholic Charities of Broome County, 88 Walnut Street, Binghamton, New York 13905 to increase the not to exceed amount by \$6,404 for the Youth Bureau's Special Delinquency Prevention Program (SDPP) Grant 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 Catholic Charities of Broome County an amount not to exceed \$41,161.28 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorized an amendment to the agreement with Berkshire Farm Center and Services for Youth, 2-8 Hawley Street, Binghamton, New York 13901, to increase the not to exceed amount by \$10,231.90 for the Youth Bureau's Special Delinquency Prevention Program (SDPP) Grant 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 Berkshire Farm Center and Services for Youth an amount not to exceed \$18,753 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 242 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-19, Nays-0

RESOLUTION NO. 470

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY AND SWALLOWING EVALUATION SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 515 of 2008, authorized renewal of the agreement with Constance G. Alexander for speech therapy and swallowing evaluation services for Willow Point Nursing Home at a rate of \$65 per hour, total amount not to exceed \$40,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for speech therapy and swallowing evaluations for WPNH residents as ordered by a physician and mandated every two (2) years by New York State, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$68 per hour, total amount not to exceed \$44,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Constance G. Alexander, 505 Magnolia Drive, Vestal, New York 13850 for speech therapy and swallowing evaluations for the Willow Point Nursing Home for the period January 1, 2010, through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$68 per hour, total amount not to exceed \$44,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160242.4706.204000 (Rehabilitation and Therapy 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-19, Nays-0

RESOLUTION NO. 471

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE POINT OF ENTRY PROGRAM GRANT FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 546 of 2008, authorized and approved renewal of the Long Term Care Point of Entry Program Grant for the Community Alternative Systems Agency and adopted a program budget in the amount of \$85,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides professional and consumer education, and coordinates a NY Connects public awareness campaign, and

WHEREAS, it is desired to renew said program grant in the amount of \$85,000 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 \$85,000 from the New York State Office for Aging, 2 Empire State Plaza, Albany, New York 12223, for the Community Alternative Systems Agency's Long Term Care Point of Entry 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 \$85,000, 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-19, Nays-0

RESOLUTION NO. 472

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR SERVICES RELATED TO THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY'S POINT OF ENTRY PROGRAM GRANT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 613 of 2008, authorized an agreement with Action for Older Persons, Inc., for services related to the Community Alternative Systems Agency's Point of Entry Program Grant at a cost not to exceed \$38,786 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said agreement is necessary to produce, promote, disseminate, and educate professionals and consumers to "My Little Book" and coordinate airtime for NY Connects on local TV, and

WHEREAS, said agreement expired 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 \$22,000, 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 Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 for services related to the Community Alternative Systems Agency's Point of Entry Program Grant for the period October 1, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 680066.4545.105xxx (Contracted 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-19, Nays-0

RESOLUTION NO. 473

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH BEVERLY COMSTOCK FOR SERVICES RELATED TO THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY'S POINT OF ENTRY PROGRAM GRANT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 614 of 2008, authorized an agreement with Beverly Comstock for services related to the Community Alternative Systems Agency's Point of Entry Program Grant, at an amount not to exceed \$12,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said agreement is necessary to evaluate CASA's internal platform to determine how to work with providers to create shared elements of electronic medical records and to revise CASA's website, and

WHEREAS, said agreement expired 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 \$12,000, 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 Beverly Comstock, 221 Pennsylvania Avenue, Binghamton, New York 13903 for services related to the Community Alternative Systems Agency's Point of Entry Program Grant for the period October 1, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 680066.4545.105xxx (Contracted 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-19, Nays-0

RESOLUTION NO. 474

By Public Health and Environmental Protection and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH SEPTEMBER HILL MIDWIFERY FOR SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2009-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with September Hill Midwifery for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant at rates according to the New York State Department of Health Upstate Fee Schedule for the period November 1, 2009 through March 31, 2010, and

WHEREAS, said agreement is necessary to provide various breast, cervical and colorectal cancer screening services, and diagnostic and follow-up services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with September Hill Midwifery, 3812 Main Street, Burdett, New York 14818 for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program for the period November 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates according to the New York State Department of Health Upstate Fee Schedule, attached as Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4715.105483 (Other Health & Medical), 480376.4707.105483 (Medical and Hospital Services) and 480376.4715.105616 (Other Health and Medical), 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-19, Nays-0

RESOLUTION NO. 475

By County Administration and Finance Committees
Seconded by Mr. Materese
RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN THE BROOME COUNTY DIVISION OF INFORMATION TECHNOLOGY AND THE VILLAGE OF ENDICOTT POLICE DEPARTMENT FOR COMPUTER AND NETWORK MAINTENANCE SERVICES FOR 2010

WHEREAS, this County Legislature, by Resolution 685 of 2008, authorized renewal of an intermunicipal agreement with the Village of Endicott for computer and network maintenance services with revenue to the County in the amount of \$8,232 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement provides the Village of Endicott Police Department with routine maintenance of personal computers, peripherals and network equipment, and

WHEREAS, said agreement expires by its terms on December 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 \$7,315 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement with the Village of Endicott Police Department, 1101 Park Street, Endicott, New York 13760 for the Broome County Division of Information Technology to provide computer and network maintenance services for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Village of Endicott Police Department shall pay the County \$7,315 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 370007.0027.101000 (Miscellaneous Data Processing Services), and be it

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

RESOLUTION NO. 476

By Human Services and Finance Committee

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING ACCEPTANCE OF THE HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH OPPORTUNITIES FOR BROOME, FAIRVIEW RECOVERY SERVICES, INC. AND COORDINATED CARE SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2009-2011

WHEREAS, the Commissioner of Social Services requests authorization to accept a Homeless Prevention and Rapid Re-Housing Program Grant, to adopt a program budget in the amount of \$561,302 and to enter into an agreement with the Opportunities for Broome, Fairview Recovery Services, Inc. and Coordinated Care Services, Inc to administer said program for the period October 1, 2009 through July 31, 2011, and

WHEREAS, said program grant provides housing assistance and support to Broome County residents whose household income is at or below 50% of the Area Median Income and who are experiencing a housing crisis, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$561,302 from the New York State Office of Temporary and Disability Assistance, 40 N. Pearl Street, Albany, New York 12210 for the Department of Social Service's Homeless Prevention and Rapid Re-Housing Program Grant for the period October 1, 2009 through July 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 \$561,302, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Opportunities for Broome, 5 W State Street, to provide outreach and marketing, case management, program eligibility determinations and issue financial assistance to eligible program applicants, for the period October 1, 2009 through July 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$522,011 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Inc. 110 Fairview Avenue, Binghamton, NY 13904, to provide system access, licensing, training and support to the federal HUD required reporting system HMIS, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$28,065 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Building J. Rochester, New York 14611-1153 to provide data collection and analysis, program performance review and monitoring and all state and federal reporting requirements, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,226 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made 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, Abstain-1 (Hutchings)

RESOLUTION NO. 477

By Finance and Personnel Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE GUARDIAN LIFE INSURANCE COMPANY OF NEW YORK FOR ADMINISTRATION OF BROOME COUNTY'S DENTAL INSURANCE PLAN FOR THE OFFICE OF RISK AND INSURANCE FOR 2010

WHEREAS, this County Legislature, by Resolution 544 of 2008, authorized renewal of the agreement with the Guardian Life Insurance Company of New York for administration of Broome County's dental insurance plan for the Office of Risk and Insurance, at no cost to the County, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to administer the dental insurance plan for Broome County employees, and

WHEREAS, said agreement expires by its terms on December 31, 2009, 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, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Guardian Life Insurance Company of New York, 3900 Burgess Place, Bethlehem, Pennsylvania 18017 for the administration of Broome County's dental insurance plan for the Office of Risk and Insurance, at no cost to the County, for the period January 1, 2010 through December 31, 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.

Carried. Ayes-19, Nays-0

RESOLUTION NO. 478

By Finance and Personnel Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH TRAVELERS, C/O MARSH USA, INC. FOR CRIME INSURANCE POLICY (EMPLOYEE BOND INSURANCE) FOR THE OFFICE OF RISK AND INSURANCE FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 545 of 2008 authorized an agreement with Travelers, c/o Marsh USA, Inc. for employee bond insurance for the Office of Risk and Insurance at a cost not to exceed \$7,000 for the period November 1, 2008 through October 31, 2009, and

WHEREAS, said agreement is necessary to provide required bonds for Broome County employees, 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 \$6,500, for the period November 1, 2009 through October 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Travelers, c/o Marsh USA, Inc. 175 Sully's Trail, Suite 301, Pittsford, New York 14534, for Crime Insurance Policy (employee bond insurance) for the Office of Risk and Insurance for the period November 1, 2009 through October 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$6,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), 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-19, Nays-0

RESOLUTION NO. 479

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING CANCELLATION OF TAXES PLUS ACCRUED INTEREST AND PENALTIES ON COUNTY OWNED PARCELS OF REAL PROPERTY

WHEREAS, it is necessary to cancel taxes, plus accrued interest and penalties on County owned parcels of real property as listed in Exhibit "A" now, therefore, be it

RESOLVED, that taxes, plus accrued interest and penalties will be cancelled on the County owned parcels of real property as listed on Exhibit "A".

Carried. Ayes-19, Nays-0

RESOLUTION NO. 480

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ACCEPTANCE OF THE OPERATION IMPACT VI PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, the Office of the District Attorney requests authorization to accept an Operation Impact VI Program Grant, and adopt a program budget in the amount of \$132,414 for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant provides funds for the salary and fringe benefits of one Assistant District Attorney II position, one Crime Analyst position and Division of Criminal Justice Services sponsored events, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$132,414 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York, 12203, for the Office of the District Attorney's Operation Impact VI Program Grant, for the period July 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 \$132,414, 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-19, Nays-0

RESOLUTION NO. 481

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE INTENSIVE SUPERVISION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 20 of 2009, authorized and approved the renewal of the Intensive Supervision Program Grant for the Department of Probation and adopted a program budget in the amount of \$219,510 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said grant program is an alternative to incarceration and keeps defendants out of prison by supervision of a smaller caseload and seeing them more often, resulting in incarceration savings for both the County and State, and

WHEREAS, it is desired to renew said program grant in the amount of \$228,441 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$80,088 from the New York State Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, New York 12205, for the Department of Probation's Intensive Supervision Program 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 \$228,441, 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-19, Nays-0

RESOLUTION NO. 482

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE PRE-TRIAL RELEASE PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 21 of 2009, authorized and approved the renewal of the Pre-Trial Release Program Grant for the Department of Probation and adopted a program budget in the amount of \$133,657 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant services are designed to reduce the number of unsentenced inmates at the Broome County Public Safety Facility by providing the necessary

information to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is desired to renew said program grant in the amount of \$138,947 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$42,018 from the New York State Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, New York 12205, for the Department of Probation's Pre-Trial Release Program 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 \$138,947, 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-19, Nays-0

RESOLUTION NO. 483

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC., FOR THE AIRPORT MASTER PLAN PHASE II FOR THE GREATER BINGHAMTON AIRPORT FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc. for the Airport Master Plan Phase II for the Greater Binghamton Airport at a cost not to exceed \$94,881, for the period October 15, 2009 through July 30, 2010, and

WHEREAS, said agreement is necessary for the second phase of a Master Plan which entails developing strategic direction and financial guidelines pertaining to the airport business development program and other capital improvement advancements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, New York 13902-1980 for the Airport Master Plan Phase II for the Greater Binghamton Airport for the period October 15, 2009 through July 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$94,881 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211012.4747.502xxx (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-19, Nays-0

RESOLUTION NO. 484

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON, INC FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 318 of 2008, authorized an agreement with McFarland Johnson, Inc., for construction observation and administration services for the Department of Aviation at a cost not to exceed \$417,728 for the period June 1, 2008 through August 1, 2009, and

WHEREAS, said agreement is necessary for construction observation and administration services for the Airport Taxiway "A" Rehabilitation Project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$37,042 and extend the period through December 1, 2009, and

WHEREAS, the Commissioner of Aviation has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, New York 13902-1980 to increase the not to exceed amount by \$37,042 and extend the period to June 1, 2008 through December 1, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$454,770, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.2016.501518 (Taxiways), and be it

FURTHER RESOLVED, that Resolution 318 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-19, Nays-0

RESOLUTION NO. 485

By Education, Culture and Recreation and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH SECTION IV ATHLETIC ASSOCIATION FOR USE OF THE BROOME COUNTY VETERANS MEMORIAL ARENA FOR 2010-2012

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an agreement with Section IV Athletic Association for use of the Broome County Veterans Memorial Arena with revenue to the County in the amount of \$6,500 per year plus facility fees of \$2 per paid ticket with a value of more than \$10 and \$.50 per paid ticket with a value of \$10 or less, for the periods February 12-13, 2010, February 11-12, 2011 and February 10-11, 2012, and

WHEREAS, said agreement is necessary to host Section IV Wrestling championships, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Section IV Athletic Association, 21 Liberty Street, Civic Center, Box 7, Sidney, New York 13838 for use of the Broome County Veterans Memorial Arena for the periods February 12-13, 2010, February 11-12, 2011 and February 10-11, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$6,500 per year plus facility fees of \$2 per paid ticket with a value of more than \$10 and \$.50 per paid ticket with a value of \$10 or less for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 655027.0159.306000 (Revenue) and 655027.0664.306000 (Facility User Fee), 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-19, Nays-0

RESOLUTION NO. 486

By Education, Culture and Recreation and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH SECTION IV ATHLETIC ASSOCIATION FOR USE OF THE BROOME COUNTY VETERANS MEMORIAL ARENA FOR 2010-2012

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an agreement with Section IV Athletic Association for use of the Broome County Veterans Memorial Arena with revenue to the County in the amount of \$11,000 per year plus facility fees of \$2 per paid ticket with a value of more than \$10 and \$.50 per paid ticket with a value of \$10 or less, for the periods March 3-6, 2010, March 2-5, 2011 and February 29 through March 3, 2012, and

WHEREAS, said agreement is necessary to host Section IV Basketball championships, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Section IV Athletic Association, 21 Liberty Street, Civic Center, Box 7, Sidney, New York 13838 for use of the Broome County Veterans Memorial Arena for the periods March 3-6, 2010, March 2-5, 2011 and February 29 through March 3, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$11,000 per year plus facility fees of \$2 per paid ticket with a value of more than \$10 and \$.50 per paid ticket with a value of \$10 or less for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 655027.0159.306000 (Revenue) and 655027.0664.306000 (Facility User Fee), 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-19, Nays-0

RESOLUTION NO. 487

By Finance, Public Works and Transportation and Rural Development Committees
 Seconded by Ms. Messina
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>State</u>	<u>Federal/Other</u>	<u>County*</u>
502393	Rehabilitation-Engineered Material Arrestor System	\$1,151,800	\$28,795	\$1,094,210	\$28,795

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

TO:

Estimated Construction Cost:

2009 JOURNAL OF PROCEEDINGS

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County*</u>
502393	Rehabilitation-Engineered Material Arrestor System	\$1,193,800	\$28,795	\$1,094,210	\$70,795

Local Finance Law Section 11			How Financed:	
<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-19, Nays-0

RESOLUTION NO. 488

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

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE AIRPORT MASTER PLAN, PHASE II

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>	Estimated Construction Cost:		<u>County*</u>
			<u>State</u>	<u>Federal/Other</u>	
501xxx	Airport Master Plan Phase II	\$98,000	\$0	\$0	\$98,000

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	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-19, Nays-0

RESOLUTION NO. 489

By Economic Development and Planning, Public Works and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) FOR LARGE GROUP PURCHASE OF POWER FOR BROOME COUNTY FOR 2011

WHEREAS, this County Legislature, by Resolution 498 of 2005, authorized renewal of the agreement with Municipal Electric and Gas Alliance (MEGA) for Broome County to participate in a large group purchase of power for the period January 1, 2006 through December 31, 2010, and

WHEREAS, said agreement is necessary to allow Broome County to participate in a large group purchase of power and take advantage of a deregulated energy market, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Municipal Electric and Gas Alliance, (MEGA), PO Box 88, Ithaca, New York 14851-0088 for Broome County to participate in a large group purchase of power for Broome County for the period January 1, 2011 through December 31, 2011, 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-19, Nays-0

RESOLUTION NO. 490

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON INC., FOR DESIGN SERVICES FOR THE AIRPORT CORPORATE HANGAR IMPROVEMENTS PROJECT AT THE GREATER BINGHAMTON AIRPORT FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc., for design services for the Airport Corporate Hangar Improvements Project at the Greater Binghamton Airport at a cost not to exceed \$15,000 for the period October 26, 2009 through May 1, 2010, and

WHEREAS, said agreement is necessary for design services and the preparation of bid specifications for the Airport Corporate Hangar 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 design services for the Airport Corporate Hangar Improvements Project at the Greater Binghamton Airport for the period October 26, 2009 through May 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2011.501515 (Improvements/Alterations), 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-19, Nays-0

RESOLUTION NO. 491

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON INC., FOR DESIGN SERVICES FOR THE AIRPORT T-HANGAR REPLACEMENT PROJECT AT THE GREATER BINGHAMTON AIRPORT FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc., for design services for the Airport T-Hangar Replacement Project at

the Greater Binghamton Airport at a cost not to exceed \$50,000 for the period October 26, 2009 through May 1, 2010, and

WHEREAS, said agreement is necessary for design services and the preparation of bid specifications for the Airport T-Hangar Replacement 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 design services for the Airport T-Hangar Replacement Project at the Greater Binghamton Airport for the period October 26, 2009 through May 1, 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 211037.2011.501604 (Improvements/Alterations), 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-19, Nays-0

RESOLUTION NO. 492

By Human Services Committee

Seconded by Mr. Whalen

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Resolution 163 of 1971 and Resolution 133 of 1976 has duly designated and appointed the following named individual to membership on the Broome County Youth Bureau Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Gloria Jeanne Norton 5 Ronan Street Binghamton, New York 13901	December 31, 2011 New Appointment

and

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

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

Carried. Ayes-19, Nays-0

RESOLUTION NO. 493

By Economic Development and Planning and County Administration Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RECOVERY ZONE DESIGNATION UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR BROOME COUNTY

WHEREAS, the American Recovery and Reinvestment Act of 2009 authorizes the County to issue recovery zone economic development bonds in an amount up to \$3,480,000 pursuant to a sub-allocation of the national volume cap for Recovery Zone Bonds provided by the Federal Treasury Department; and

WHEREAS, recovery zone economic development bonds are entitled to a direct federal subsidy of 45% of the interest thereon; and

WHEREAS, the County is required to designate a recovery zone prior to issuing such bonds;

and

WHEREAS, any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein; and

WHEREAS, the term recovery zone is defined to mean (1) any area designated by the County as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the County as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009; and

WHEREAS, it is now desired to designate the County of Broome as a recovery zone under the American Recovery and Reinvestment Act of 2009, now, therefore, be it

RESOLVED, that by the affirmative vote of the County Legislature of the County of Broome, New York that the County of Broome is hereby designated as a recovery zone for purposes of the American Recovery and Reinvestment Act of 2009, as a result of significant unemployment, home foreclosure rates and general distress as the current recession has had and continues to have a significant adverse impact on the County as a whole, and be it

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

Carried. Ayes-19, Nays-0

RESOLUTION NO. 494

By Personnel and Finance Committees

Seconded by Mr. Reynolds

RESOLUTION ADOPTING AN EARLY RETIREMENT INCENTIVE FOR ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME

WHEREAS, the County has proposed an early retirement incentive to eligible employees of the County of Broome, and

WHEREAS, this early retirement incentive will be offered to all eligible employees, and

WHEREAS, this incentive will provide a one time lump sum cash payment to eligible employees who retire between October 1, 2009 and December 31, 2009, now, therefore be it

RESOLVED, that this County Legislature hereby adopts an early retirement incentive for employees meeting the eligibility requirements established in this resolution and who retire from County employment between October 1, 2009 and December 31, 2009, and be it

FURTHER RESOLVED, to be eligible for the early retirement incentive, employees must meet the following conditions:

- a) Employees must be currently employed full time (37.5 or 40 hours per week) in a regular full time (1000) budget line;
- b) Employees must submit a signed letter of intent to retire no later than October 16, 2009. If the employee has not retired prior to December 1, 2009, this letter becomes an irrevocable letter of resignation for the purpose of retirement on December 1, 2009; and thereafter the employee must retire on or before December 31, 2009;
- c) Employees must retire no earlier than on October 1, 2009 or no later than on December 31, 2009;
- d) Employees must have a minimum of ten (10) years continuous full time equivalent employment with the County immediately preceding their retirement, and
- e) Employees must meet all eligibility requirements for retirement as established by the New York State Employees Retirement System,

and be it

FURTHER RESOLVED, that elected officials of Broome County and employees of Broome Community College are not eligible for this retirement incentive, and be it

FURTHER RESOLVED, that employees meeting the requirements of this County retirement incentive shall receive upon their retirement from service a single lump sum payment of thirteen thousand dollars (\$13,000) which payment will be made within ninety (90) days of the effective date of the employees retirement, provided however that if the number of employees

accepting this retirement incentive totals between fifty (50) and ninety nine (99) employees the single lump sum payment will be sixteen thousand dollars (\$16,000) per employee and if one hundred (100) or more employees accept the early retirement incentive the single lump sum payment shall be increased to twenty thousand dollars (\$20,000) per employee, and be it

FURTHER RESOLVED, if an employee who retires under this retirement incentive is rehired during the period commencing on his/her effective date of retirement and ending on December 31, 2014, the employee will be required to reimburse the County for the full amount of the retirement incentive prior to re-employment, with the exception of retirees who are rehired into less than half time temporary or seasonal positions with no benefits, and be it

FURTHER RESOLVED, that no employee who retires under this plan may be hired as a consultant or independent contractor without the written consent of the County Executive, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Whalen made a motion, seconded by Mr. Cleary to delete from the title "N EARLY" and add a further resolved paragraph to read "the County shall reduce the workforce by a number equivalent to a minimum of fifty percent (50%) of the FTE's that take advantage of this retirement incentive, and be it". **Amendment carried.** Ayes-13, Nays-6 (Keibel, Nirchi, Pasquale, Garnar, Hutchings, Marinich). Mr. Whalen made a motion, seconded by Mr. Cleary to add a further resolved paragraph to read "that the only employees eligible for the retirement incentive are those whose positions are fully or partially funded by net County support, and be it". **Amendment carried.** Ayes-12, Nays-7 (Keibel, Pasquale, Garnar, Hutchings, Diffendorf, Marinich, Herz). **Resolution as amended carried.** Ayes-17, Nays-2 (Keibel, Pasquale).

RESOLUTION NO. 495

By Public Safety and Emergency Services, Finance Committees Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO ESTABLISH AND MAINTAIN A TRUST ACCOUNT AND AUTHORIZING THE SHERIFF TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES TO ESTABLISH AN ESCROW SUBSIDIARY ACCOUNT WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES AND ESTABLISH AUTOMATIC DEBIT OF SAID TRUST ACCOUNT TO TRANSFER FUNDS TO SAID ESCROW SUBSIDIARY ACCOUNT IN CONNECTION WITH CIVIL ELECTRONIC FINGERPRINT SERVICES FOR THE OFFICE OF THE SHERIFF

WHEREAS, the Office of the Sheriff requests authorization for an agreement with the State of New York Division of Criminal Justice Services to establish an escrow subsidiary account for the purpose of electronically transmitting monies due to the State in connection with civil electronic fingerprinting services provided by the Division of Criminal Justice Services for the Identification Division of the Broome County Office of the Sheriff, and

WHEREAS, said agreement is necessary to establish the parties' respective responsibilities and to create a mechanism to replenish Broome County's escrow subsidiary account for monies due to the State in connection with civil electronic fingerprint search services through payments automatically debited from a local trust account dedicated to civil electronic fingerprint search services, and

WHEREAS, the period of this agreement shall continue until termination by either the State of New York Division of Criminal Justice Services or Broome County Office of the Sheriff, and

WHEREAS, Broome County must make an initial payment of \$7,425 to open and initially fund said escrow subsidiary account, and

WHEREAS, in order to provide for recurring electronic transfers of funds, Broome County will establish a local trust account dedicated to civil electronic fingerprinting services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the State of New York Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-

3764, for civil electronic fingerprint search services for the Broome County Office of the Sheriff, and be it

FURTHER RESOLVED, the period of this agreement shall continue until termination by either the State of New York Division of Criminal Justice Services or Broome County Office of the Sheriff, and be it

FURTHER RESOLVED, that in order to open and initially fund the required escrow subsidiary account, the County shall establish local deposit subsidiary account #136045 in an amount of \$7,425 and make an initial payment of \$7,425 to New York State Division of Criminal Justice Services to establish an escrow subsidiary account for Broome County, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for services rendered, an amount as set forth by the Division of Criminal Justice Services for the term of the agreement, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to establish trust account #525073 (Civil Electronic Fingerprint Services), and be it

FURTHER RESOLVED, that the payments hereinabove authorized, after the initial payment of \$7,425, shall be made from trust account #525073 (Civil Electronic Fingerprint Services), and be it

FURTHER RESOLVED, that the Office of the Sheriff shall regularly deposit proceeds from civil electronic fingerprinting services to the Treasurer in to order continuously fund the local trust account (#525073), and be it

FURTHER RESOLVED, the County shall continuously replenish its escrow subsidiary account to the level of the required deposit via electronic transfer from the County's trust account to the State's escrow subsidiary account through the term of the agreement, 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

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 not due to the State to budget line 450023.0201.101000 (Pistol Permits).

Carried. Ayes-19, Nays-0

RESOLUTION NO. 496

By Personnel, Human Services, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY (CASA)

RESOLVED, that in accordance with a request contained in PCR # 09-244 from the Director of CASA, this County Legislature hereby authorizes the position of Public Health Nurse, Grade 17, Union Code 04 CSEA, at budget line 680033.1000.101000 at a salary of \$18.55 per hour, to be changed to Sr. Registered Professional Nurse, Grade 16, Union Code 04 CSEA, at budget line 680033.1000.101000 at a salary of \$17.63 per hour effective September 1, 2009.

Carried. Ayes-19, Nays-0

RESOLUTION NO. 497

NOT SPONSORED IN COMMITTEE

RESOLUTION NO. 498

By Public Health & Environmental Protection, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ACCEPTANCE OF LOCAL REENTRY TASK FORCE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING

A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH VARIOUS VENDORS TO ADMINISTER SAID PROGRAM FOR 2009-2010

WHEREAS, the Department of Mental Health requests authorization to accept a Local Reentry Task Force Initiative Program Grant, to adopt a program budget in the amount of \$100,000.00 and to enter into agreements with various vendors to administer said program for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant is to reduce recidivism in local jurisdictions and increase public safety now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000.00 from the New York State Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203 for the Department of Mental Health's Local Reentry Task Force Initiative Program for the period July 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 \$100,000.00, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Aids Program, 122 Baldwin Street, Johnson City, NY 13790, who will provide a Reentry Coordinator to provide services to inmates after release, for the period July 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 \$60,428 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Kevin Wright, 137 Kenilworth Road, Binghamton, NY 13903, to provide a systematic assessment of the program's effectiveness, for the period July 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 \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4747.105xxx, (Other Fees for Service) 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-19, Nays-0

RESOLUTION NO. 499

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2010

RESOLVED, that all non-union Administrative I personnel, will receive a zero percent (0%) salary increase, after adjustment for longevity, said salary increase to be determined by the 2009 base salary to become effective January 1, 2010, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel, will receive a zero percent (0%) salary increase, after adjustment for longevity, said salary increase to be determined by the 2009 base salary to become effective January 1, 2010, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, will receive a zero percent (0%) salary increase, after adjustment for longevity, said salary increase to be determined by the 2009 base salary to become effective January 1, 2010, and be it

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

FURTHER RESOLVED, that Broome County elected officials salaries are attached hereto as Exhibit "A", and

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

Mr. Whalen made a motion, seconded by Mr. Cleary to delete the Exhibit page 2/2 and accept Exhibit page 1 and Exhibit page 2. **Amendment carried.** Ayes-19, Nays-0. **Resolution as amended heldover** by Mr. LaBare.

RESOLUTION NO. 500

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION APPROVING THE 2010-2015 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2010 Capital Budget and the 2010-2015 Capital Improvement Program as accompanying the tentative budget for 2010, and as corrected and amended is hereby approved and adopted as the 2010 Capital Budget and 2010-2015 Capital Improvement Program for the County of Broome, and be it

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

Heldover by Mr. LaBare.

RESOLUTION NO. 501

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET FOR FISCAL YEAR 2010

RESOLVED, that the tentative budget of the County of Broome, including the County's 2010 Capital Budget, as corrected and amended to \$ _____, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2010 and ending December 31, 2010, and be it

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

Heldover by Mr. Nirchi.

RESOLUTION NO. 502

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2010

WHEREAS, this County Legislature, by an accompanying Resolution _____ of 2009, has adopted a budget for fiscal year 2010, now, therefore be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2010 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2010, and be it

FURTHER RESOLVED, that the fee schedules changing, deleting or establishing certain fees for the purpose of offsetting operating expenses be adopted, and be it

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

Heldover by Mr. Whalen.

RESOLUTION NO. 503

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2009 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>
501602	Vestal-Endicott Bridge Painting	1,982,000	\$0	1,792,000	190,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current</u>
<u>Start</u>				<u>Revenue</u>
2009	10	10	1,982,000	0

Description: Funds to clean, paint and make minor structural repairs to the Vestal-Endicott Bridge.

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>
501602	Vestal-Endicott Bridge Painting	2,630,000	\$0	2,440,000	190,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current</u>
<u>Start</u>				<u>Revenue</u>
2009	10	10	2,630,000	0

Description: Funds to clean, paint and make minor structural repairs to the Vestal-Endicott Bridge.

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.

A request to holdover this resolution was made and withdrawn by Mr. LaBare.

Carried. Ayes-19, Nays-0

RESOLUTION NO. 504

By Finance Committee

Seconded by Mr. LaBare

RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION 210 OF 2006, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS

WHEREAS, since 1965 Broome County has distributed a portion of the 3% sales tax received by the County to the constituent municipalities within the County, and

WHEREAS, previous County Legislatures have revised the distribution formula as a means of coping with unfunded mandates shifted to counties by the State of New York, and

WHEREAS, Broome County has experienced a severe economic downturn as a result of the current global economic crisis, and

WHEREAS, based on economic indicators, it is anticipated that New York and Broome County will experience limited economic growth in 2010, and

WHEREAS, it is anticipated that the American Recovery and Reinvestment Act (ARRA) funding including FMAP funds will no longer be available to offset the ever increasing costs of Medicaid in 2011, and

WHEREAS, in order to provide necessary New York State mandated services to residents while also absorbing New York State funding cutbacks anticipated for 2011, the County must readdress the sales tax distribution formula, and

WHEREAS, it is the determination of Broome County that a revenue sharing model which shares sales tax receipt enhancements between the County and the constituents municipalities is the most fair and equitable option, and

WHEREAS, the application of this revenue sharing distribution formula to future sales tax receipts will enable the County as well as the constituent municipalities to benefit during times of growth in sales tax revenues, and, if left in place, will provide a fiscally responsible system in which municipalities will be able to more accurately predict their share of distributed sales tax revenue during their budget planning, now, therefore, be it

RESOLVED, that section 14 of Resolution 180 of 1965, as last amended by Resolution 210 of 2006, is hereby amended to revise subdivision "g" to read as follows: "Constituent municipalities within the County shall receive fifty percent (50%) of such three percent (3%) sales tax collected, in accordance with the distribution formula established herein, provided however, that the distribution shall not exceed the average distribution of the four (4) distribution periods from the previous year by more than one half percent (.50%) during reporting periods in 2010, one percent (1%) during reporting periods in 2011, one and one half percent (1.5%) during reporting periods in 2012, and two percent (2%) during reporting periods in or after 2013." and be it

FURTHER RESOLVED, that this Resolution shall take effect at the commencement of the third quarter of the New York State sales tax distribution period for 2010.

Heldover by Mr. LaBare.

The Office of the Sheriff Civil Division was recognized for reaccreditation.

Mr. Howard made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn Carried,** Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 5:49 p.m.

