BROOME COUNTY LEGISLATURE SPECIAL SESSION DECEMBER 29, 2009

The Legislature convened at 5:05 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-,16 Absent-3 (Nirchi, LaBare, Klipsch).

The Chair, Mr. Reynolds, led the members of the Legislature in the Pledge of Allegiance to the

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 660

By Finance Committee **RÉSOLUTION LEVYING COUNTY TAXES FOR 2010** Seconded by Mr. Whalen

WHEREAS, this County Legislature, by Resolution 501 of 2009, has adopted a budget for the fiscal year 2010 and

WHEREAS, this County Legislature, by Resolution 502 of 2009 made appropriations for the conduct of the Broome County Government for the fiscal year 2010 now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$64,331,918. Heldover by Mr. Whalen.

RESOLUTION NO. 661

Seconded by Mr. Whalen By Finance Committee RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER ON THE CITY OF BINGHAMTON FOR 2010

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax \$10,124,094, and be it

FURTHER RESOLVED, that the payment to the Commissioner of Finance of Broome County be made pursuant to the City's Charter, one-half on March 1, 2010, and one-half on September 1, 2010 up to the amount collected.

Heldover by Mr. Whalen.

RESOLUTION NO. 662

By Finance Committee Seconded by Mr. Whalen RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN **BROOME COUNTY**

WHEREAS, the budget for fiscal year commencing January 1, 2010 in which the County taxes are to be levied is \$64,331,918 and

WHEREAS, the County Legislature must certify to each municipality the contribution of such municipality to the taxes of the County based upon the full valuation of taxable real property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 2009, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 2010, based upon a total tax levy of \$64,331,918 as follows:

Municipality	Tax Contribution	Rate per \$1,000
City of Binghamton	\$ 10,124,094	\$8.357835
Town of Barker	814,679	9.780009
Town of Binghamton	2,150,459	9.854654
Town of Chenango	4,434,339	9.226031
Town of Colesville	1,530,865	84.848036
Town of Conklin	1,665,828	9.824733
Town of Dickinson	1,445,325	9.605678
Town of Fenton	1,828,896	9.533940
Town of Kirkwood	2,221,881	8.357139
Town of Lisle	754,758	10.726668
Town of Maine	1,726,661	10.811404
Town of Nanticoke	444,176	10.724965
Town of Sanford	1,510,021	10.380820
Town of Triangle	784,378	10.379241
Town of Union	18,914,316	151.072620
Town of Vestal	11,963,895	6.434825
Town of Windsor	2,017,347	9.677140
TOTAL:	<u>\$64,331,918</u>	
and be it		

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment roll, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 2009 the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality. **Heldover by Mr. Whalen.**

RESOLUTION NO. 663

By Finance Committee Seconded by Mr. Whalen RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 2009

RESOLVED, that the Certificate of Returned School Taxes as reported by the Commissioner of Finance, as set forth in Exhibit "A" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Commissioner of Finance to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of returned Village Taxes, as reported by the Commissioner of Finance, as set forth in Exhibit "B" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected, the same be returned to the Commissioner of Finance to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

EXHIBT A 2009 RETURNED SCHOOL TAXES-BY SCHOOL DISTRICT-TOTAL RELEVY

DISTRICT	TOTAL UNPAID TAX ON ROLL	7% COUNTY PENALTY	TOTAL SCHOOL RELVEVIED TAX
AFTON	107,702.31	7,539.21	115,241.52
BAINBRIDGE-GUILDFORD	3,246.45	227.26	3,473.71
BINGHAMTON	8,582.22	600.74	9,182.96
(DICKINSON)			
CHENANGO FORKS	396,472.65	27,753.02	424,225.67
CHENANGO VALLEY	751,886.17	52,632.07	804,518.24
CINCINNATUS	87.27	5.97	91.24
DEPOSIT	200,989.24	14,069.27	215,058.51
GREENE	477.23	33.41	510.64
HARPURSVILLE	275,608.13	19,292.58	294,900.71
JOHNSON CITY	1,068,552.01	74,796.70	1,143,318.71
MAINE-ENDWELL	889,202.60	62,244.33	951,446.93
MARATHON	48,749.44	3,412.44	52,161.88
NEWARK VALLEY	420.59	29.44	450.03
SUSQUEHANNA VALLEY	1,078,623.22	78,503.69	1,154,126.91
UNION-ENDICOTT	1,334,835.24	93,438.53	1,428,273.77
VESTAL	1,131,483.94	79,203.92	1,210,687.86
WHITNEY POINT	543,085.01	38,016.05	581,101.06
WINDSOR	755,701.86	52,899.22	808,601.08
BINGHAMTON (TOWN)	33,567.46	2,349.71	35,917.17
GRAND TOTALS	8,629,241.04	604,047.56	9,233,288.60

EXHIBIT B 2009 RETURNED VILLAGE TAXES-NOVEMBER 2009-TOTAL RELEVY

		TOTAL UNPAID	7 % COUNTY	TOTAL
TOWN	VILLAGE	TAX ON ROLL	PENALTY	RELEVIED TAX
DICKINSON	Port Dickinson	8,632.95	604.32	9,237.27
LISLE	Lisle	3,063.49	214.44	3,277.93
SANFORD	Deposit	23,448.57	1,641.39	25,089.96
TRIANGLE	Whitney Point	33,121.81	2,318.53	35,440.34
UNION	Endicott	433,916.48	30,373.99	464,290.47
	Johnson City	516,238.57	36,136.83	552,375.40
TOTAL UNION		950,155.05	66,510.82	1,016,665.87
WINDSOR	Windsor	16,677.06	1,267.39	17,844.45
GRAND TOTAL				
		1,035,098.95	723,456.89	1,107,555.82

Heldover by Mr. Whalen.

RESOLUTION NO. 664

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS, there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 2010 now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Commissioner of Finance, as follows:

Town	General Townwide	General Inside Village	General Outside Village	Highway Townwide	Highway Outside Village
Barker				151,399.92	
Binghamto	n319,763.47 -			482,967.04	
Chenango	104,999.85 -			630,172.44	
Colesville				570,325.88	
Conklin	332,723.36 -			347,923.71	
Dickinson	187,786.78 -			88,370.53	
Fenton	-			258,105.85	
Kirkwood	245,007.67 -			423,709.18	
Lisle	162,507.79			443,898.03	
Maine	105,471.52 -			450,000.50	
Nanticoke				97,000.00	
Sanford	323,680.44 -		34,025.10	504,825.23	140,498.59
Triangle	211,494.29 -			119,429.19	
Union	1,979,339.76		809,780.10 -	-2,632,831.53	
Vestal	4,740,548.71			2,041,726.36	
Windsor	417,863.25		35,439.91	330,418.21	
and be it					

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARREIN	
AB201 Ambulance	25,500.20
FP 201 Fire PR 1	29,356.65
FP 202 Fire PR 2	30,558.77
FP 203 Fire PR 3	30,584.58
FP 204 Fire PR 4	35,148.13
TOWN OF BINGHAMTON	
DR 221 Drain 1	\$946.15
FP221 Fire Prot 1	178,599.83
LT221 Light 1	499.96
LT222 Light 2	1,999.99
LT223 Light 3	5,000.00
LT225 Light 5	350.00
LT226 Light 6	600.00
LT227 Light 7	500.01
PT506 Water 6 Bond	40,004.98
SB221 Sewer Con Bond	33,894.02
SM228 Consolidated Sewer	106,021.12
WB220 Water Bond	14,726.01
US221 Return Sewer	41,496.59
WB221 Cons. Water Bond	14,093.26
WD225 Consolidated Water	165,361.16
LM221 Lawnmowing	4,100.00
UW221 Returned Water	32,142.26
TOWN OF CHENANGO	
CM241 Chenango Compost	53,682.08
CM242 Chenango Compost Bd	4,995.77
FP241 Fire No. 1	282,924.65
FP242 Fire No. 2	167,274.06
FP243 Fire No. 3	8,622.02

FP244 Fire No. 4	106,593.12
LT241 Light 1	82,000.11
SD240 Sewer 10	22,002.05
SD241 Sewer 1	2,544.02
SD242 Sewer 2	121,856.29
SD244 Sewer 4	53,741.71
SD247 Sewer 7	277,557.13
SD248 Sewer 8	286,493.90
SD249 Sewer 9	29,149.99
SD271 Chenango Sewer	34,899.22
SD250 Sewer 5	4,189.93
SW241 Chen Sidewalk	7,000.00
US241 Return Sewer	41,951.75
UW257 Return Water	27,653.10
BD241 Chen Bldg Demo	12,865.00
WD241 Water 1	25,283.22
WD243 Water 3	7,574.00
WD244 Water 4	6,848.03
WD247 Water 7 WD249 Water 9	5,909.98
WD250 Water 8	4,117.01 7,254.99
WD410 Water 10	373.01
WD415 Water 15	2,990.02
WD416 Water 16	541.71
WD417 Water 12	15,715.98
WD418 Water 14	10,728.11
WD419 Water 18	2,942.99
WD420 Water 19	1,753.86
WD421 Water 20	9,206.01
WD422 Water 21	2,212.07
WD423 Water 22	24,156.01
WD424 Water 24	2,816.01
WD425 Water 23	9,669.00
WD426 Water 26	2,358.99
WD427 Water 27	3,540.01
WD428 Water 28	6,100.00
WD430 Water 25	34,516.99
WD429 Water 29	22,627.99
WD431 Water 30	7,431.02
WD432 Water 31	6,456.99
WR241 Water 11 Frt Ft	1,359.05
TOWN OF COLESVILLE	
FD261 Fire No. 1	80,088.01
FD262 Fire No. 2	19,717.37
FD263 Fire No. 3	255,096.79
LT261 Light 1	14,673.98
LT262 Light 2	6,082.00
LT263 Light 3 TOWN OF CONKLIN	4,289.98
FP281 Fire Prot. 1	210 280 07
LT281 Light 1	219,289.97 1,700.03
LT282 Light 2	799.95
LT283 Light 3	1,699.91
LT284 Light 4	10,000.11
LT285 Light 5	1,149.97
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LT286 Light 6	1,199.97
LT287 Light 7	250.01
LT288 Light 8	3,599.97
LT289 Light 9	900.01
LT210 Light 10	1,399.99
LT211 Light 11	899.99
SB282 Sewer 1 Ext. 2	4,669.97
SD283 Sewer 1 Ext. 3	24,199.78
SD284 Sewer 1 Ext. 4	9,758.03
SD285 Sewer 1 Ext. 5	16,971.90
0US280 Return Sewer	3,136.59
LM280 Lawn mowing	650.00
WT282 Water UW280 Return Water	12,750.04
TOWN OF DICKINSON	9,031.32
FP301 Fire No. 1	65,000.09
FP302 Fire No. 2	46,999.94
FP303 Fire No. 3	29,123.68
GB301 Garbage 1	99,202.24
LT301 Light 1	17,109.58
LT305 Light 5	5,938.33
LT306 Light 6	4,345.59
LT307 Light 7	20,354.48
LT308 Light 8	16,754.96
LT309 Light 9	496.93
US301 Return Sewer	68,270.76
UW301 Return Water	45,185.05
WD307 Water 7	10,149.89
GR301 Return Garbage	300.00
TOWN OF FENTON	
FD321 Fire No. 1	\$244,842.06
FD322 Fire No. 2	142,000.02
LT321 Light 1	14,000.08
LT322 Light 2	24,999.96
SE323 Porter Hollow Sewer	6,000.00
US 321 Return Sewer	6,344.54
UW321 Return Water	12,958.62
SW321 Sidewalk Project	3,714.00
PM321 Property Maintenance	1,475.00
PO321 Sewer Pumpout	375.20
TOWN OF KIRKWOOD FP341 Fire No. 1	386,147.38
LT341 Light 1	·
LT342 Light 2	5,559.24 6,431.01
LT343 Light 3	1,758.00
SE341 Sewer 1	142,910.22
SE342 Sewer 2	4,280.00
SE343 Sewer 3 (Prim)	1,832.34
SE343 Sewer 3 (Sec)	9,786.96
SE344 Sewer 4 (Prim)	2,050.64
SE344 Sewer 4 (Sec)	61,881.20
SE346 Sewer 6	1,056.00
SE345 Sewer 5	10,660.01
ST341 Sewer 1, Ext. 1	14,480.00
ST342 Sewer 1, Ext. 2	3,322.00

ST343 Sewer 1, Ext. 3	2,263.10
ST344 Sewer 1, Ext. 4	2,016.03
US343 Return Sewer	40,801.46
UW343Return Water	11,864.82
WD341 Water 1 (Prim)	54,553.58
WD341 Water 1 Ext 3	3,760.16
WD346 Water 6	260.47
TOWN OF LISLE	200.47
FP361 Fire No. 1	22,980.02
FP362 Fire No. 1 Protection	· · · · · · · · · · · · · · · · · · ·
SF3 Killawog Ambulance	139,533.13
· · · · · · · · · · · · · · · · · · ·	6,487.11
FP364 Fire No. 2 LT362 Light 2	3,000.02
•	1,799.99
AB261 Lisle Ambulance W361 Return Water	22,000.05
	11,075.74
TOWN OF MAINE	455 007 00
FP381 Fire No. 1	155,927.90
PF382 Fire No. 2	20,469.28
FP383 Fire No. 3	18,189.16
FP384 Fire No. 4	7,664.70
FP385 Fire No. 5	10,183.07
FP386 Fire No. 6	25,248.00
FP387 Fire No. 7	124,606.53
LT381 Light 1	8,149.94
LT382 Light 2	5,200.03
LT383 Light 3	1,600.02
TOWN OF NANTICOKE	
FP401 Fire No. 1	53,861.02
FP402 Fire No. 2	45,738.02
TOWN OF SANFORD	
FP421 Fire No. 1	76,494.88
FP422 Fire No. 2	7,582.96
SD423 Oquaga Lake Sewer	67,900.00
RS422 Return Sewer	3,844.50
TOWN OF TRIANGLE	
FP441 Fire No. 1	23,999.72
UW441 Returned Water	5,022.44
TOWN OF UNION	
FP461 Fire No. 1	837,647.32
FP463 Fire No. 4	329,467.59
FP464 Fire No. 5	140,340.18
FP465 Fire No. 6	240,000.01
FP467 Fire No. 8	332,350.57
FP468 Fire No. 10	92,977.07
FP469 Fire No. 12	31,839.99
CG462 Curbs and Gutter	2,457.85
PK461 Parks	1,206,871.59
LB462 Union Library	1,314,701.27
RS462 Returned Sewer	47,261.60
YM461 Yard Maintenance	1,020.00
PM461 Property Maintenance	3,175.00
UV461 Union Ambulance District	252,897.58
GR460 Garbage Removal	40.00
CE261 Code Enforcement	780.00
UV461 Snow Removal	485.00

RW462 Return Water	33,896.35
TOWN OF VESTAL	
DR482 Drain 1 Maint.	4,494.82
DR484 Drain 2 Maint.	1,759.44
DR486 Drain 3 Maint.	8,619.29
DR487 Drain 4 Maint.	323.00
DR488 Drain 5 Maint.	823.55
DR510 Drain 6 Maint.	361.99
DR511 Drain 7 Maint.	136.00
DR512 Drain 8 Maint.	297.85
DR513 Drain 9 Maint.	680.00
DR514 Drain 10 Maint	102.00
DR515 Drain 11 Maint.	153.00
DR516 Drain 13 Maint.	94.05
DR517 Drain 14 Maint.	8.00
DR518 Drain 15 Maint.	306.00
DR519 Drain 16 Maint.	77.04
DR520 Drain 17 Maint.	5,423.00
DR522 Drain 18 Maint.	65,741.60
FP481 Fire Protection	1,034,676.65
FP482 Fire Split Zone	58,393.00
LT481 Light District	240,783.22
RS481 Return Sewer	157,152.04
RW481 Return Water	126,784.89
SB487 Cons. Sewer Bond	41,650.86
LM481 Lawn mowing	450.00
PM481 Property maintenance	450.00
SK482 Walk repair	766.07
SB488 Sewer Ext. 47	904.98
SW489 Sewer Ext. 68	2,382.00
ST490 Sewer 1, Ext.49 Bond	2,931.00
ST509 Sewer 1, Ext. 2	6,025.13
SW481 Sewer 1, Maint.	441,317.70
WB101 Water 1, Bond 1	18,523.96
WB481 Cons. Water Bond	321,136.44
WB701 Water 7, Bond 1	2,488.01
WT605 Water 7, Ext. 3 Bond	1,350.00
H1103 Charles Street Curbs	2,365.00
TOWN OF WINDSOR	
FP501 Fire 1	20,226.09
FP502 Fire 2	107,520.01
FP503 Fire 3	122,400.96
FP504 Fire 4	7,171.92
PM501 Property Maintenance	257.26
and be it	

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately. **Heldover by Mr. Whalen.**

RESOLUTION NO. 665

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and by the several resolutions of the County Legislature, and the same completed Tax Rolls have been laid down before this County Legislature for its approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and the tax is so extended upon the Tax Rolls and the several amounts extended against each parcel of property upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such warrants be signed by the County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants annexed therefore be forthwith delivered to the respective Collectors of the several tax districts in the County, and be it

FURTHER RESOLVED, that upon the effective date of this Resolution or any thereafter, on or before January 1, 2010, be and hereby is designated as the date upon which the County Executive and the Clerk of this County Legislature are authorized to sign the Warrants and attach the seal of this County Legislature to the Tax Rolls of the several towns.

Heldover by Mr. Whalen.

RESOLUTION NO. 666

By Finance Committee

Seconded by Mr.Whalen

RESOLUTION ESTABLISHING EQUALIZATION RATE FOR THE 2010 COUNTY TAX LEVY

RESOLVED, that pursuant to Article III, Section 302 D of the Broome County Charter, the percentages hereinafter indicated after the names of the Towns and the City of Binghamton be and the same hereby are adopted as the ratio percentages which the assessed value of real property of each municipality bears to its full value:

<u>Municipality</u>	Equalization Rate
City of Binghamton	77
Town of Barker	65.80
Town of Binghamton	65.30
Town of Chenango	69.75
Town of Colesville	7.60
Town of Conklin	65.50
Town of Dickinson	67.00
Town of Fenton	67.50
Town of Kirkwood	77.00
Town of Lisle	60.00
Town of Maine	59.53
Town of Nanticoke	60.00
Town of Sanford	62.00
Town of Triangle	62.00
Town of Union	4.31
Town of Vestal	100.00
Town of Windsor	66.50
Heldover by Mr. Whalen.	

RESOLUTION NO. 667

By Finance Committee Seconded by Mr.Whalen RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO BALANCE 2009 ACCOUNTS

WHEREAS, the Commissioner of Finance, the Director of Budget & Research and the Comptroller request authorization to transfer funds to balance 2009 accounts, and

WHEREAS, said transfers would fund salary accounts or other necessary accounts with monies available as of December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Finance to transfer funds from available moneys to balance the 2009 accounts, and be it

FURTHER RESOLVED, that the Commissioner is directed to report any transfers made on or before March 31, 2010 to the Finance Committee of the County Legislature, the Budget Director and the County Comptroller, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to make short term non-interest bearing inter-fund loans between operating funds to provide cash to make year end payments, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to transfer \$5,000,000 from Solid Waste Management Fund (230060.9003.206000) to the General Fund (340000.0225.101000) to repay with accrued interest a portion of the funds previously loaned to the Solid Waste Management Fund.

Heldover by Mr. Whalen.

Mr. Whalen made a motion to adjourn, seconded by Ms. Messina. **Motion to adjourn Carried**, Ayes-16, Nays-0, Absent-3 (Nirchi, LaBare, Klipsch). The meeting was adjourned at 5:08 p.m.