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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, JUNE 19, 2008**

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

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

Mr. Garnar made a motion, seconded by Mr. Schofield, that the special session minutes and the regular session minutes of May 15, 2008 be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Cleary).

Mr. Whalen noted that the committee minutes for the period May 15, 2008 through June 18, 2008 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Whalen asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Garnar, seconded by Mr. Schofield. **Carried,** Ayes-18, Nays-0, Absent-1 (Cleary).

**ANNOUNCEMENTS FROM THE CHAIR**

Chairman Whalen asked the Clerk to pull Resolutions 16-276 and 73-332 from the preferred agenda and take a vote. The two resolutions carried. Ayes18, Nays-0, Absent-1 (Cleary) and are shown in sequential order below. The Clerk proceeded to issue the oath of office to Mr. Wilber confirmed as Public Defender and Mr. Johnson confirmed as Commissioner of Social Services.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

None

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:**

- A. PETITIONS: None
- B. COMMUNICATIONS:
  - 1. BCC May 2008 Minimum Hire Report
  - 2. BC Environmental Management Council. Re: Advisory for Support of Comprehensive Wood Burner & Performance Standards
  - 3. State Board of Real Property Services – List of Certified 2008 State Equalization Rates
  - 4. Board of Acquisition and Contract Meeting Minutes 5/14/2008
  - 5. Southern Tier Zoological Society, Inc. Financial Statements for 2006 & 2007
  - 6. BC Soil & Water Conservation District Directors Meeting Minutes 4/15/2008
  - 7. U.S. Dept. of Transportation Inspection Report 4/08/08
  - 8. Cornell Cooperative Extension of Broome County 3/17/08
  - 9. BCC Local Law Intro. No. 8, 1990
  - 10. BCC Recommended Budget for 2008- 2009
  - 11. Food Stamp Employment and Training Final Allocation Grant Revision
  - 12. BCC April 2008 Budget Transfers
  - 13. BC Environmental Management Council Meeting Minutes 5/1/08
  - 14. Cornell Cooperative Extension of Broome County Board of Directors 4/24/08
  - 15. Board of Acquisition and Contract Meeting Minutes 5/28/08
  - 16. Town of Barker Land Use Laws 5/22/08
- C. NOTICES:

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1. Meeting of the GASB 45 Task Force 5/14/08
  2. Special Session of the Broome County Legislature 5/15/2008
  3. Meeting of the GASB 45 Task Force 5/28/08
  4. Special Meeting of the Finance Committee of the BC Legislature 5/15/08
  5. Special Meeting of the County Administration Committee of the BC Legislature 5/15/08
  6. Meeting of the GASB 45 Task Force 6/11/08

#### WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

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

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

Mr. Whalen invited Mr. Sanfilippo to the podium who presented a proclamation to Ms. Cerny from the Health Department.

#### RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

##### RESOLUTION NO. 252

(Held over by Mr. Herz)

By Education, Culture and Recreation, County Administration and Finance Committee  
Seconded by Mr. Cleary

##### **RESOLUTION AUTHORIZING AMENDMENT TO THE LEASE AGREEMENT WITH USA BMX FOR THE FORMER GRIPPEN PARK ICE RINK FOR 2007-2012**

Mr. Materese made a motion, seconded by Mr. LaBare to amend the third Whereas paragraph to add "and due to high bids for installing a new concrete floor, the county will not be required to replace the concrete floor at the facility and add a paragraph to read "FURTHER RESOLVED, Broome County will not be required to replace the concrete floor at the facility, and be it"

**Amendment carried**, Ayes-16, Nays-2 (Kuzel, Marinich), Absent-1 (Cleary). **Resolution as amended carried**. Ayes-17, Nays-1 (Kuzel), Absent-1 (Cleary).

##### RESOLUTION NO. 258

(Held over by Mr. Sanfilippo)

By County Administration Committee  
Seconded by Mr. Materese  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 of 2008, ENTITLED: "LOCAL LAW AMENDING PART IV OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE, CHAPTER 168 ARTICLE IX AUTOMATIC EXTERNAL DEFIBRILLATORS"**

Mr. Materese withdrew his amendment from the previous session. Mr. Materese made a motion, seconded by Mr. Shafer to leave in Section 168-45 Definitions D. Golf Courses shall be all golf courses regardless of size and number of holes including municipal, public and private courses; remove Section 168-46 B. Golf courses during hours of operation, and add Section 168-47-Golf Courses are required to have an AED on site and an employee trained in CPR, and AED's. Golf courses are required to post, in the club house and all golf carts, signs that state that an AED is available and the location of the AED. Said signs shall include the phone number for the golf course pro shop or business office or building where the AED is located as well as the phone number for the appropriate emergency medical responder(s). **Amendment carried**, Ayes-17, Nays-1 (Sanfilippo), Absent-1 (Cleary). Mr. Kuzel made a motion, to remove youth

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organizations from Section 169-45 and Section 168-46 but the amendment was not supported with a second. Resolution as amended is an automatic holdover.

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 257**

By Finance and Personnel Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SYSTEMED LLC FOR PRESCRIPTION BENEFIT MANAGEMENT FOR THE OFFICE OF RISK AND INSURANCE FOR 2007-2009**

WHEREAS, this County Legislature, by Resolution 558 of 2006, as amended by Resolution 207 of 2008, authorized an agreement with Systemed, LLD for prescription benefit management for the Office of Risk and Insurance at a cost not to exceed \$24,000 per year for the period January 1, 2007 through December 31, 2009, and

WHEREAS, said agreement provides administration of the County's prescription benefit plan, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$50,000 per year for the term of the agreement, which increase is for the addition to the utilization management program of RationalMed, that will guarantee reduced costs by closer monitoring of prescription drug utilization safety, and

WHEREAS, the Risk Manager 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 Systemed, LLC, 100 Parsons Pond Drive, Franklin Lakes, New Jersey 07417 for the addition to the utilization management program of RationalMed for the Office of Risk and Insurance for the period June 1, 2008 through December 31, 2009, and be it

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

FURTHER RESOLVED, that the contractor will send quarterly reports to the County documenting the financial savings achieved by the utilization management program; said financial savings shall be calculated by comparing members claims before and after a utilization management program intervention, and be it

FURTHER RESOLVED, that if any quarterly report does not demonstrate average financial savings of \$1.17 or more per claim for the quarter, then within 90 days after the end of the quarter, the contractor shall pay the County or credit the County on its invoices for the prescription benefit plan an amount equal to the difference between average financial savings of \$1.17 per claim and the actual amount of savings realized, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4527.252000 (Prescription Drugs), and be it

FURTHER RESOLVED, that Resolutions 558 of 2006 and 207 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

**RESOLUTION NO. 261**

By Health & Human Services Committee

Seconded by Mr. Whalen

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Julia Hepworth-Jurena 954 Debonair Drive Endwell, NY 13760	12/31/2010
Nicki French 612 Valley View Drive Endwell, NY 13760	12/31/2010

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 477 of 1985, hereby confirms the appointment of the above-named individuals to membership on the Broome County Family Violence Prevention Council board for the terms indicated, in accordance with their appointment by the County Executive.

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

### **RESOLUTION NO. 262**

By Health and Human Services and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING REVISION OF THE LOURDES HOSPITAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR 2008**

WHEREAS, this County Legislature, by Resolution 554 of 2007, authorized the continued participation in the Lourdes Hospital Program Grant by the Department of Mental Health, adopted a program budget in connection therewith in the total amount of \$226,743 and authorized an agreement with Our Lady of Lourdes Hospital for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said grant program provides school-based counseling and prevention services to students in the Binghamton, Susquehanna Valley, Whitney Point, Windsor, Union Endicott and Deposit Central school districts who are at risk of drug and alcohol use due to personal, school, peer or family problems, who are exhibiting risk-taking behaviors, or who have begun experimenting with alcohol and/or drug use, and expands the Mental Health Juvenile Justice Project, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$50,000 in grant appropriations and amend the agreement with Our Lady of Lourdes Hospital to reflect an increase, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Lourdes Hospital Program Grant to reflect an increase of \$50,000 for the period January 1, 2008 through December 31, 2008 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$276,743, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Our Lady of Lourdes Hospital, to reflect an increase of \$50,000, for additional funding from the Office of Alcoholism & Substance Abuse Services for the Department of Mental Health for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$276,743 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 554 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 263**

By Health and Human Services Committee

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN CHENANGO FORKS CENTRAL SCHOOLS AND THE BROOME COUNTY DEPARTMENT OF HEALTH FOR THE PREVENTIVE DENTAL SERVICES PROGRAM FOR THE 2008-2009 SCHOOL YEAR**

WHEREAS, the Department of Health requests authorization for an Intermunicipal agreement between Chenango Forks Central Schools and the Broome County Health Department, at no cost to the County for the 2008-2009 school year, and

WHEREAS, said agreement is necessary to provide primary and preventive dental health services at Chenango Forks Schools, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement between Chenango Forks Central School District, 1 Gordon Drive, Binghamton, NY 13901 and the Broome County Department of Health for the Preventive Dental Services Program, at no cost to the County for the 2008-2009 school year and be it

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

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

### **RESOLUTION NO. 264**

By Health and Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 743 of 2007, authorized and approved renewal of the Immunization Action Plan Grant for the Department of Health and adopted a program budget in the amount of \$33,677 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant which monitors and improves immunization rates for children through 24 months of age, and enhanced adult immunization activities, and

WHEREAS, it is desired to renew said program grant in the amount of \$97,880 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$97,880 from New York State Department of Health, Corning Tower, Nelson A. Rockefeller Empire State Plaza, Albany, NY 12237, for the Broome County Health Department for the Immunization Action Plan Grant for the period April 1, 2008 through March 31, 2009, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$97,880, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 265**

By County Administration and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF VESTAL FIRE DISTRICT FOR RENTAL OF SPACE FOR THE BOARD OF ELECTIONS FOR 2008**

WHEREAS, this County Legislature, by Resolution 398 of 2007, authorized an agreement with the Town of Vestal Fire District for the rental of space for the Board of Elections at an amount not to exceed \$3,500 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary for the storage of voting machines at Fire Station #3, and

WHEREAS, said agreement expired by its terms on December 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,500, for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Vestal Fire District, 605 Vestal Parkway West, Vestal, New York 13850 for the rental of space for the Board of Elections for the period January 1, 2008 through December 31, 2008, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4449.101000 (Other Operational Expenses), and be it

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

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

### **RESOLUTION NO. 266**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR DEPARTMENT OF PUBLIC TRANSPORTATION SERVICES TO LOW INCOME PERSONS THROUGH THE COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM**

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with the New York State Department of Transportation for funding to provide low income employment transportation services, as described in the Broome County Community Solutions for Transportation application, to low income persons under the Community Solutions

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for Transportation program in the amount of \$70,000 for the period April 1, 2007 through January 31, 2009, and

WHEREAS, said funding will provide transportation services to eligible participants with incomes under 200% of the national poverty rate, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$70,000 from the New York State Department of Transportation, 50 Wolf Road, Albany, New York 12232 for the Department of Public Transportation's Community Solutions for Transportation Program for the period April 1, 2007 through January 31, 2009, and be it

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

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

### **RESOLUTION NO. 267**

By Public Works and Finance Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF CHENANGO FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2008-2010**

WHEREAS, this County Legislature, by Resolution 255 of 2006, authorized renewal of the agreement with the Town of Chenango for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill at the rate of \$13 per 1,000 gallons of leachate, total annual cost not to exceed \$90,000 for the Department of Public Works-Division of Solid Waste Management for the period July 5, 2006 through July 4, 2008, and

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

WHEREAS, said agreement expires by its terms on July 4, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$13 per 1,000 gallons of leachate, total annual cost not to exceed \$90,000 for the period July 5, 2008 through July 4, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Chenango, 1529 NYS Route 12, Binghamton, New York 13901 for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill for the Department of Public Works-Division of Solid Waste Management for the period July 5, 2008 through July 4, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$13 per 1,000 gallons of leachate, total annual cost not to exceed \$90,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (Subcontracted Program Expense), and be it

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

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

### **RESOLUTION NO. 268**

By Economic Development and Planning and Finance Committees

Seconded by Mr. Whalen

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**RESOLUTION AUTHORIZING THE BRANDYWINE CORRIDOR BROWNFIELD OPPORUNITY AREA GRANT PURSUANT TO §970-R OF THE GENERAL MUNICIPAL LAW FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2008-2013**

WHEREAS, Broome County herein called the "applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, and

Whereas, the Commissioner of Planning and Economic Development requests authorization to accept a Brownfield Opportunity Area Program Grant and adopt a program budget in the amount of \$195,000 for the period March 7, 2008 through March 6, 2013, and

WHEREAS, said program grant provides funding for the Brandywine Corridor Study Area Redevelopment Plan, and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC) and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$175,500 from the New York State Department of Environmental Conservation, Bureau of Program Management, 624 Broadway, Albany, New York 12233-7012 for the Department of Planning and Economic Development's Brownfield Opportunity Area Program Grant for the period March 7, 2008 through March 6, 2013, and be it

RESOLVED, by Broome County, that the County Executive is the representative authorized to act on behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State assistance, and be it

FURTHER RESOLVED, that the applicant agrees that it will complete the Project, and be it

FURTHER RESOLVED, that the applicant agrees that it will fund its portion of the Applicant's 10% share of the Project; and be it

FURTHER RESOLVED, that this authorization take effect immediately.

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

**RESOLUTION NO. 269**

By County Administration and Finance Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING THE BROOME COUNTY DIGITAL COPY MACHINE LEASE AGREEMENT CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS FOR LEASE OF COPY MACHINES FOR VARIOUS COUNTY DEPARTMENTS FOR 2008-2009**

WHEREAS, the Director of Purchasing has advertised and received bids for a lease agreement for digital copy machines for all County Departments,

WHEREAS, following a review of all bids received, the Director of Purchasing requests authorization for the Broome County digital copy machine lease agreement with Toshiba Business Solutions for various Broome County Departments for copy machines at the rates and terms listed on Exhibit "A" for the period July 1, 2008 through June 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the Broome County digital copy machine lease agreement with Toshiba Business Solutions, 7037 Fly Road, East Syracuse, New York 13057 for various Broome County Departments for the copy machines and rates and terms as listed on Exhibit "A" for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that payments for the leases hereinabove authorized shall be made from various.4518.various (Copy Machine Rentals) for each of the above referenced departments, and be it



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

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

### **RESOLUTION NO. 270**

By Finance Committee

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWNS OF CHENANGO AND KIRKWOOD**

WHEREAS, it is necessary to clear the tax records of these parcels of real property by virtue of the reasons stated below, now, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcels of real property:

Parcel ID:	078.19-2-2
Town/Village:	Chenango
Owner:	John Mason
Amount to be Cancelled:	\$987.89
Reason:	Wholly exempt
Parcel ID:	146.03-1-40
Town/Village:	Kirkwood
Owner:	People of the State of NY
Amount to be Cancelled:	\$184.34
Reason:	Wholly Exempt
Parcel ID:	146.03-1-41
Town/Village:	Kirkwood
Owner:	People of the State of NY
Amount to be Cancelled:	\$1,914.41
Reason:	Wholly Exempt

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

### **RESOLUTION NO. 271**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION REVISING SUPPLEMENTAL AGREEMENTS #1, #2, #3 AND #4 OF THE MASS TRANSPORTATION CAPITAL PROJECT AGREEMENT BETWEEN NEW YORK STATE AND BROOME TRANSIT AND AUTHORIZING SUPPLEMENTAL AGREEMENT #7**

WHEREAS, this County Legislature, by Resolution 242 of 2000, as amended by subsequent resolutions, authorized a Mass Transportation Capital Project Agreement with the New York State Department of Transportation for several capital projects for the Department of Public Transportation, and

WHEREAS, the Commissioner of Transportation requests authorization to revise supplemental agreements #1, #2, #3, and #4 of the Mass Transportation Capital Project Agreement between New York State and Broome Transit and authorize supplemental agreement #7, as listed on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes revising supplemental agreements #1, #2, #3, and #4 of the Mass Transportation Capital Project Agreement between New York State and Broome Transit and authorizing supplemental agreement #7 as listed on Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement requests for Federal Aid and/or State Mass Transit Capital Aid on behalf of Broome County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and

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state aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it

FURTHER RESOLVED, that Resolution 242 of 2000, as amended, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

### **RESOLUTION NO. 272**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION AMENDING THE UNIFORM RETIREE AND VESTED FORMER EMPLOYEE/SURVIVING SPOUSE HEALTH PLAN RULES**

WHEREAS, this County Legislature established by Resolution 354 of 2000, as amended by Resolutions 609 of 2001 and 711 of 2006, the Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules, and

WHEREAS, currently there are three options which are irrevocable; Joint survivor with a 25% premium contribution; regular health plan with a 15% premium contribution; and no health insurance, and

WHEREAS, it is desired at this time to amend said rules to allow retirees to change their health insurance benefit election from joint survivor to regular health plan at any time, and

WHEREAS, it is desired at this time to amend said rules to allow retirees to change their health insurance benefit election from regular health plan to no health insurance at any time, and

WHEREAS, it is not the intent of this Resolution to allow retirees to augment coverage by changing their health insurance benefit election from regular health plan to joint survivor at any time or by changing from no health insurance to either of the other plans at any time, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules to allow retirees to change their health insurance benefit election from joint survivor to regular health plan or no health insurance at any time, and be it

FURTHER RESOLVED, that this County Legislature hereby amends the Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules to allow retirees to change their health insurance benefit election from regular health plan to no health insurance at any time, and be it

FURTHER RESOLVED that in no way shall this Resolution be interpreted to allow a retiree to augment coverage by upgrading their health insurance benefit election from regular health plan to joint survivor at any time or by upgrading their health insurance benefit election from no health insurance to either of the other plans at any time, and be it

FURTHER RESOLVED, that Resolution 345 of 2000 and Resolutions 609 of 2001 and 711 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that this resolution shall take effect immediately.

**Held over by Mr. Materese**

### **RESOLUTION NO. 273**

By Finance and Education, Culture and Recreation Committees

Seconded by Mr. Howard

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**RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED 2008-2009 BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION THEREWITH**

WHEREAS, the County Executive presented a proposed 2008-2009 Broome Community College Budget, and

WHEREAS, pursuant to Article XXIII-A of the Broome County Charter and Code, this Legislature, or a committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby designates the Finance and Education, Culture and Recreation Committees of this Legislature to hold a public hearing on the proposed 2008-2009 Broome Community College Budget, and be it

FURTHER RESOLVED, that this County Legislature hereby designates Thursday, July 10, 2008 at 5:30 p.m. in the Legislative Chambers as the date, time and place of said public hearing, and be it

FURTHER RESOLVED, that in accordance with Article XXIII-A of the Broome County Charter and Code, the Clerk of this Legislature is hereby directed to cause to be printed or otherwise reproduced sufficient copies of the proposed budget for distribution not less than five (5) days prior to the public hearing, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published the appropriate notices of said public hearing in accordance with the Broome County Charter and Code.

Mr. Materese made a motion, seconded by Mr. Kuzel to amend the time to 7:00 p.m. Amendment failed. Ayes-8, Nays-10 (Keibel, Sanfilippo, Hull, Schofield, LaBare, Black, Howard, Reynolds, Marinich, Mather), Absent-1 (Cleary). **Resolution as presented carried.** Ayes-18, Nays-0, Absent-1 (Cleary).

**RESOLUTION NO. 274**

By Economic Development & Planning, Public Works & County Administration

Seconded by Mr. Whalen

**RESOLUTION URGING THE UNITED STATES CONGRESS AND THE UNITED STATES PRESIDENT TO PROVIDE FUNDING FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT IN THE AMOUNT OF \$2 BILLION PER YEAR.**

WHEREAS, the Energy Efficiency and Conservation Block Grant was enacted by the Energy Independence and Security Act of 2007 [P.L. 110-140], an Act of the 110<sup>th</sup> Congress of the United States of America, to provide direct funding to states, counties, and cities to assist communities in the development and implementation of energy conservation and efficiency strategies; and

WHEREAS, necessary funding to implement the Energy Efficiency and Conservation Block Grant has neither been appropriated by Congress for Fiscal Year 2008 nor included in the President's Fiscal Year 2009 Budget Proposal; and

WHEREAS, the Energy Efficiency and Conservation Block Grant has the capacity to dramatically accelerate and expand state and local energy efficiency programs to help the United States realize a significant decrease in energy consumption and green house gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses and its residents; and

WHEREAS, the Broome County Energy Advisory Board has endorsed this resolution;

NOW THEREFORE, the Broome County Legislature, duly convened in regular session, does hereby

RESOLVE, that the Broome County Legislature supports and endorses the Energy Efficiency and Conservation Block Grant as a crucial program that will enable communities, and our nation as a whole, to become more energy efficient; and be it further

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FURTHER RESOLVED, that the Broome County Legislature urges the U.S. Congress of the United States of America to pass a supplemental appropriation to promptly provide \$2 billion in funding for the Energy Efficiency and Conservation Block Grant in Fiscal Year 2008; and be it

FURTHER RESOLVED, that the Broome County Legislature urges the U.S. Congress to include \$2 billion in funding for the Energy Efficiency and Conservation Block Grant in its budget assumptions for FY 2009; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward a certified copy of this Resolution to each of the Congressional Representatives on the House and Senate Appropriations and Budget Committees, along with the United States President, the leadership of both the House and the Senate, and to all United States members of Congress that represent Broome County.

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

### RESOLUTION NO. 275

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN ENERGY STAR PURCHASING PROGRAM IN BROOME COUNTY**

WHEREAS this County Legislature pursuant to General Municipal Law §104-b adopted resolution 08-192 which revised the policies and procedures set forth in the Broome County Purchase Procurement Manual, and

WHEREAS, this County Legislature finds that energy costs for the County can be reduced by purchasing "Energy Star" products; and

WHEREAS, "Energy Star" products means products that are certified by the United States Department of Energy or the United States Environmental Protection Agency as Energy Star or that are certified under the Federal Energy Management Program, and

WHEREAS, "Energy Star" products on occasion may cost slightly more in the short term than the traditional or conventional alternative, and

WHEREAS, the County Legislature wishes to amend the Broome County Purchase Procurement Policy Manual to institute an "Energy Star" program, and

WHEREAS, the Broome County Purchase Procurement Manual will include language that allows for exceptions to be made for reasons such as:

1. the product is not available competitively
2. the product is not available for delivery within a reasonable time frame
3. the product does not meet appropriate performance standards or specifications
4. the price of the product is not cost prohibitive compared with the traditional or conventional alternative

now, therefore, be it

RESOLVED, that the Broome County Legislature hereby authorizes the Director of Purchasing to amend the Broome County Purchase Procurement Manual by adding a new Section 2.R as follows: "Broome County shall adhere to an Energy Star program for the purchase of all materials and equipment that have earned the Energy Star and meet the Energy Star specifications", and be it

FURTHER RESOLVED, that the Broome County Purchase Procurement Manual will include language that allows for exceptions to be made for reasons such as;

5. the product is not available competitively
6. the product is not available for delivery within a reasonable time frame
7. the product does not meet appropriate performance standards or specifications
8. the price of the product is not cost prohibitive compared with the traditional or conventional alternative

and be it

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FURTHER RESOLVED, that the Broome County Legislature hereby authorizes the Director of Purchasing to amend the Broome County Purchase Procurement Manual by establishing additional regulations and forms as needed to implement the Energy Star Program, and be it

FURTHER RESOLVED, that the revised Broome County Purchase Procurement Manual shall be filed with the Clerk of this County Legislature within three months of the adoption of this resolution, and be it

FURTHER RESOLVED, that this resolution will take effect immediately, and be it

FURTHER RESOLVED, that resolution 08-192, to the extent that it is not inconsistent with this resolution, shall remain in full force and effect, and be it

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

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

### **RESOLUTION NO. 276**

By Personnel & Finance Committee

Seconded by Mr. Marinich

#### **RESOLUTION CONFIRMING THE APPOINTMENT OF ARTHUR R. JOHNSON AS COMMISSIONER OF SOCIAL SERVICES FOR BROOME COUNTY**

WHEREAS, Barbara Fiala, County Executive, pursuant to the authority vested in her by Article XIII, Section 1301 of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, Arthur R. Johnson, as Commissioner Of Social Services at the annual salary of \$100,219, effective June 19, 2008 and,

WHEREAS, this salary reflects the responsibility associated with the fact that Mr. Johnson also functions as the Commissioner of Mental Health, and

WHEREAS, Arthur R. Johnson is fully qualified to fill the position of Commissioner of Social Services, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article XIII, Section 1301 of the Broome County Charter and Administrative Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, hereby confirms the appointment of the Arthur R. Johnson, 95 Phelps Street, Binghamton, New York 13901, as Commissioner of Social Services with the annual salary of \$100,219, which reflects the responsibility of the combined positions of the Commissioner of Social Services and the Commissioner of Mental Health, effective June 19, 2008, in accordance with the appointment by the County Executive.

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

### **RESOLUTION NO. 277**

By Personnel, Health and Human Services, and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that in accordance with a request contained in PCR# 08-122 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Senior Caseworker, Grade 18, Union Code 04 CSEA, minimum salary \$38,357, at budget line 670513.1000.105409, to be abolished effective May 5, 2008, as this grant funding has ended, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 08-123 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Community Service Worker, Grade 8, Union Code 04 CSEA, minimum salary \$23,285, at budget line 670513.1000.105409, to be abolished effective May 5, 2008, as this grant funding has ended, and be it

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FURTHER RESOLVED, that in accordance with a request contained in PCR# 08-124 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Caseworker, Grade 16, Union Code 04 CSEA, minimum salary \$34,643, at budget line 670513.1000.105409, to be abolished effective May 5, 2008, as this grant funding has ended, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 08-134 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Caseworker, Grade 16, Union Code 04 CSEA, minimum salary \$34,643, at budget line 670513.1000.105409, to be abolished effective May 5, 2008, as this grant funding has ended.

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

### **RESOLUTION NO. 278**

By Finance, Public Works and Transportation and Rural Development Committees

Seconded by Mr. Shafer

#### **RESOLUTION AMENDING THE 2008 CAPITAL IMPROVEMENT PROGRAM FOR THE AIRPORT TERMINAL BUILDING RENOVATION PROJECT**

RESOLVED, that the 2008 Capital Improvement Program is hereby amended to create a new project for the Department of Aviation as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
50156	Terminal Building	\$100,00	\$0	\$0	\$100,000
7	Renovation Project	0			

<u>Year Start</u>	<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
	<u>YPU</u>	<u>LFL</u>		<u>Bond</u>	<u>Current Revenue</u>
2008	10	14		\$100,000	\$0

Description: This project will address the deficiencies of the 2<sup>nd</sup> floor of the Greater Binghamton Regional Airport Terminal Building, in addition to repairs to the roof system and remediation of mold and be it

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

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

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

### **RESOLUTION NO. 279**

By Finance and Health and Human Services Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF HEALTH**

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for the Public Health Emergency Preparedness and Response to Bioterrorism Grant, as requested by BF# 6722 and 6723, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105350	Salaries-Full Time	4
	480376	1500	105350	Salaries-Part Time	9,433
	480376	8010	105350	State Retirement	2,142

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	480376	8030	105350	Social Security	757
	480376	8040	105350	Workers Compensation	272
	480376	8050	105350	Life Insurance	15
	480376	8060	105350	Health Insurance	50
	480376	8063	105350	Disability Insurance	23
	480376	8070	105350	Unemployment	884
TO:	480376	1600	105350	Salaries-Temporary	1,613
	480376	4449	105350	Other Operational Expenses	11,967

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

**RESOLUTION NO. 280**

By Finance, Public Works and Education, Culture and Recreation Committees  
 Seconded by Mr. Kuzel

**RESOLUTION AMENDING THE 2008-2013 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2008-2013 Capital Improvement Program is hereby revised to delete a project as follows:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
	Dorchester Campground Relocation	1,000,000			1,000,000
		<u>Local Finance Law Section 11</u>		<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u> <u>Current Revenue</u>
		2009	15	19(c)	1,000,000    0

Description: This project was to relocate Dorchester campground to proposed 50 site campground on southwest portion of the reservoir. Campground to include roadways, utilities, car/camper parking spurs, paths/walkways, signage, comfort/showers/restrooms/maintenance utility building, educational activity shelter, limited boat launch, play structures and open play field 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.

**Held over by Mr. Materese**

**RESOLUTION NO. 281**

By Health and Human Services and Finance Committees                      Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY FOR COUNSELING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2008**

WHEREAS, this County Legislature, by Resolution 653 of 2006, authorized renewal of the Addiction Center of Broome County Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$68,719 and authorized an agreement with the Addiction Center of Broome County to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said grant and agreement provides outpatient counseling services to individuals 18 and older, including specialty services for felony DWI offenders, relapse-prone individuals, co-dependent individuals and mentally ill substance abusers, and

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WHEREAS, said agreement expired by its terms on December 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$68,719, for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Addiction Center of Broome County, 30 W. State Street, Binghamton, New York 13901, for counseling services for the Department of Mental Health for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$68,719 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Department of Social Services budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

### **RESOLUTION NO. 282**

By Health & Human Services and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH EVERCARE FOR NURSE PRACTITIONER SERVICES FOR WILLOW POINT NURSING HOME RESIDENTS COMMENCING, JULY 1, 2008**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Evercare for nurse practitioner services for Willow Point Nursing Home residents at no cost to the County, commencing on July 1, 2008 and

WHEREAS, said agreement is necessary to reduce hospitalization of Willow Point Nursing Home residents by providing in-house medical care services and reduce lost revenue when residents are hospitalized, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Evercare, 100 Corporate Woods, Suite 350, Rochester, New York 14623 for nurse practitioner services for Willow Point Nursing Home residents, at no cost to the County, for the period commencing on July 1, 2008, and be it

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

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

### **RESOLUTION NO. 283**

By Health and Human Services, County Administration and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH VARIOUS VENDORS FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S NUTRITION PROGRAMS AND SENIOR CENTERS FOR 2008**

WHEREAS, this County Legislature, by Resolution 636 of 2007, authorized an agreement with various vendors for the leasing of space for Senior Community Centers and Meals on Wheels, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is required to amend previous resolution to delete the Little White Church and add Town of Conklin Community Center as a Meals on Wheels site for 2008 and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide leased space as needed for the activities of the Senior Community and for the Meals On Wheels Program so that meals can be delivered to central points where volunteers will pick up and deliver meals to residents of Broome County, and

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



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RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Conklin Community Center, P.O. Box 182, Conklin, New York 13748 with no cost for space for the county, for the Meals on Wheels Program for the Office for the Aging, for the period January 1, 2008 through December 31, 2008 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall have no cost for space, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761148.4422.105369(Land & Building Rental) and be it

FURTHER RESOLVED, that Resolution 636 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

### **RESOLUTION NO. 284**

By Health & Human Services and Finance Committees Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS SOFA PROGRAM FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 329 of 2007, authorized and approved continuation of the Foster Grandparents-SOFA Program Grant for the Office for the Aging and adopted a program budget in the amount of \$13,513 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant allows income eligible seniors age 60 and older the opportunity to volunteer in schools, day-care centers, Head Start programs, and institutions while providing them an hourly stipend, travel reimbursement, a daily meal and annual physical examination, and

WHEREAS, it is desired to renew said program grant in the amount of \$13,543 for the period April 1, 2008 through March 31, 2009 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,543 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the office for Aging's Foster Grandparents-SOFA Program for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$13,543 and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 285**

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By Health and Human Services and Finance Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF A GRANT-IN-AID PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 330 of 2007, authorized and approved renewal of the Grant-In-Aid Program Grant for the Office of Aging and adopted a program budget in the amount of \$ 10,000 for the period April 1, 2007 through March 31, 2008, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$10,000 for the period April 1, 2008 through July 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001 for the Office for Aging's Grant-In-Aid Program Grant for the period April 1, 2008 through July 31, 2009 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$10,000 and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

**RESOLUTION NO. 286**

By Health & Human Services and Finance

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR SOCIAL DAY CARE SERVICES FOR THE OFFICE FOR AGING FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 326 of 2007, authorized renewal of the agreement with Ideal Senior Living Center, Inc. for social day care services for the Office for Aging's Long Term Health clients with revenue to the County at a rate of \$40 per client per day for the period August 1, 2007 through July 31, 2008 and

WHEREAS, said agreement is necessary to provide social day care to Ideal Living Center Long Term Home Health Care clients, and

WHEREAS, said agreement expires by its terms on July 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County at the rate of \$40 per client per day for the period August 1, 2008, through July 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for social day care services for the Office for Aging's Long Term Home Health clients for the period August 1, 2008 through July 31, 2009 and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County at a rate of \$40 per client per day for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761254.0538.105418(Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-18, Nays-0, Absent-1 (Cleary)

### **RESOLUTION NO. 287**

By Health and Human Services and Finance Committees                                      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR THE OFFICE FOR AGING'S MEALS ON WHEELS AND CONGREGATE MEALS PROGRAM FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 327 of 2007 authorized renewal of the agreement with Ideal Senior Living Center, Inc. for the Office for Aging's Long Term Home Health Care clients with revenue to Broome County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the period August 1, 2007 through July 31, 2008, and

WHEREAS, said agreement expires by its terms on July 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the period August 1, 2008 through July 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for home delivered meals and congregate meals for the Office for Aging's Long Term Home Care clients for the period August 1, 2008 through July 31, 2009 and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 761148.0538.105369(Long Term Home Health Care Fees), and 761130.0142.105368(Office for Aging Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-18, Nays-0, Absent-1 (Cleary)

### **RESOLUTION NO. 288**

By Health & Human Services, Personnel and Finance Committees                                      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING REVISION OF THE FOSTER GRANDPARENTS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008**

WHEREAS, this County Legislature, by Resolution 646 of 2007, authorized and approved renewal of the Foster Grandparents Program Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$279,425 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant is an intergenerational program that matches low-income elderly with special needs children to share their experiences of life and offer support to them, and,

WHEREAS, it is necessary at this time to revise said program grant to reflect a decrease of \$4,612 in the amount of grant appropriations, for the period January 1, 2008 through December 31, 2008, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Foster Grandparents Program Grant to reflect a decrease of \$4,612 in grant appropriations, for the period January 1, through December 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$274,799, and be it

FURTHER RESOLVED, that Resolution 646 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 289**

By Health and Human Services and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING REVISION OF TITLE VII ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR 2008**

WHEREAS, this County Legislature, by Resolution 645 of 2007, authorized the continued participation in the Title VII Elder Abuse Prevention Program Grant for the Office for Aging, adopted a program budget in the amount of \$10,638 and authorized an agreement with Action for Older Persons, Inc. to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides recruitment and training of volunteers for the Elder Abuse Prevention Program, and

WHEREAS, it is desired to revise said grant program at this time to reflect an increase in the amount of \$228 in grant appropriations and amend the agreement with Action for Older Persons, Inc. to reflect said increase, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title VII Elder Abuse Prevention Program Grant to reflect an increase of \$228 from the New York State Office of Aging for the period January 1, 2008, through December 31, 2008 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$10,866, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc. for the period January 1, 2008 through December 1, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,866 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 645 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 290**

By Health and Human Services and Finance Committees

Seconded by Mr. Whalen

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

WHEREAS, this County Legislature, by Resolution 149 of 2008, authorized the continued participation in the Long Term Care Ombudsman Program Grant for the Office for Aging, adopted a program budget in the total amount of \$11,354 and authorized an agreement with Action for Older Persons to administer said program for the period April 1, 2008 through March 31, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$228 in grant appropriations and amend the agreement with Action for Older Persons to reflect a decrease of \$228, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Long Term Care Ombudsman Program Grant to reflect a decrease of \$228 for the period April 1, 2008 through March 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 \$11,126, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action of Older Persons, 30 West State Street, Binghamton, New York 13901, to reflect a decrease of \$228, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,126 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 149 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.



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WHEREAS, said services are necessary to conduct a five year community public health assessment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SUNY Binghamton Kresge Foundation School of Evaluation, P.O. Box 6000, Binghamton, NY 13902, to conduct a countywide five-year community health assessment, for the Department of Health for the period June 30, 2008 through October 31, 2009 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$26,450 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480012.4457.101000(Subcontracted Program Expense), and be it

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

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

### **RESOLUTION NO. 293**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING REVISION OF ENHANCED WATER SUPPLY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 156 of 2008, authorized the continued participation in the Enhanced Water Supply Program Grant by the Department of Health, adopted a program budget in connection therewith in the total amount of \$162,000 for the period April 1, 2008 through March 31, 2009 and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$3,240 in grant appropriations and amend the agreement with the Department of Health to reflect a decrease, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Enhanced Water Supply Program Grant to reflect a decrease of \$3,240 for the period April 1, 2008 through March 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 \$158,760, for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that Resolution 156 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-18, Nays-0, Absent-1 (Cleary)

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**RESOLUTION NO. 294**

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

WHEREAS, this County Legislature, by Resolution 135 of 2008, authorized and approved renewal of the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$323,500 for the period April 1, 2008 through March 31, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$38,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Living Partnership Integrated Cancer Services Program Grant to reflect a decrease of \$38,000 for the period April 1, 2008 through March 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 \$284,500, and be it

FURTHER RESOLVED, that Resolution 135 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-18, Nays-0, Absent-1 (Cleary)

**RESOLUTION NO. 295**

By Health and Human Services and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CHENANGO HEALTH NETWORK FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SCREENING SERVICES GRANT FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 153 of 2007, authorized renewal of the agreement with Chenango Health Network for services for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services Grant at an amount not to exceed \$5,000 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said agreement is necessary for screening, outreach, education, provider recruitment and follow up services for the Breast and Cervical Screening Program, and

WHEREAS, said agreement expired by its terms on March 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,000, for the period April 1, 2008 through March 31, 2009, now, therefore, be it



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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chenango Health Network, 24 Conkey Avenue, Norwich, New York 13815 for services for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105543 (Subcontracted Program Expense), and be it

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

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

### **RESOLUTION NO. 296**

By Health and Human Services, Personnel and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING RENEWAL OF PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 431 of 2007, as amended by Resolution 792 of 2007, authorized and approved the Preventive Dentistry/Dental Sealant Program Grant for the Department of Health and adopted a program budget in the amount of \$57,768 for the period July 1, 2007 through June 30, 2008, and

WHEREAS, said program grant promotes good oral hygiene to Broome County school children by providing dental exams, cleanings, sealants and educational services, and

WHEREAS, it is desired to renew said program grant in the amount of \$58,098 for the period July 1, 2008 through June 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$58,098 from the New York State Department of Health, Bureau of Dental Health, Empire State Plaza, Corning Tower, Room 542, Albany, New York, for the Department of Health's Preventive Dentistry/Dental Sealant Program Grant for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$58,098, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

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### **RESOLUTION NO. 297**

By Health and Human Services, Personnel and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY FAMILIES NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AN AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 333 of 2007, authorized and approved renewal of the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the amount of \$549,000 and authorized an agreement with Lourdes Health Care System Youth Services to administer said program for the period July 1, 2007 through June 30, 2008, and

WHEREAS, said program grant is designed to prevent child abuse and neglect and promote positive outcomes for young children and their families through home visiting services, and

WHEREAS, it is desired to renew said program grant in the amount of \$549,000, adopt a program budget and renew the agreement with Lourdes Health Care System Youth Services to continue to administer said program for the period July 1, 2008 through June 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$549,000 from the New York State Office of Children & Family Services, Development and Prevention Services, 52 Washington Street, 3N, Rensselaer, New York 12144-2796, for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$549,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Health Care System Youth Services, 219 Front Street, Binghamton, New York 13905, for intensive home visiting services for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$379,145 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105xxx (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) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 298**

By Health and Human Services and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH CHEMUNG MEDICAL SERVICES, PC FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2008-2009**

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WHEREAS, the Director of Public Health requests authorization for an agreement with Chemung Medical Services, PC for various services for the Department of Health's Chemung and Schuyler County Cancer Services Program Grant at the rates according to the New York State Department of Health Cancer Services Program Reimbursement Rate Schedule for the period April 1, 2008 through March 31, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes an agreement with Chemung Medical Services, PC, DBA Arnot Medical Services, 722 West Water Street, Elmira, New York 14905 for various services for the Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates according to the New York state Department of Health Cancer Services Program Reimbursement Rate Schedule, the current rate schedule is 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 line 480376.4707/4715.105546 (Medical and Hospital Services) (Other Medical Services), and be it

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

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

### **RESOLUTION NO. 299**

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING REVISION OF THE STEPS TO A HEALTHIER US INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 385 and 666 of 2007, authorized and approved renewal of the Steps to a Healthier US Initiative Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$435,530 for the period September 22, 2007 through September 21, 2008, and

WHEREAS, said program grant helps promote healthy lifestyles in Broome County by seeking to reduce the instances of obesity, diabetes and asthma through community and school based interventions, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$21,200 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Steps to a Healthier US Initiative Program Grant to reflect an increase of \$21,200 for the period September 22, 2007 through September 21, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$456,730, and be it

FURTHER RESOLVED, that Resolutions 385 and 666 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 300**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Mather  
**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION FUNDING FOR THE DEPARTMENT OF AVIATION'S REHABILITATION AND EXPANSION OF TAXIWAY A PROJECT AND PRECISION APPROACH PATH INDICATOR EQUIPMENT REPLACEMENT**

WHEREAS, the Commissioner of Aviation requests authorization to accept Federal Aviation Administration Funds in an amount not to exceed \$2,760,987 for the Department of Aviation's Rehabilitation and Expansion of Taxiway A Project and Precision Approach Path Indicator Equipment Replacement, and

WHEREAS, said project will include pavement reconstruction, new lighting installation and drainage improvements and replacement of PAPI equipment for runway 16-34, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of an amount not to exceed \$2,760,987 from the Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 for the Department of Aviation's Rehabilitation and Expansion of Taxiway A Project and Precision Approach Path Indicator Equipment Replacement, and be it

FURTHER RESOLVED, that \$2,475,987 will be paid from budget line 211011.0384.501518 (Taxiway A) and \$285,000 will be paid from budget line 211011.0384.501564 (PAPI), 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.

Mr. Herz made a motion, seconded by Mr. Shafer to amend as follows: the first Whereas paragraph remove "in an amount not to exceed \$2,760,987" and add "up to \$8,178,939"; the second Whereas paragraph to read " drainage improvements of approximately \$7,901,674 and replacement of PAPI equipment for runway 16-34 of approximately \$277,265"; add a third paragraph to read "WHEREAS, this grant may be revised further by the FAA"; the first Resolved paragraph remove "an amount not to exceed \$2,760,987" and add "up to \$8,178,939"; the first Further Resolved paragraph remove "\$2,475,987" and add "said proceeds", remove "paid from" and add "credited to" and remove "\$285,000 will be paid from"; and add a paragraph to read "FURTHER RESOLVED, that so the county is not placed at risk of losing additional funds which may be awarded by the FAA, the County Executive or her duly authorized representative is hereby empowered to accept such additional proceeds associated with this grant, which the FAA may award, without seeking further legislative approval, provided that the employee head count is not increased and that there are no additional general fund expenditures, and be it".

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**Amendment carried.** Ayes-18, Nays-0, Absent-1 (Cleary). **Resolution as amended carried.** Ayes-18, Nays-0, Absent-1 (Cleary).

### **RESOLUTION NO. 301**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION APPROVING THE SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF CONKLIN**

WHEREAS, the County of Broome now owns tax map #178.11-1-19 in the Town of Conklin, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell 13 Cherry Drive in the Town of Conklin, tax map #178.11-1-19 to Betty Nocciolino, 39 Roxbury Road, Conklin, New York 13748 for the purchase price of \$9,500.00, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of 13 Cherry Drive in the Town of Conklin, tax map #178.11-1-19 to Betty Nocciolino, 39 Roxbury Road, Conklin, New York 13748 for the purchase price of \$9,500.00, and be it

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

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

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

### **RESOLUTION NO. 302**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION CANCELLING SCHOOL TAXES PLUS ACCRUED INTEREST AND PENALTIES ON COUNTY OWNED PARCELS IN THE TOWNS OF CHENANGO, KIRKWOOD, LISLE, MAINE, NANTICOKE, UNION, VESTAL, WINDSOR, AND THE CITY OF BINGHAMTON**

WHEREAS, the Director of Real Property Tax Service is requesting authorization to cancel school taxes plus accrued interest and penalties on County owned parcels in the Towns of Chenango, Kirkwood, Lisle, Maine, Nanticoke, Union, Vestal, Windsor and the City of Binghamton as listed on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby approves the cancellation of school taxes plus accrued interest and penalties on County owned parcels in the Towns of Chenango, Kirkwood, Lisle, Maine, Nanticoke, Union, Vestal, Windsor and the City of Binghamton as listed on Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Real Property and the Commissioner of Finance are hereby authorized to execute any and all adjustments to tax bills, tax records and property records as may be necessary to implement the intent of this Resolution.

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

### **RESOLUTION NO. 303**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2008 TAX SALE AUCTION**

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, 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

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WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2008 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2008 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes to sell back parcels as indicated on the attached Exhibit "B", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the bids as indicated on the attached Exhibit "C", 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 successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

#### **RESOLUTION NO. 304**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE WORKFORCE INVESTMENT ACT RAPID RESPONSE-SUPPLEMENTAL DISLOCATED WORKERS PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 2008**

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Investment Act Rapid Response-Supplemental Dislocated Workers Program Grant and adopt a program budget in the amount of \$85,584 for the period May 1, 2008 through December 31, 2008, and

WHEREAS, said program grant provides customers with a "one-stop" approach to employment services, including job search assistance and labor market information, now therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$85,584 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's Workforce Investment Act Rapid Response-Supplemental Dislocated Workers Program Grant for the period May 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$85,584, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

#### **RESOLUTION NO. 305**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2008 WORKFORCE INVESTMENT ACT DISLOCATED WORKER PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND**

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**TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2010**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2008 Workforce Investment Act Dislocated Worker Program Grant and adopt a program budget in the amount of \$391,215 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant provides customers with core employment services including job search assistance and labor market information as well as more intensive services including career training programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$391,215 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2008 Workforce Investment Act Dislocated Worker Program Grant for the period July 1, 2008 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 \$391,215, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

**RESOLUTION NO. 306**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2008 WORKFORCE INVESTMENT ACT ADMINISTRATION PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2010**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2008 Workforce Investment Act Administration Program Grant and adopt a program budget in the amount of \$136,316 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant covers the administrative costs associated with the grant programs that provide customers with core employment services by providing job search assistance and labor market information as well as more intensive services including career training programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$136,316 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2008 Workforce Investment Act Administration Program Grant for the period July 1, 2008 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 \$136,316, 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

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grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 307**

By Economic Development and Planning, Personnel and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF PY2008 WORKFORCE INVESTMENT ACT SHARED COST POOL PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2008-2010**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2008 Workforce Investment Act Shared Cost Pool Program Grant and adopt a program budget in the amount of \$727,407 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant provides a pool to report salary and fringe information for monthly distribution to the appropriate Workforce Investment Act grants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$727,407 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training PY2008 Workforce Investment Act Shared Cost Pool Program Grant for the period July 1, 2008 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 \$727,407, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 308**

By Economic Development and Planning and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2008 WORKFORCE INVESTMENT ACT ADULT PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2010**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2008 Workforce Investment Act Adult Program Grant and adopt a program budget in the amount of \$398,616 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant provides customers with core employment services including job search assistance and labor market information as well as more intensive services including career training programs, now, therefore, be it



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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$398,616 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2008 Workforce Investment Act Adult Program Grant for the period July 1, 2008 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 \$398,616, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 309**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF 2008 TANF SUMMER YOUTH PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2008**

WHEREAS, the Director of Employment and Training requests authorization to accept a 2008 TANF Summer Youth Program Grant and adopt a program budget in the amount of \$474,308 for the period May 1, 2008 through September 30, 2008, and

WHEREAS, said program grant provides funding for full wage subsidy paid summer employment to youth participants from TANF-eligible families in Broome and Tioga Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$474,308 from the State of New York Office of Temporary and Disability Assistance, 40 North Pearl Street-9C, Albany, New York 12243-0001 for the Office of Employment and Training's 2008 TANF Summer Youth Program Grant for the period May 1, 2008 through September 30, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$474,308, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

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### RESOLUTION NO. 310

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF PY2008 WORKFORCE INVESTMENT ACT YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2008-2010**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2008 Workforce Investment Act Youth Program Grant and adopt a program budget in the amount of \$437,007 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant provides customers with core employment services by providing job search assistance and labor market information as well as more intensive services including career training programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$437,007 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2008 Workforce Investment Act Youth Program Grant for the period July 1, 2008 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 \$437,007, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### RESOLUTION NO. 311

By Economic Development and Planning, and Finance Committees      Seconded by Mr. Herz  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH VOORHIS/ROBERTSON JUSTICE SERVICES, INC. TO CONDUCT A STUDY OF THE OPERATIONS OF THE OFFICE OF THE SHERIFF FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 233 of 2007, authorized an agreement with Voorhis/Robertson Justice Services, Inc. to conduct a study of the operations of the Office of the Sheriff for the Department of Planning and Economic Development at a cost not to exceed \$98,672 for the period September 1, 2007 through July 31, 2008, and

WHEREAS, said agreement is necessary to determine whether adjustments to the day-to-day tasks performed by the Office of the Sheriff, including corrections to the physical plant itself could result in cost savings, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period to September 1, 2007 through September 30, 2008, at no additional cost to the County, and

WHEREAS, a draft report of the study will be provided to the County by July 31, 2008, and be it

WHEREAS, the Commissioner of Planning and Economic Development 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 Voorhis/Robertson Justice Services, Inc., 1666 Albion Street, Denver, Colorado

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80220 to extend the period to September 1, 2007 through September 30, 2008, at no additional cost to the County, and be it

FURTHER RESOLVED, that a draft report of the study will be provided to the County by July 31, 2008, and be it

FURTHER RESOLVED, that Resolution 233 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Mr. Kuzel made a motion, seconded by Mr. Shafer to amend the period in the third Whereas paragraph and the first Resolved paragraph to "September 1, 2007 through August 31, 2008"

**Amendment carried.** Ayes-13, Nays-5 (Sanfilippo, Hull, Hutchings, Gamar, Whalen), Absent-1 (Cleary) **Resolution as amended carried.** Ayes-16, Nays-2 (Hull, Howard), Absent-1 (Cleary)

### **RESOLUTION NO. 312**

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2007-2010**

WHEREAS, the Sheriff requests authorization to accept a Law Enforcement Terrorism Prevention Program Grant and adopt a program budget in the amount of \$117,000 for the period July 1, 2007 through June 30, 2010, and

WHEREAS, said program grants goal is to prevent terrorist attacks, respond to terrorist attacks and minimize the danger and recover from terrorist attacks, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$117,000 from the New York State Office of Homeland Security, 1220 Washington Avenue, Albany, New York 12242 for the Office of the Sheriff's Law Enforcement Terrorism Prevention Program Grant for the period July 1, 2007 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 \$117,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 313**

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING ACCEPTANCE OF A TRAFFIC SAFETY CORRIDOR ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2008**

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WHEREAS, the Sheriff requests authorization to accept a Traffic Safety Corridor Enforcement Program Grant and adopt a program budget in the amount of \$19,360 for the period April 1, 2008 through September 30, 2008, and

WHEREAS, said program grant is designed to help reduce the number of crashes, injuries and deaths on New York's roads, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,360 from the New York State Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Traffic Safety Corridor Enforcement Program Grant for the period April 1, 2008 through September 30, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$19,360, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

#### **RESOLUTION NO. 314**

By Transportation and Rural Development and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CAMBRIDGE SYSTEMATICS, INC. FOR A BINGHAMTON REGIONAL FREIGHT STUDY FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 384 of 2006, as amended by Resolution 24 of 2008, authorized an agreement with Cambridge Systematics, Inc., for a Binghamton Regional Freight Study for the Binghamton Metropolitan Transportation Study at a cost not to exceed \$400,000 for the period September 1, 2006 through May 1, 2008, and

WHEREAS, said agreement is necessary to conduct a study to help transportation agencies in the Binghamton region better understand current and future freight movements to and through the Greater Binghamton area and how best to serve the needs of local businesses and encourage future economic development by examining all modes of surface freight transportation, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period to September 30, 2008 at no additional cost to the County, and

WHEREAS, the Director of Binghamton Metropolitan Transportation Study 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 Cambridge Systematics, Inc., 100 Cambridge Park Drive, Suite 400, Cambridge Massachusetts 02140, to extend the period to September 1, 2006 through September 30, 2008 for the Binghamton Metropolitan Transportation Study at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolutions 384 of 2006 and 24 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

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form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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

#### **RESOLUTION NO. 315**

By Transportation and Rural Development and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT FROM SKYWEST AIRLINES, INC., TO COLGAN AIR, INCORPORATED FOR OPERATING RIGHTS, COUNTER SPACE AND RELATED SERVICES AT THE GREATER BINGHAMTON AIRPORT**

WHEREAS, this County Legislature, by Resolution 315 of 2006, authorized an agreement with Skywest Airlines, Inc. for operating rights, counter space, and related services at the Greater Binghamton Airport for the period June 1, 2006 through December 31, 2008, with the option for two one-year renewals under the same terms and conditions, and

WHEREAS, Skywest Airlines, Inc., wishes to assign its operating rights and privileges under the agreement to Colgan Air, Incorporated, which has agreed to accept the assignment, and

WHEREAS, the Commissioner of Aviation agrees with said assignment and requests authorization to consent to said assignment, now, therefore, be it

RESOLVED, that this County Legislature hereby consents to the assignment by Skywest Airlines, Inc. to Colgan Air, Incorporated, 10677 Aviation Lane, Manassas, Virginia 20110, subject to the same terms and conditions set forth in said agreement between Broome County and Skywest, Airlines, Inc., effective May 8, 2008, and be it

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

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

#### **RESOLUTION NO. 316**

By Transportation and Rural Development and Finance Committees   Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH ENTERPRISE RENT-A-CAR, INC. FOR NON-TENANT CAR RENTAL CONCESSION SERVICES AT THE GREATER BINGHAMTON AIRPORT**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Enterprise Rent-A-Car, Inc., for non-tenant car rental concession services at the Greater Binghamton Airport, on a month to month basis, with revenue to the County in the amount of 10% of monthly gross receipts, and

WHEREAS, said agreement will provide car rental services at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Enterprise Rent-A-Car, Inc., 702 West Buffalo Street, Suite 702, Ithaca, New York 14850-3320, for non-tenant car rental concession services at the Greater Binghamton Airport on a month to month basis, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Contractor shall pay the County 10% of the monthly gross receipts for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be deposited in budget line 210070.0160.207000 (Concession), and be it

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

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

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**RESOLUTION NO. 317**

By Transportation and Rural Development and Finance Committees    Seconded by Mr. Shafer  
**RESOLUTION ADOPTING REVISED MINIMUM STANDARDS AND REQUIREMENTS FOR AERONAUTICAL ACTIVITIES FOR THE GREATER BINGHAMTON AIRPORT**

WHEREAS, this County Legislature, by Resolution 619 of 2000, adopted the Minimum Standards and Requirements for Aeronautical Activities for the Greater Binghamton Airport, and

WHEREAS, said document outlines standards to ensure the safe and efficient operation of the Greater Binghamton Airport and works to enhance its orderly growth; and per federal grant assurances associated with funding sources used for many airport Capital Improvement Projects, the Department of Aviation is obligated to make the airport's facilities available on fair and reasonable terms without unjust discrimination and that no granting of exclusive rights are allowed, and

WHEREAS, per FAA recommendations, the Department of Aviation has reviewed this document to examine the timeliness and accuracy of this document and has addressed some needed updates, and

WHEREAS the Commissioner of Aviation requests the adoption of the Revised Minimum Standards and Requirements for Aeronautical Activities, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts the Revised Minimum Standards and Requirements for Aeronautical Activities attached hereto as "Exhibit A", and be it

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

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

**RESOLUTION NO. 318**

By Transportation and Rural Development and Finance Committees    Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2008-2009**

WHEREAS, the Commissioner of Aviation requests authorization for 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 to provide construction observation services for the Airport Taxiway Improvement 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 for construction observation and administration services for the Department of Aviation for the period June 1, 2008 through August 1, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$417,728 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2016.501518 (Taxiways), and be it

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

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

**RESOLUTION NO. 319**

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

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**RESOLUTION AUTHORIZING AN AGREEMENT WITH AD ELEMENTS FOR MARKETING AND ADVERTISING SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2008**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Ad Elements, LLC for marketing and advertising services for the Department of Aviation at a cost not to exceed \$130,000 annually, for the period July 1, 2008 through December 31, 2008, with Broome County's option for two one-year renewals, and

WHEREAS, said agreement is necessary to educate and inform our community of the resources and benefits offered at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Ad Elements, LLC 311 Garfield Avenue, Endicott, New York 13760 for marketing and advertising services for the Department of Aviation for the period July 1, 2008 through December 31, 2008, with Broome County's option for two one-year renewals, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$130,000 annually, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4448.207000 (Advertising and Promotion Expenses), and be it

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

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

**RESOLUTION NO. 320**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2008-2009**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc., for construction observation and administration services for the Department of Aviation at a cost not to exceed \$31,918 for the period June 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to provide construction observation services for the Airport Runway 16/34 PAPI 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 for construction observation and administration services for the Department of Aviation for the period June 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31,918 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2015.501564 (Runways), and be it

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

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

**RESOLUTION NO. 321**

By County Administration and Finance Committees      Seconded by Mr. Shafer  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH BROOME COMMUNITY COLLEGE FOR FOOD SERVICES BY BROOME COUNTY CENTRAL FOODS FOR 2008-2009**

WHEREAS, the Director of Central Foods requests authorization for an agreement with Broome Community College for food services by Broome County Central Foods, at a cost of 25% of net revenues, for the period August 1, 2008 through July 31, 2009, and

WHEREAS, said agreement will allow Central Foods to run the BCC Café and bring revenue to the County estimated at \$37,927, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Community College, 907 Front Street, Binghamton, New York 13905 for food services by Broome County Central Foods for the period August 1, 2008 through July 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor 25% of net revenues, estimated at \$12,643, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230193.4796.251000 (BCC Commission Expense), and be it

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

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

**RESOLUTION NO. 322**

By Finance and Health and Human Services Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF HEALTH**

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for the Tobacco Control Program 2007-2008, as requested by BF# 6719, 6720, and 6721, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1500	105331	Salaries-Part Time	3,151
	480376	4349	105331	Misc Oper Supplies	215
	480376	4411	105331	Postage and Freight	35
	480376	4449	105331	Other Oper Expense	8,832
	480376	4461	105331	Mileage and Parking	355
	480376	4465	105331	Non Employee Travel	250
	480376	4606	105331	Telephone Chargeback	825
	480376	4615	105331	Gasoline Chargeback	150
	480376	4616	105331	Fleet Service Chargeback	150
	480376	4617	105331	Dup/Print Chargeback	65
	480376	4627	105331	Single Audit Chargeback	100
	480376	8010	105331	State Retirement	257
	480376	8030	105331	Social Security	333
	480376	8050	105331	Life Insurance	1
	480376	8060	105331	Health Insurance	339
TO:	480376	4346	105331	Training & Education	2,342
	480376	4363	105331	Med, Lab, Clinic Supp	30
	480376	4448	105331	Advertising & Promo	8,832
	480376	4462	105331	Travel, Hotel, Meals	405
	480376	4463	105331	Education & Training	400
	480376	4466	105331	Ad Bd/Trustee	850
	480376	4610	105331	P/S Chargeback	1,364
	480376	4614	105331	Other Chargeback	265
	480376	4618	105331	Off Supplies Chargeback	385
	480376	4626	105331	Transp Svc. Chargeback	100
	480376	8040	105331	Workers Compensation	65



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480376      8063      105331      Disability Insurance      20  
**Carried.** Ayes-18, Nays-0, Absent-1 (Cleary)

### **RESOLUTION NO. 323**

By Personnel, County Administration and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DIVISION OF INFORMATION TECHNOLOGY**

RESOLVED, that in accordance with a request contained in PCR # 08-136 from the Director of Information Technology, this County Legislature hereby authorizes the position of Application Program Specialist, Grade 24, Union Code 07 BAPA, at budget line 370007.1000.101000, at a salary of \$58,165, to be changed to Senior Computer Hardware Technician, Grade 18, Union Code 04 CSEA, at budget line 370007.1000.101000 at a salary of \$40,914, effective July 1, 2008.

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

### **RESOLUTION NO. 324**

By Personnel, Health and Human Services, and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE OFFICE FOR AGING**

RESOLVED, that in accordance with a request contained in PCR # 08-132 from the Director of Office For Aging, this County Legislature hereby authorizes the position of Human Services Coordinator III, Grade 23, Union Code 07 BAPA, at budget line 761155.1000.105367, at a salary of \$52,042, to be changed to Aging Services Program Coordinator, Grade 20, Union Code 07 BAPA, at budget line 761155.1000.105367 at a salary of \$44,992, effective June 30, 2008.

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

### **RESOLUTION NO. 325**

By: Health and Human Services and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AMENDING THE AGREEMENTS WITH VARIOUS CHEMUNG AND SCHUYLER COUNTY VENDORS FOR VARIOUS SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 209 of 2008, authorized an agreement with various vendors for various services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant at the rates according to the New York State Department of Health's Fee Schedule for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreements are necessary to provide breast, cervical and colorectal cancer screening services, diagnostic and follow-up services, and HPV vaccine, and

WHEREAS, it is necessary to authorize the amendment of said agreements to reimburse various vendors using a 70%/30% split rate reimbursement schedule according to rates set by the New York State Department of Health's Upstate NY Reimbursement Rate Schedule, and

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

RESOLVED, that this County Legislature hereby authorizes amending the agreements with various vendors as listed on Exhibit "A" to be paid at rates according to the 70%/30% split rate reimbursement schedule as listed on Exhibit "B"; and the vendors listed on Exhibit "C" to be paid at rates according to the 70%/30% split rate reimbursement schedule as listed on Exhibit "D", for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

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FURTHER RESOLVED, that Resolution 209 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

### RESOLUTION NO. 326

By County Administration Committee

Seconded by Mr. Mather

#### RESOLUTION AUTHORIZING A HOME RULE REQUEST FOR THE ADOPTION OF ASSEMBLY BILL A.10560 AND SENATE BILL S.7633 BY THE NEW YORK STATE LEGISLATURE

WHEREAS, Assembly Bill A.10560 and Senate Bill S.7633 have been introduced into the New York State Assembly and Senate respectively, in relation to authorization for the Broome County proposal to have a guaranteed member of the Minority Party seated on the Broome County Industrial Development Agency (BCIDA), and

WHEREAS, 895-a of the General Municipal Law established the BCIDA, and

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

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

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

RESOLVED, that the Broome County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A.10560 and Senate Bill S.7633 entitled "AN ACT to amend the general municipal law, in relation to the membership of the Broome county industrial development agency" and hereby declares that a necessity exists for the passage of such bill because the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and be it

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

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

### RESOLUTION NO. 327

By Finance and County Administration Committees

Seconded by Mr. Whalen

#### RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR CENTRAL FOODS

RESOLVED, that in accordance with a request from the Director of Central Foods, in order to provide funds to establish a budget for the BCC Cafe, as requested by BF# 0599, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
Appropriations	230193	1600	251000	Salaries-Temporary	13,361
	230193	4331	251000	Food & Beverage	37,000
	230193	4796	251000	BCC Comm. Exp.	12,643
	230193	4332	251000	Kitchen & Paper	3,375
	230193	4449	251000	Other Oper. Exp.	600
	230193	8030	251000	Social Security	1,022
Revenue	230193	0100	251000	Restaurant	118,570
				Concession	

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

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### **RESOLUTION NO. 328**

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

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AID TO PROSECUTION GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 375 of 2007, authorized and approved renewal of the Aid to Prosecution Grant for the Office of the District Attorney and adopted a program budget in the amount of \$220,138 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides funds for approximately 45% of the salary and fringe benefits for one Chief Assistant District Attorney and one Senior Assistant District Attorney, and

WHEREAS, it is desired to renew said grant program in the amount of \$236,657 for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$107,319 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3702, for the Office of the District Attorney's Aid to Prosecution Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$236,657, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 329**

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

#### **RESOLUTION AUTHORIZING RENEWAL OF THE OPERATION IMPACT V PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 444 of 2007, authorized and approved renewal of the Operation Impact V Program Grant for the Office of the District Attorney and adopted a program budget in the amount of \$130,282 for the period July 1, 2007 through June 30, 2008, and

WHEREAS, said program grant provides funds for one Assistant District Attorney II position as part of a collaborative law enforcement effort to reduce violent crime in targeted areas in the City of Binghamton and the County of Broome, and

WHEREAS, it is desired to renew said grant program in the amount of \$96,843 for the period July 1, 2008 through June 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$96,843 for the New York State Division of Criminal Justice Services, Bureau of Justice Funding,

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4 Tower Place, Albany, New York 12203 for the Office of the District Attorney's Operation Impact V Program Grant for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$96,843, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 330**

By: Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH AETNA FOR ADMINISTRATION OF THE MEDICARE ADVANTAGE HEALTH PLAN FOR THE OFFICE OF RISK AND INSURANCE FOR 2008**

WHEREAS, the Manager of Risk and Insurance requests authorization for an agreement with Aetna for administration of the Medicare Advantage Health Plan for the Office of Risk and Insurance at a cost not to exceed an aggregate monthly amount not to exceed \$31,000 for the period July 1, 2008 through December 31, 2008, with Broome County's option for three one-year renewals, and

WHEREAS, said agreement is necessary to replace coverage for Medicare Parts A&B and RMSCO self-insured with a privately administered Medicare-Part C health plan, with monthly savings estimated at \$70,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Aetna, 1000 Middle Street, Middletown, Connecticut 06457 for administration of the Medicare Advantage Health Plan for the Office of Risk and Insurance for the period July 1, 2008 through December 31, 2008, with Broome County's option for three one-year renewals, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an aggregate monthly amount not to exceed \$31,000 through December 31, 2008, and an aggregate monthly amount not to exceed \$31,000 plus adjustments, if any, required by the annual revision to the Medicare subsidy during the three one-year renewals of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 050005.4528.252000 (Medical Care) and 050005.4529.252000 (Hospital Care), and be it

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

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

### **RESOLUTION NO. 331**

By County Administration Committee

Seconded by Mr. Garnar

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**A RESOLUTION THAT CONTINUES OUR OPPOSITION OF ASSEMBLY BILL A9393-A AND SENATE BILL A6457-A AND AFFIRMS BROOME COUNTY'S COMMITMENT TO ITS RETIREES**

WHEREAS, The Broome County Legislature passed a resolution urging the Governor and the State Legislature to oppose proposed state legislation, Assembly Bill 9393-A and Senate Bill 6457-A, on May 15, 2008; and

WHEREAS, this Legislature would like to clarify its position on this resolution in regards to the healthcare benefits of retired employees provided by Broome County; and

WHEREAS, this Legislature recognizes that retired employees of Broome County have offered a valuable service to our community through their many years of hard work and dedication to their jobs; and

WHEREAS, this Legislature recognizes that many retired employees of Broome County are senior citizens living on fixed incomes, and that substantial increases to their health insurance premiums will have a devastating effect on their ability to keep up with current cost of living increases, which have recently skyrocketed; and

WHEREAS, the Legislature recognizes that only the Federal or State government has the power to reduce and/or stabilize the cost of healthcare in the United States, and that the members of the County Legislature are aware of the efforts of the Governor's Task Force "Partnership 4 Coverage" addressing this issue, and that the level of revenue sharing in New York State is far below that of other States and must be increased if Counties are to meet their fiscal obligations, it is therefore

RESOLVED, that the Broome County Legislature is fully committed to honoring all current union contracts; and be it

FURTHER RESOLVED, that the Broome County Legislature is fully committed to implementing a two-year moratorium on unilateral changes in retiree health insurance coverage and costs, and be it

FURTHER RESOLVED, that there be equal representation on the County GASB-45 Task Force to include Retirees, Community Groups, Business, Unions and Taxpayers

**Held over by Mr. Whalen**

**RESOLUTION NO. 332**

By Personnel and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION CONFIRMING THE APPOINTMENT OF JAY L. WILBER AS BROOME COUNTY PUBLIC DEFENDER**

WHEREAS, Barbara Fiala, County Executive, pursuant to the authority vested in her by Article XXII, Section 2201 of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, Jay L. Wilber 3714 Highview Drive, Endicott New York 13760 as Broome County Public Defender at the minimum annual salary of \$94,282, effective June 19, 2008

WHEREAS, Jay L. Wilber is fully qualified to fill the position of Public Defender, and it is desired at this time to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, hereby confirms the appointment of Jay L. Wilber as Broome County Public Defender, effective June 19, 2008 in accordance with his appointment by the County Executive.

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

**RESOLUTION NO. 333**

By County Administration and Personnel Committees

Seconded by Mr. Mather

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7 OF 2008, ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO FIFTEEN AND INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS"**

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WHEREAS, this County Legislature requests authorization for a Resolution Adopting Local Law Intro. No. of 2008, Entitled "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO FIFTEEN **AND INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS**", it is hereby,

RESOLVED, that Local Law Intro. No.7 of 2008, entitled "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO FIFTEEN **AND INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS**" be and the same is hereby adopted and approved in accordance with and subject to the Broome County Charter, The New York State Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

**Local Law Intro. No. 7 of 2008**

"A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO FIFTEEN **AND INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS**"  
BE IT ENACTED by the County Legislature of the County of Broome as follows:

Section 1. Article II Chapter 201 of the Broome County Charter is amended to by adding the following paragraph to the end of § C 201(3)

Effective January 1, 2013, the number of legislative districts in Broome County shall be decreased from nineteen to fifteen. Upon release of the next decennial federal census, the County Legislature shall redraw legislative boundaries to provide for fifteen legislative districts and by June 30, 2012 §C201(3) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in 2012 to take office on January 1, 2013.

Section 2. Article II Chapter 201 of the Broome County Administrative Code is amended by adding the following paragraph to the end of § A201(C).

Effective January 1, 2013, the number of legislative districts in Broome County shall be decreased from nineteen to fifteen. Upon release of the next decennial federal census, the County Legislature shall redraw legislative boundaries to provide for fifteen legislative districts and by June 30, 2012 §A201(3) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in 2012 to take office on January 1, 2013.

**Section 3.** Section C202 of the Broome County Charter is hereby amended to read as follows

§C202 Terms of Office

**Effective with the 2012 general election,** the terms of office of the members of the County Legislature **taking office on January 1, 2013** shall be for **[two (2)] four (4)** years and shall begin on the first day of January immediately succeeding their election.

**Section 4.** Section A202 of the Broome County Administrative Code is hereby amended to read as follows:

§A202 Terms of Office

**Effective with the 2012 general election,** the terms of office of a County Legislator **taking office on January 1, 2013** shall be for **[two (2)] four (4)** years and shall begin on the first day of January immediately succeeding his election.

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Section **315** This Local Law shall become effective after a public hearing before and approval by the County pursuant to the Municipal Home Rule Law and after filing a copy thereof with the Secretary of State.

Material in [brackets] is deleted.

Material underlined is added.

Material in **bold, brackets, underlined** amended in committee

**Automatic holdover due to an amendment made in committee**

### RESOLUTION NO. 334

By County Administration

Seconded by Mr. Materese

#### **RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO UPDATE NEW YORK'S BOTTLE BILL**

WHEREAS, New York's Returnable Beverage Container Act, known as the "bottle bill," is New York's most effective recycling and litter prevention program; and,

WHEREAS, since 1982, more than 90 billion bottles and cans have been returned and recycled in New York because of the bottle bill, which places a 5-cent refundable deposit on beer and soda containers; and,

WHEREAS, the bottle bill did not include bottled water, iced teas, sports drinks, and other non-carbonated beverages because they were not popular in 1982, but they now make up more than 25% of the beverage market; and,

WHEREAS, after the original bottle bill went into effect, litter volume in New York declined by 30% and our streets, parks, beaches, farms, and communities were noticeably cleaner; and,

WHEREAS, recent litter surveys conducted in New York by coastal cleanup volunteers found that nearly two-thirds of the bottles and cans now polluting New York's rivers and beaches are non-carbonated beverages such as water and iced tea bottles that do not have a deposit, and these containers make up approximately 20% of the total litter volume; and,

WHEREAS, approximately 80% of deposit containers are recycled through the bottle bill and curbside recycling programs in New York, while fewer than 20% of non-deposit containers are recycled; and,

WHEREAS, legislation known as the "Bigger Better Bottle Bill" has been introduced in the New York State Legislature that would update New York's bottle bill to include non-carbonated beverages such as water, iced tea, juice, and sports drinks; and,

WHEREAS, the "Bigger Better Bottle Bill" would also require beverage companies to return unclaimed bottle deposits to the State Environmental Protection Fund to benefit the public; and,

WHEREAS, the Environmental Protection Fund is a dedicated trust fund for New York's environment that supports local recycling programs, parks, waterfront revitalization, open space, farmland preservation, and other programs to protect our land, air, and water; and,

WHEREAS, the Division of Budget estimates that the unclaimed deposits from the updated bottle bill could generate more than \$100 million each year for the Environmental Protection Fund; and,

WHEREAS, the Bigger Better Bottle Bill has been endorsed by more than 500 groups, businesses, and local governments across the state, including The Binghamton Zoo at Ross Park, Binghamton Press & Sun Bulletin, Bottle Babes in Binghamton, New York Farm Bureau, and League of Women Voters of New York State; and,

WHEREAS, we all have a responsibility to keep our communities clean and healthy; now, therefore, be it

RESOLVED, That the Broome County Legislature does hereby urge state lawmakers to support cleaner communities, a healthier environment, and increased funding for environmental programs by passing the Bigger Better Bottle Bill; and, be it further

RESOLVED, That the Clerk of the Broome County Legislature is hereby directed to forward copies of this resolution to Governor David Paterson, Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver, Assemblywoman Donna Lupardo, Assemblyman

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Clifford Crouch, Assemblyman Gary Finch and Senator Thomas Libous, and the New York Public Interest Research Group.

Held over by Mr. Kuzel

### **RESOLUTION NO. 335**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION AMENDING RESOLUTION NUMBER 235 OF 2007 APPROVING THE SALE OF COUNTY OWNED PROPERTY IN THE TOWN OF KIRKWOOD**

WHEREAS, this County Legislature, on April 19, 2007 adopted Resolution Number 235 of 2007 approving the sale of county-owned property in the Town of Kirkwood located at 90 Barlow Road, Kirkwood, New York (tax map parcel ID 162.05-2.29) to Alfred Gorick, Jr. of 3 Valley Court, Binghamton, New York 13904, and

WHEREAS, Alfred Gorick desires to assign the right to purchase said real property to Gorick Construction Co., Inc. of 27 Track Drive, Binghamton, New York on the same terms and conditions as are set forth in Resolution Number 235 of 2007, now therefore, be it,

RESOLVED, that this County Legislature hereby amends Resolution Number 235 of 2007 to authorize the sale of 90 Barlow Road, Kirkwood, New York (tax map parcel ID 162.05-2.29) to Gorick Construction Company, Inc., of 27 Track Drive, Binghamton, New York 13904 instead of Alfred Gorick of 3 Valley View Court, Binghamton, New York 13904, and be it

FURTHER RESOLVED, that to the extent that Resolution Number 235 of 2007 is not hereby amended said Resolution Number 235 of 2007 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 a quit claim deed, approved as to form by the Department of Law, conveying the property listed above to Gorick Construction, Co., Inc. together with such other documents as may be necessary to implement the intent of this Resolution.

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

### **RESOLUTION NO. 336**

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Whalen

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A RECRUITMENT/RETENTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2007-2009**

WHEREAS, the District Attorney requests authorization to accept a Recruitment/Retention Program Grant and adopt a program budget in the amount of \$27,322 for the period April 1, 2007 through March 31, 2009, and

WHEREAS, said program grant provides funds for salary bonuses to certain critical employees to encourage recruitment and retention of District Attorneys, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,322 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 for the Office of the District Attorney's Recruitment/Retention Program Grant for the period April 1, 2007 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$27,322, 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



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FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 337**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Whalen  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH COMMUNIQUE DESIGN AND MARKETING INC. FOR VIDEO PRODUCTION FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR 2008**

WHEREAS, the Director of Economic Development requests authorization for an agreement with Communique Design and Marketing Inc., for video production at a cost not to exceed \$12,100, for the period June 19, 2008 through October 31, 2008, and

WHEREAS, said agreement is necessary, working in partnership with the Greater Binghamton Chamber of Commerce, for a five minute promotion video for tourism marketing efforts and a two minute version to be featured on area websites, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Communique Design and Marketing, Inc., 221 Washington Street, Binghamton, New York 13901, for video production for the Department of Economic Development for the period June 19, 2008 through October 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,100 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.

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

### **RESOLUTION NO. 338**

By Mr. Kuzel      Seconded by Mr. Garnar  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2008, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO IMPOSE A LIMIT ON TERMS OF OFFICE TO A NUMBER OF TERMS TOTALING EIGHT CONSECUTIVE YEARS."**

WHEREAS, it is the intent of the Broome County Legislature to allow the residents of Broome County to decide whether term limits shall be established for the office of County Legislator, now therefore be it

RESOLVED, that Local Law Intro. No. 5 of 2008, entitled: "A Local Law amending the Broome County Charter and Administrative Code to impose a limit on terms of office to a number of terms totaling eight consecutive years," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

#### **LOCAL LAW INTRO. NO. 5, 2008**

A Local Law amending the Broome County Charter and Administrative Code to impose a limit on terms of office to a number of terms totaling eight consecutive years.

BE IT ENACTED as follows:

SECTION 1. Section C202 of the Broome County Charter is hereby amended to add paragraph "B" to read as follows:

§C202. Terms of Office.

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(B) Beginning with the term commencing January 1, 2011, any person who has been elected to terms of office totaling eight consecutive years as a member of the County Legislature shall be ineligible to serve thereafter as a member thereof until the expiration of one (1) full term following the expiration of the term of office expiring at the end of the eighth consecutive year to which such person was elected.

Holding office as a member of the Legislature as a result of appointment or election to fill an unexpired term shall not disqualify a person from being thereafter elected to successive terms of office totaling eight consecutive years.

SECTION 2. Section A202 of the Broome County Administrative Code is hereby amended to add paragraph "B" to read as follows:

§A202. Terms of Office.

(B) Beginning with the term commencing January 1, 2011, any person who has been elected to terms of office totaling eight consecutive years as a member of the County Legislature shall be ineligible to serve thereafter as a member thereof until the expiration of one (1) full term following the expiration of the term of office expiring at the end of the eighth consecutive year to which such person was elected.

Holding office as a member of the Legislature as a result of appointment or election to fill an unexpired term shall not disqualify a person from being thereafter elected to successive terms of office totaling eight consecutive years.

SECTION 3. This Local Law shall become effective after a public hearing before and approval by the County Executive, after approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State.

**Held over by Mr. Kuzel**

Mr. Schofield made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn Carried,** Ayes-18 Nays-0, Absent-1 (Cleary). The meeting was adjourned at 6:35 p.m.

