
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, OCTOBER 16, 2008**

The Legislature convened at 5:06 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-19, Absent-0.

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. Marinich made a motion, seconded by Mr. Howard, that the minutes of September 18, 2008 be approved as prepared and presented by the Clerk. **Carried**, Ayes-19, Nays-0, Absent-0.

Mr. Whalen noted that the committee minutes for the period September 18, 2008 through October 15, 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. Mather, seconded by Mr. Sanfilippo. **Carried**, Ayes-19, Nays-0, Absent-0.

ANNOUNCEMENTS FROM THE CHAIR

Mr. Whalen invited Mr. Sanfilippo to the podium. Mr. Sanfilippo presented a proclamation to Claudia Edwards and the members of the Southern Tier Cancer Services Program Team.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala
 - 1. Broome County 2009 Budget Message
 - 2. Broome County Recommended 2009 Budget
 - 3. Broome County Recommended 2009-2014 Capital Improvement Program

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. PETITIONS: None
- B. COMMUNICATIONS:
 - 1. Finance Committee 2009 Budget Review Schedule
 - 2. Finance Committee 2009 Budget Review Schedule, Revised 10/2/08
 - 3. NYS Bard of Real Property Services-Certificate of County Equalization Rates
 - 4. Broome Community College Budget Transfers 7/08 & 8/08
 - 5. Finance Committee 2009 Budget Review Schedule, Revised 10/9/08
- C. NOTICES: None
- D. REPORTS:
 - 1. Broome Community College Above Minimum Hire Report 7/08 & 8/08
 - 2. Audit and Control-Quarterly Accounts Receivable Analysis 9/08

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Mark R. Whalen:
 - 1. Designation for Stephen D. Herz 10/9/08
 - 2. Designation for Brian K Mather 10/8/08
 - 3. Designation for Ronald J. Keibel 10/9/08

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-19, Nays-0, Absent-0.

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

Mr. Keibel made a motion, seconded by Mr. Marinich to suspend the rules to recall Resolution No. 375. **Motion carried**. Ayes, 19, Nays-0, Absent-0. Mr. Keibel made a motion, seconded by Mr. Marinich to table the resolution to the November 20th session and have it go back through the committee cycle. **Motion carried**. Ayes-19, Nays-0, Absent-0.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 460

(Held over by Mr. Mather)

By Public Works, County Administration and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PREPARE MAPS AND PLANS FOR THE FORMATION OF A COUNTY WATER DISTRICT IN THE TOWNS OF UNION, MAINE AND NANTICOKE ALONG THE AIRPORT ROAD CORRIDOR
Mr. Keibel made a motion, seconded by Mr. Hutchings to table to the November 20th session.
Motion to table carried, Ayes-17, Nays-2 (Schofield, Black), Absent-0.

RESOLUTION NO. 463

(Held over by Mr. Shafer)

By Transportation and Rural Development and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR TRANSPORTATION OF STUDENTS DURING THE 2008-2011 SCHOOL YEARS
Carried, Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 502

(Automatic Holdover)

By County Administration, Public Safety and Emergency Services, and Finance Committees
Seconded by Mr. Whalen
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12 OF 2008, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 115 OF THE BROOME COUNTY CHARTER AND CODE REGARDING CHARGES AND FEES AT THE BROOME COUNTY DOG SHELTER."
Mr. LaBare made a motion, seconded by Mr. Shafer to amend the resolution to replace "a national" with "the shelter's local". **Amendment carried**, Ayes-19, Nays-0, Absent-0. Resolution as amended is an **automatic holdover**.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 512

By Health and Human Services Committee Seconded by Mr. LaBare
RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE HEALTH ADVISORY BOARD

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Article VII, Section 703 of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individual to membership on the Health Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dr. Peggy Wozniak	12/31/2011

36 Vermont Avenue
Binghamton, New York 13903

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article VII, Section
703, of the Broome County Charter and Administrative Code, confirms the appointment of the
above-named individual to membership on the Health Advisory Board, for the term indicated, in
accordance with her appointment by the County Executive.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 513

By Health and Human Services Committee

Seconded by Mr. LaBare

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Analusette Shaello-Johnson 90 Chestnut Street Binghamton, New York 13905	12/31/2010
Bob Fiacco 1208 Hillside Drive Binghamton, New York 13905	12/31/2010
Jon Daly Reiser 209 Old Vestal Road Vestal, New York 13850	12/31/2010

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of
1971 and Resolution 133 of 1976, confirms the appointments of the above-named individuals to
membership on the Broome County Youth Bureau Advisory Board for the terms indicated, in
accordance with their appointment by the County Executive.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 514

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CCRX OF NEW YORK, LLC FOR PHARMACY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 703 of 2007, authorized an agreement
with CCRx of New York, LLC for pharmacy services for the Willow Point Nursing Home at an amount
not to exceed \$600,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to maintain pharmaceutical regimes and stability for
residents, monitor cost containment, third party reimbursement, private billing, facility billing and
minimize staff time in pharmacy process, and

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at
this time to renew said agreement on substantially similar terms and conditions, for an amount not to
exceed \$561,000 for the period January 1, 2009 through December 31, 2009, with Broome County's
option for two twelve month renewals under the same terms and conditions, now, therefore, be it

PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2008

WHEREAS, this County Legislature, by Resolution 623 of 2007, authorized renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G & E Therapies) for physical, speech and occupational therapy services for the Willow Point Nursing Home at a cost not to exceed \$45,500 for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$30,000 for physical, speech and occupational therapy services for the Willow Point Nursing Home, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G & E Therapies) c/o Gerilyn Gault, PT, 1977 Marshland Road, Apalachin, New York 13732, to increase the not to exceed amount by \$30,000 for physical, speech and occupational therapy services for the Willow Point Nursing Home 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 additional \$30,000, total amount not to exceed \$75,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226/160234/160242.4706.204000 (Rehab and Therapy Services), and be it

FURTHER RESOLVED, that Resolution 623 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 519

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING PAYMENT TO VARIOUS VENDORS FOR SERVICES CLASSIFIED UNDER THE CONSOLIDATED BILLINGS' PROSPECTIVE PAYMENT SYSTEM FOR SKILLED NURSING FACILITIES FOR 2009

WHEREAS, this County Legislature, by Resolution 551 of 2007, authorized blanket approval to pay for services classified under the Consolidated Billings Prospective Payment System for Skilled Nursing Facilities at the Physician Fee Schedule where applicable, total amount not to exceed \$50,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, the Balanced Budget Act of 1997 created a Consolidated Billings Prospective Payment System for Skilled Nursing Facilities whereby the SNF is responsible for submitting all Medicare claims for the services/products that its residents receive, and

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for payment to various vendors for services classified under the Consolidated Billings Prospective Payment System for Skilled Nursing Facilities, at the Physician Fee Schedule where applicable, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes payment to various vendors for services classified under the Consolidate Billings' Prospective Payment System for Skilled Nursing Facilities, at the Physician Fee Schedule where applicable, total amount not to exceed \$50,000 for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines under project code 204000, and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 520

By Transportation and Rural Development and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING RENEWAL OF THE INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT AND DISPOSAL OF WASTE FLUIDS AND FUEL FARM RAINWATER FROM THE GREATER BINGHAMTON AIRPORT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 489 of 2007, authorized renewal of the agreement with the Village of Endicott for treatment and disposal of waste fluids and fuel farm rainwater from the Greater Binghamton Airport at the rate of \$35 per 1,000 gallons of fluid plus laboratory analysis expenditures, total cost not to exceed \$7,500, for the period December 1, 2007 through November 30, 2008, and

WHEREAS, said agreement is necessary for the treatment and disposal of waste deice fluid and fuel farm rainwater, and

WHEREAS, said agreement expires by its terms on November 30, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period December 1, 2008 through November 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement with the Village of Endicott, Industrial Pretreatment Department, 1009 E. Main St., Endicott, New York 13760, for treatment and disposal of waste fluids and fuel farm rainwater from the Greater Binghamton Airport for the period December 1, 2008 through November 30, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$35 per 1,000 gallons of fluid, plus laboratory analysis expenditures, total amount not to exceed \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210088.4449.207000 (Other Operational), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 521

By Finance Committee Seconded by Mr. LaBare
RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2009

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2009 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2009, as apportioned to the County and the towns and villages participating in the fund be approved, and be it

FURTHER RESOLVED, that the apportioned amounts as to the towns and County shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Commissioner of Finance, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to bill the Villages of Lisle, Port Dickinson and Whitney Point for the amounts apportioned to them, and be it

FURTHER RESOLVED, that when said amounts are collected, they shall be deposited to the Workers' Compensation account as follows:

Municipality	Amount
Broome County	1,998,129
Barker	30,943
Binghamton (Town)	69,572
Chenango	94,123
Colesville	65,552
Conklin	54,927
Lisle (Town)	26,302
Lisle (Village)	9,090
Maine	123,916
Nanticoke	7,331
Port Dickinson (Village)	6,390
Sanford	43,985
Triangle	28,002
Whitney Point (Village)	10,720
Windsor (Town)	38,072
Total	\$2,607,054

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 522

By Economic Development and Planning, County Administration and Finance Committees
Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY (BCIDA) TO LEASE SPACE AT THE EDWIN L. CRAWFORD COUNTY OFFICE BUILDING FOR 2009

WHEREAS, this County Legislature, by Resolution 692 of 2007, authorized renewal of the agreement with the Broome County Industrial Agency to lease 1,920 square feet of space at the Edwin L. Crawford County Office Building at a rate of \$8.00 per square foot, \$1,280 per month including utilities, total amount not to exceed \$15,360 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Broome County Industrial Agency to lease 1,920 square feet of office space on the fifth floor of the Edwin L. Crawford County Office Building for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Broome County Industrial Agency shall pay the County \$1,300.80 per month including utilities, total amount \$15,610 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 440016.0158.101000 (Rental Contracts), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 523

By Economic Development and Planning and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS EMPLOYERS AND EDUCATIONAL PROVIDERS FOR TRAINING SERVICES FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 2008-2010

WHEREAS, the Director of Employment and Training requests authorization for agreements with various employers and educational providers for training services for qualified persons for the Office of Employment and Training for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said employment and educational providers are organizations approved by the Broome Tioga Workforce Development Board, who provide job training services or hire qualified persons and are reimbursed partial salary costs by Workforce Investment Act-WIA grants previously approved by this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various employers and educational providers for training services for qualified persons for the period July 1, 2008 through June 30, 2010, and be it

FURTHER RESOLVED, that the Office of Employment and Training is hereby directed to file a list of employers and educational providers who will be providing training services authorized by this resolution with the Commissioner of Finance, County Comptroller, Clerk of the Legislature and the County Executive, and provide an updated list each month new providers are added, and be it

FURTHER RESOLVED, that in consideration of services delivered, the County shall compensate the training and educational providers the stated training rate as identified within the training and educational providers catalogs for the provision of services, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the following programs: WIA Administration, Adult, Dislocated Worker, Youth and Trade Act Assistance from the following budget lines: 4538 (Tioga County), 4534 (Client Tuition, Books, Fees) and 4542 (Contracted Training); and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 524

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING SERVICES FOR PATIENTS AT THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 629 of 2007, authorized a renewal of the agreement with Lourdes Hospital for lab testing services for the Willow Point Nursing Home at an amount not to exceed \$55,800, for the period January 1, 2008 through and December 31, 2008

WHEREAS, said services are necessary for lab testing purposes, and

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$51,150, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for lab testing for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$51,150 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192 4703.204000(lab services), and be it

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

RESOLUTION NO. 525

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH KINETIC CONCEPTS INC. FOR PROFESSIONAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 476 of 2008, authorized a renewal of the agreement with Kinetic Concepts Inc. for professional services for the Willow Point Nursing Home at an amount not to exceed \$26,000, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said services provide specific compatible wound care equipment rental and purchase of specific compatible wound care supplies to treat Willow Point Nursing Home residents at the recommendation of wound care specialists, and

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$19,500, for the period January 1, 2009 through December 31, 2009 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Kinetic Concepts, Inc., P.O. Box 203086, Houston, TX. 77216-3086, for professional services for the Willow Point Nursing Home for the period January 1, 2009, through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226.4512/4363.204000(Outside Rentals/Medical, Lab & Clinic Supplies), and be it

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

RESOLUTION NO. 526

By Health and Human Services and Finance

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK PLLC (D/B/A G & E THERAPIES) FOR PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY FOR THE WILLOW POINT NURSING HOME FOR 2009.

WHEREAS, this County Legislature, by Resolution 157 of 2008, authorized a renewal of the agreement with Therapeeds Physical Therapy of Upstate New York PLLC for physical, speech and occupational therapy for services for the Willow Point Nursing Home at an amount not to exceed \$75,500, for the period January 1, 2008 through December 31, 2008 and

WHEREAS, said services are necessary to provide physical, speech and occupational therapy services in the absence of a staff therapist for Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$31,100, for the period, January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, DBA G & E Therapies, c/o Gerilynn Gault, PT, 1977 Marshland Road, Apalachin, N.Y. 13732 for physical, speech and occupational

therapy services for the Willow Point Nursing Home for the period January 1, 2009, through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31,100 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160234.4706.204000 (Rehab and Therapy Services), 160226.4706.204000, 160242.4706.204000 and be it

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

RESOLUTION NO. 527

By Health and Human Services and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH K & A RADIOLOGICAL TECHNOLOGY, INC. FOR PROFESSIONAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 626 of 2007, authorized renewal of agreement with K & A Radiological Technology, Inc. for professional services for the Willow Point Nursing Home at an amount not to exceed \$28,000, for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, said agreement expires by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$20,850, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with K & A Radiological Technology, Inc., 2706 East Main Street, Endicott, New York 13760 for professional services for the Willow Point Nursing Home for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,850 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (Other Fees for Services), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 528

By Transportation and Rural Development and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND INSPECTION 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 inspection services for the Department of Aviation at a cost not to exceed \$25,053, for the period October 1, 2008 through July 1, 2009, and

WHEREAS, said agreement is necessary for construction observation and inspection services for the Greater Binghamton Airport Corporate Hangar 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 inspection services for the Department of Aviation for the period October 1, 2008 through July 1, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,053 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2011.501515 (Improvements/Alterations to Buildings), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 529

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY BINGHAMTON FOR PROFESSIONAL SERVICES FOR THE BROOME COUNTY YOUTH BUREAU FOR 2008

WHEREAS, this County Legislature, by Resolution 98 of 2008, authorized an agreement with the Research Foundation of SUNY Binghamton for professional services for the Broome County Youth Bureaus' Ready by 21-Quality Counts Grant at a cost not to exceed \$35,000 for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$5,000 for additional work that is necessary to complete the grant, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Research Foundation of SUNY Binghamton, Research Development Services, Binghamton University, PO Box 6000, New York 13902-6000 to increase the not to exceed amount by \$5,000 for professional services for the Broome County Youth Bureaus' Ready by 21-Quality Counts Grant 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 additional \$5,000, total amount not to exceed \$40,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640177.4545.105446 (Youth Services Program), and be it

FURTHER RESOLVED, that Resolution 98 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-19, Nays-0, Absent-0.

RESOLUTION NO. 530

By Finance Committee

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING CANCELLATION OF SCHOOL AND OR VILLAGE TAXES PLUS ACCRUED INTEREST AND PENALTIES ON COUNTY OWNED PARCELS IN VARIOUS TOWNS AND VILLAGES

WHEREAS, the Director of Real Property Tax Service is requesting authorization to cancel school and or village taxes plus accrued interest and penalties on County owned parcels in various towns and villages as listed on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of school and or village taxes plus accrued interest and penalties on County owned parcels in various towns and villages as listed on Exhibit "A", and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 531

By Finance Committee

Seconded by Mr. LaBare

RESOLUTION APPROVING SALE OF COUNTY OWNED PROPERTY TO FORMER OWNERS

WHEREAS, the County of Broome now owns certain parcels of real property, and

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

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 532

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE CITY OF BINGHAMTON

WHEREAS, the County of Broome now owns certain parcels of real property as listed on Exhibit "A", and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said properties to the individuals listed on Exhibit "A", now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as indicated on Exhibit "A" attached herewith, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law,

conveying the properties listed above to the new owners, together with other such documents as may be necessary to implement the intent of this Resolution.

Mr. Reynolds made a motion, seconded by Mr. Hutchings to replace the exhibit. **Amendment carried.** Ayes-19, Nays-0, Absent-0. **Resolution as amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 533

By Health and Human Services and Finance Committees Seconded by Mr. LaBare
RESOLUTION ESTABLISHING THE CLINIC FEE SCHEDULE FOR THE DEPARTMENT OF HEALTH FOR 2009

WHEREAS, the Director of Public Health requests authorization to establish the Clinic Fee Schedule for the Department of Health effective January 1, 2009, and

WHEREAS, said fee schedule is based on the Medicare Physician Fee Schedule and reflects changes made to the Municipal Health Services Plan, now, therefore, be it

RESOLVED, that the Clinic Fee Schedule attached hereto as Exhibit "A" is hereby authorized and adopted for the services provided by the Department of Health's Clinic effective January 1, 2009.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 534

By Health and Human Services and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING AN AGREEMENT WITH MARGARET M. WHITAKER FOR PHYSICAL THERAPY SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2009 AND THE PRESCHOOL PROGRAM FOR 2009-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with Margaret M. Whitaker for physical therapy services for the Department of Health's Early Intervention Program for the period January 1, 2009 through December 31, 2009 and the Preschool Program for the period January 1, 2009 through June 30, 2010, at rates set by the New York State Department of Health and the Broome County Health Department, and

WHEREAS, said agreement is necessary for motor therapy services in Whitney Point and surrounding areas, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Margaret M. Whitaker, 322 Hattie Clark Road, Greene, New York 13778 for physical therapy services for the Department of Health's Early Intervention Program for the period January 1, 2009 through December 31, 2009 and the Preschool Program for the period January 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Health and the Broome County Health Department as shown of Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081/101082 (Early Intervention Services and Evaluations/Preschool Services), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 535

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING AN AGREEMENT WITH VERIZON ENTERPRISE SALES CONTRACT REPOSITORY FOR SOFTWARE MAINTENANCE AND SUPPORT FOR THE OFFICE OF EMERGENCY SERVICES FOR 2008-2009

WHEREAS, the Director of Emergency Services requests authorization for an agreement with Verizon Enterprise Sales Contract Repository for software maintenance and support for the Office of Emergency Services at a cost of \$2,486 per month, total amount not to exceed \$29,832 for the period September 1, 2008 through August 31, 2009, and

WHEREAS, said agreement is necessary for ILEC software maintenance and support for the enhanced 911 system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Verizon Enterprise Sales Contract Repository, 201 S. State Street 2nd Floor, Syracuse, New York 13202, for software maintenance and support, for the Office of Emergency Services for the period September 1, 2008 through August 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$2,486 per month, total amount not to exceed \$29,832 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4449.101000 (Other Operational Expense), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 536

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED COUNTY PLANNING PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2009.

WHEREAS, this County Legislature, by Resolution 568 of 2007, authorized and approved the Integrated County Planning Grant for the Department of Social Services, adopted a program budget in the amount of \$3,500 and authorized an agreement with the United Way of Broome County, Inc. to administer said program for the period January ,1 2008 through December 31, 2008 and

WHEREAS, said program will effectively guide the allocation and management of human services resources in Broome County and find ways to increase efficiency and to make sure there is no duplication of services, and

WHEREAS, it is desired to renew said program in the amount of \$3,500, adopt a program budget and renew the agreement with United Way of Broome County, Inc. to continue to administer said program for the period January 1, 2009 through December 31, 2009 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,500 from various County Departments for the Department of Social Services Integrated County Planning Program, for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$3,500, and be it

FURTHUR RESOLVED, that this County Legislature hereby authorizes an agreement with United Way of Broome County, Inc. P.O. Box 550, Corner of Vestal Parkway East & Jensen Road, Binghamton, New York 13902-0550, to administer said program for the period January 1, 2009 through December 31, 2009, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4747.105(Other Fees for Services), and be it

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

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 537

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE CATHOLIC CHARITIES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2009

WHEREAS, this County Legislature, by Resolution 674 of 2007, authorized and approved renewal of the Catholic Charities Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$2,538,296 and authorized an agreement with Catholic Charities of Broome County to administer said program for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program provides care and services to select clients with severe and persistent mental illness who are at greatest risk of relapse and rehospitalization or repeated utilization of emergency services, and

WHEREAS, it is desired to renew said grant program in the amount of \$2,578,881, adopt a program budget and renew the agreement with Catholic Charities of Broome County to continue to administer said program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,578,881 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Catholic Charities Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$2,578,881, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 to administer said program for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,578,881 for the term of the agreement, and be it

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

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby

authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 538

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2009

WHEREAS, this County Legislature, by Resolution 557 of 2007, authorized and approved renewal of the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$26,464 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$27,471, adopt a program budget and renew the agreement with Community Options, Inc. to continue to administer said program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,471 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Community Options Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$27,471, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Community Options, Inc., 182-184 State Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,471 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5078.105384 (Contracted Services-Community Options), and be it

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 539

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY TO ADMINISTER SAID PROGRAM FOR 2009

WHEREAS, this County Legislature, by Resolution 555 of 2007, authorized and approved renewal of the Family and Children's Society Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$214,022 and authorized an agreement with the Family and Children's Society to administer said program for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant works with local school systems to provide mental health services to children in the community and enhance their family support center, and

WHEREAS, it is desired to renew said program grant in the amount of \$223,738, adopt a program budget and renew the agreement with the Family and Children's Society to continue to administer said program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$223,738 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Family and Children's Society Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$223,738, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Family and Children's Society, 257 Main Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$223,738 for the term of the agreement, and be it

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

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 540

By Economic Development and Planning and Finance Committees

Seconded by Mr. Cleary

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ROSS PARK ZOO FOR FINANCIAL SUPPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008

WHEREAS, the Director of Economic Development requests authorization for an agreement with the Ross Park Zoo for financial support from the Department of Planning and

Economic Development at an amount not to exceed \$60,000 for the period October 16, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to assist with the construction of a new exhibit which is expected to become a major tourist attraction in our community, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Ross Park Zoo, 185 Park Avenue, Binghamton, New York 13903, for financial support from the Department of Planning and Economic Development for the period October 16, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$60,000 for the term of the agreement, and be it

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

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

Carried. Ayes-17, Nays-1 (Keibel), Abstain-1 (Kuzel), Absent-0.

RESOLUTION NO. 541

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2009

WHEREAS, this County Legislature, by Resolution 553 of 2007, authorized and approved renewal of the Vocational Rehabilitation Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$71,051 and authorized an agreement with Vocational Rehabilitation Services to administer said program for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$76,451, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$76,451 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Health's Vocational Rehabilitation Services Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$76,451, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, 200 Court Street, PO Box 310, Binghamton, New York 13902 to administer said program for the Department of Mental Health for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$76,451 for the term of the agreement, and be it

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

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

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 542

By Public Works and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BROWN AND CALDWELL FOR A FEASIBILITY AND DESIGN STUDY AT THE BROOME COUNTY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2008

WHEREAS, this County Legislature, by Resolution 797 of 2007, authorized an agreement with Brown and Caldwell for a feasibility and design study at the Broome County Landfill for the Division of Solid Waste Management at a cost not to exceed \$55,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for the feasibility and design of a wetland treatment system for the leachate at the Broome County Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$95,000 for implementation of a pilot wetland study and extend the term of the agreement through December 31, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes amendments to the agreement with Brown and Caldwell, 5710 Commons Park, East Syracuse, New York 13057 to increase the not to exceed amount by \$95,000 for implementation of a pilot wetland study for the period January 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$150,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.501472 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 797 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-19, Nays-0, Absent-0.

RESOLUTION NO. 543

By Public Works and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DELTA ENGINEERS, PC FOR STRUCTURAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 96 of 2006, authorized an agreement with Delta Engineers, P.C. for structural engineering services for the Department of Public

Works at a cost not to exceed \$450,000 for the period January 1, 2006 through December 31, 2008, and

WHEREAS, said agreement is necessary for structural engineering services on an "as needed" basis for the Department of Public Works for a three-year period, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$50,000 because of the unusual amount of structural engineering services required due to the 2006 floods, including replacing the Rogers Road Bridge, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Delta Engineers, PC, 164 Court Street, Binghamton, New York 13901 to increase the not to exceed amount by \$50,000 for structural engineering services for the Department of Public Works for the period January 1, 2006 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 \$500,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 96 of 2006, 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-19, Nays-0, Absent-0.

RESOLUTION NO. 544

By Finance and Personnel Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH GUARDIAN FOR THE ADMINISTRATION OF BROOME COUNTY'S DENTAL INSURANCE PLAN FOR 2009

WHEREAS, this County Legislature, by Resolution 514 of 2007, authorized a renewal of the agreement with Guardian for the administration of Broome County's dental insurance plan, at no cost to the County, for 2008, and

WHEREAS, said services are necessary to administer the County's dental insurance plan, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Guardian Life Insurance Company of New York, 3900 Burgess Place, Bethlehem, PA. 18017 for the administration of Broome County's dental insurance plan for 2009, and be it

FURTHER RESOLVED, that the dental plan shall be self funded by participants at no cost the County, premiums shall be experience related to plan participants, and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 545

By Finance and Personnel Committee

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AN AGREEMENT WITH TRAVELERS, C/O MARSCH USA, INC. FOR CRIME INSURANCE POLICY (EMPLOYEE BOND INSURANCE) FOR THE OFFICE OF RISK AND INSURANCE FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 543 of 2007 authorized an agreement with Travelers, c/o Marsh USA, Inc. for employee bond insurance for the Office of Risk and Insurance at a cost not to exceed \$8, 000 for the period November 1, 2007 through October 31, 2008, and

WHEREAS, said services are necessary to provide required bonds for employees, and
WHEREAS, said agreement expires by its term on October 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 \$7000, for the period November 1, 2008 through October 31, 2009, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Travelers, c/o Marsh USA, Inc. 175 Sully's Trail, Suite 301, Pittsford, New York 14534, for employee bond insurance for the Office of Risk and Insurance for the period , for the period November 1, 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 \$7,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000(Insurance Premiums), and be it

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 546

By Health and Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE POINT OF ENTRY PROGRAM GRANT FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 661 of 2007, authorized and approved renewal of the Long Term Care Point of Entry Program Grant for the Community Alternative Systems Agency and adopted a program budget in the amount of \$75,000 for the period October 1, 2007 through September 30, 2008, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$85,000 for the period October 1, 2008 through September 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$85,000 from the New York State Office for Aging, 2 Empire State Plaza, Albany, New York 12223, for the Community Alternative Systems Agency's Long Term Care Point of Entry Program Grant for the period October 1, 2008 through September 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 \$85,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that

employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 547

By Economic Development and Planning, Personnel and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING ACCEPTANCE OF A BROOME COUNTY EMPIRE ZONE PROGRAM GRANT FOR DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Broome County Empire Zone Program Grant and adopt a program budget in the amount of \$50,575 for the period November 1, 2008 through June 30, 2009, and

WHEREAS, said program grant provides funds for an Economic Development Zone Coordinator, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,370 from the Empire State Development, 30 South Pearl Street, Albany, New York 12245 for the Department of Planning and Economic Development's Broome County Empire Zone Program Grant for the period November 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 \$50,575, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR # 08-222 from the Director of Planning, this County Legislature hereby authorizes the creation of the position of Economic Development Zone Coordinator, Grade 21, Union Code 07 BAPA, at budget line 440149.1000.105XXX, at a minimum salary of \$47,219, effective November 1, 2008 and be it

FURTHER RESOLVED, that due to the transfer of the Economic Development Zone Coordinator function from the City of Binghamton to Broome County, the Director of Planning is requesting that the position be filled, at an annual salary equal to Step 5 for the position of \$54,740(\$7,541 or 15.9% above the minimum) effective November 1, 2008.

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 548

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

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT FOR 2007-2012

WHEREAS, this County Legislature, by Resolution 539 of 2007, as amended by Resolution 42 of 2008, authorized an agreement with the Federal Aviation Administration for

lease of space at the Greater Binghamton Airport at a cost not to exceed \$657,936.65 for the period October 1, 2007 through September 30, 2012, and

WHEREAS, said agreement is necessary to lease 6,862 square feet of space to the Federal Aviation Administration for the housing of air traffic control and facilities personnel and equipment, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$1,435 for construction services for requested modifications to their leased space, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434, to increase the not to exceed amount by \$1,435 for the period October 1, 2007 through September 30, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the FAA shall pay the County an additional \$1,435, total amount not to exceed \$659,371.65, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.0108.207000 (Space Rental-Other), and be it

FURTHER RESOLVED, that Resolution 539 of 2007 and Resolution 42 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-19, Nays-0, Absent-0.

RESOLUTION NO. 549

By Finance and Transportation and Rural Development Committees Seconded by Mr. Reynolds
RESOLUTION AUTHORIZING ADJUSTMENTS TO THE PUBLIC PARKING FEES AT THE GREATER BINGHAMTON AIRPORT

WHEREAS, this County Legislature, by Resolution 701 of 2005, established current parking rates at the Greater Binghamton Airport, and

WHEREAS, the Commissioner of Aviation deems it necessary to amend current rates to generate revenue while staying competitive with other airports and parking providers in the area, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the following schedule of parking fees at the Greater Binghamton Airport:

SHORT TERM

First 15 Minutes	Free
16 Minutes Through 60 Minutes	\$ 1.25
Second Through Fifth Hour	\$ 1.50 per hour
After Fifth Hour	\$ 1.75 per hour
Maximum Daily	\$ 9.00 per day
Maximum Weekly	\$45.00 per week

LONG TERM

First and Second hour	\$ 1.50 per hour
After Three Hours	\$ 2.00 per hour
Maximum Daily	\$ 7.00 per day
Maximum Weekly	\$35.00 per week

FURTHER RESOLVED, that the revenue from said fees shall be credited to budget line 210153.0487.207000 (Parking Open Concessions), and be it

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2009.

Heldover to the October 30th Budget Session by Mr. Reynolds

RESOLUTION NO. 550

By Finance and Transportation and Rural Development Committees Seconded by Mr. Reynolds
**RESOLUTION AUTHORIZING REVISION OF THE FARE STRUCTURE FOR BC TRANSIT,
BC COUNTRY AND BC LIFT**

WHEREAS, this County Legislature, by Resolution 133 of 2002 and Resolution 565 of 1995, authorized and approved revisions to the fare structure for BC Transit Fixed Route, BC Country, and BC Lift, and

WHEREAS, the Commissioner of Public Transportation deems it necessary to amend the existing fare structure, due to increasing operating costs, as presented in Exhibit "A" attached hereto for BC Transit Fixed Route, BC Country and BC Lift, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the fare revisions as presented in Exhibit "A" attached here to for BC Transit Fixed Route, BC Country, and BC Lift, and be it

FURTHER RESOLVED, that said revised fare structures shall be implemented only if the Commissioner of Public Transportation, after compliance with public comment requirements of federal law and regulations, determines that said revised fare structures should be implemented, and be it

FURTHER RESOLVED, that said new fare structure, subject to such determination by the Commissioner of Public Transportation, shall be effective January 1, 2009, and be it

FURTHER RESOLVED, that the Director of Budget and Research and the County Comptroller are hereby empowered to make any necessary entries and adjustments to effectuate the intent and purpose of this resolution.

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2009.
Heldover to the October 30th Budget Session by Mr. Reynolds

RESOLUTION NO. 551

By Finance Committee Seconded by Mr. Reynolds
**RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME
COUNTY GOVERNMENT FOR FISCAL YEAR 2009**

WHEREAS, this County Legislature, by an accompanying Resolution of 2008, has adopted a budget for fiscal year 2009, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2009 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2009, and be it

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

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2009.
Heldover to the October 30th Budget Session by Mr. Reynolds

RESOLUTION NO. 552

By Finance Committee Seconded by Mr. Reynolds
RESOLUTION APPROVING THE 2009-2014 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2009 Capital Budget and the 2009-2014 Capital Improvement Program as accompanying the tentative budget for 2009, and as corrected and amended, is hereby approved and adopted as the 2009 Capital Budget and 2009-2014 Capital Improvement Program for the County of Broome, and be it

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

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2009.
Heldover to the October 30th Budget Session by Mr. Reynolds

RESOLUTION NO. 553

By Finance Committee

Seconded by Mr. Reynolds

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET FOR FISCAL YEAR 2009

RESOLVED, that the tentative budget of the County of Broome, including the County's 2009 Capital Budget, as corrected and amended to \$ _____, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2009 and ending December 31, 2009, and be it

FURTHER RESOLVED, that any available fund balances that exist on December 31, 2008 in excess of those appropriated for the 2009 budget, as certified by the Commissioner of Finance, be transferred to the Capital Fund to offset and replace borrowing authorization for projects as approved in the Capital Improvement Program. These funds shall be dedicated in the first instance to those projects that most directly effect real property taxes and projects with the shortest period of probable usefulness as set out in Section 11.00 of the Local Finance Law, and be it

FURTHER RESOLVED, that the Commissioner of Finance and Director of Budget and Research are directed to report to this Legislature and the Comptroller any transfers to the Capital Fund made pursuant to this Resolution, and be it

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

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2009.
Heldover to the October 30th Budget Session by Mr. Reynolds

RESOLUTION NO. 554

By Finance Committee & Personnel Committee

Seconded by Mr. Reynolds

RESOLUTION ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2009

RESOLVED, that all non-union Administrative I and Administrative II personnel, except for those positions set forth below, will receive a three (3.0) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2008 base salary to become effective January 1, 2009, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, except for those positions set forth below, will receive a three (3.0) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2008 base salary to become effective January 1, 2009, and be it

FURTHER RESOLVED, that the Coroners shall receive a salary of \$28,000, effective January 1, 2009, and be it

FURTHER RESOLVED, that all County Executive-appointed positions that were subject to remain at the 2004 salary level for his/her position for years 2005, 2006, 2007, and 2008, shall receive a six (6.0) percent salary increase, after adjustment for longevity, said salary increase to be determine by the 2008 base salary to become effective January 1, 2009, and such appointive positions shall include:

TO:	300020	4747	101000	Other Fees for Services	\$ 2,500
	300020	4422	101000	DMV-Bldg. & Land Rental	\$ 4,800

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 557

By Personnel and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE OFFICE OF REAL PROPERTY TAX SERVICES

RESOLVED, that in accordance with a request contained in PCR # 08-209 from the Director of Real Property, this County Legislature hereby authorizes the position of Real Property Appraiser, Grade 18, Union Code 54 CSEA, at budget line 630004.1600.101000, at a salary of \$40,914, to be changed to Real Property Manager, Grade 14, Union Code 07 BAPA, at budget line 630004.1600.101000 at a salary of \$35,931, effective October 6, 2008.

Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 558

By Health and Human Services Committee

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN VARIOUS BROOME COUNTY SCHOOLS AND THE BROOME COUNTY DEPARTMENT OF HEALTH FOR DENTAL SERVICES THROUGH THE PREVENTIVE DENTAL SERVICES PROGRAM FOR 2008-2009

WHEREAS, the Commissioner of Public Health requests authorization for intermunicipal agreements with various Broome County Schools and the Broome County Department of Health for dental services through the Preventive Dental Services Program, at no cost to the County for the 2008-2009 school year, and

WHEREAS, said agreements are necessary to provide primary and preventive dental health services at Caryl E. Adams Primary School, Whitney Point Central School District; Johnson City Elementary School, Johnson City Central School District; W.A. Olmsted Elementary School, Harpursville School District; and MacArthur School, Woodrow Wilson School, Horace Mann School, Calvin Coolidge School and Thomas Jefferson School, Binghamton City Schools, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes intermunicipal agreements between various Broome County Schools and the Broome County Department of Health for dental services through 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-19, Nays-0, Absent-0.

RESOLUTION NO. 559

By Finance and County Administration Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY URBAN LEAGUE FOR THE COUNTY LEGISLATURE

WHEREAS, the County Legislature requests authorization for an agreement with the Broome County Urban League at a cost not to exceed \$50,000 for one time funds, and

WHEREAS, said agreement is necessary to provide one time funding to assist in after school and summer programming, tutoring/mentoring, technology classes, and workforce development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Urban League, 43-45 Carroll Street, Binghamton, NY 13901 for one time funds, to assist the contractor in providing its services to the Broome County Community; and be it

Interfund 930016 9006 101000 Transfer to (889,568)
Transfer Enterprise

Amendment carried. Ayes-19, Nays-0, Absent-0. **Resolution as amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 561

By Health and Human Services, Personnel and Finance Committees Seconded by Mr. LaBare
RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH OPPORTUNITIES FOR BROOME TO ADMINISTER SAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 496 of 2008, authorized the continued participation in the Home Energy Assistance Program Grant for the Department of Social Services, adopted a program budget in connection therewith in the amount of \$250,860 and authorized an agreement with Opportunities for Broome to administer said program in the amount of \$20,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides assistance with home heating fuel, winterization and fuel equipment, as well as emergency assistance such as utility shut-off prevention and emergency fuel to eligible Temporary Assistance Food Stamp and low-income families, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$267,491 in grant appropriations and amend the agreement with Opportunities for Broome to reflect an increase in the amount of \$5,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$267,491 for the period October 1, 2008 through September 30, 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 \$518,351, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Opportunities for Broome, 56 Whitney Avenue, Binghamton, New York 13901 to reflect an increase of \$5,000 to administer said program for the Department of Social Services for the period October 1, 2008 through September 30, 2009, and be it

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

FURTHER RESOLVED, that Resolution 496 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-19, Nays-0, Absent-0.

Mr. Schofield made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn Carried,** Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 5:35 p.m.

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