
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MARCH 15, 2007**

The Legislature convened at 6:00 p.m. with a call to order by the Chair, Mark R. Whalen. The Clerk, Eric S. Denk called the Attendance Roll, Present-18, Absent-1 (Sanfilippo).

The Chair, Mr. Whalen, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by an invocation by Ms. Buchta.

Mr. Reynolds made a motion, seconded by Mr. Cleary, that the minutes of the February 15, 2007 meeting be approved as prepared and presented by the Clerk. Ayes-18, Nays-0, Absent-1 (Sanfilippo)

Mr. Whalen noted that the committee minutes for the period February 15, 2007 through March 14, 2007 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. Reynolds, seconded by Mr. Cleary. Ayes-18, Nays-0, Absent-1 (Sanfilippo)

PUBLIC HEARING

Inclusion of Agricultural Parcels in Certified Broome County Agricultural Districts in Various Towns in the County of Broome, New York.

Chair Whalen called the Public Hearing to order at 6:05 p.m. and asked Mr. Denk, Clerk of the Legislature, to begin the hearing. Mr. Denk stated that the public hearing was concerning the inclusion of additional parcels in certified Broome County agricultural districts in the various towns in the County of Broome, New York. He then read the legal notice and stated that it had been published in the Press & Sun-Bulletin and the consortium of four (4) weekly newspapers (the Deposit Courier, the Country Courier, the Vestal Town Crier, and the Windsor Standard) on February 28, 2007. The notice included a list of 16 parcels of land that request to be included in Agricultural District #4 and #5. They are located in various towns in the County as shown in Resolution 182 in these Minutes. Mr. Whalen asked if there was anyone present who wished to speak in favor of or in opposition to the proposed amendments. David Bradstreet, Executive Director of the Cornell Cooperative Extension, addressed the Legislature and explained the agricultural districts and the procedure for parcels to be considered for inclusion. He also asked that three additional parcels be included in the recommendation. The information regarding these additional parcels was filed in advance with the Clerk. Mr. Herz advised the Legislature that he attended the meeting of the Agriculture and Farm Land Protection Board, and the Board voted unanimously to include the initial 16 parcels. There being no additional comments, Mr. Whalen closed the public hearing at 6:10 p.m.

ANNOUNCEMENTS FROM THE CHAIR

Chairman Whalen thanked Mr. Materese for Chairing the Committee of the Whole meeting, which addressed J-Pod and Central Booking, held on March 13, 2007.

REPORT OF STANDING COMMITTEES

None

REPORT OF SPECIAL COMMITTEES

None

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. Broome County Agriculture & Farmland Protection Board Meeting Minutes 2/22/07
 2. Association of Towns & Villages Meeting Minutes 1/07
 3. EMC-Natural Resources Committee Meeting Minutes 2/15/07
 4. Environmental Management Council Meeting Minutes 3/1/07
 5. Broome County Industrial Development Agency Meeting Minutes 12/08/06
 6. Broome County Industrial Development Agency Meeting Minutes 1/22/07
 7. Susquehanna River Basin Commission-Summary of the June 2006 Flood
 8. County of Fulton-Resolution Urging the United States Congress to Enact the "Medicaid County Protection Act of 2007"
 9. Town of Maine-Public Hearing 2/27/07-Verizon Telecommunications Tower
 10. Veterans Memorial Arena Board of Directors-Request to Support Binghamton Senators Contract to Renew 5-year Lease

Mr. Shafer requested a copy of Communication #7, "Susquehanna River Basin Commission-Summary of the June 2006 Flood"

- C. Notices:
1. Committee of the Whole 3/13/07-Construction of J-pod at the Broome County Public Safety Facility and Central Booking Options
- D. Reports:
1. Piaker & Lyons-Broome Community College Financial Statements 8/06
 2. Broome Community College Quarterly Income Statement 2/07
 3. Local Union 1912, Council no. 66, American Federation of State, County & Municipal Employees AFL-CIO Employee Contract
 4. Broome Community College Above Minimum Hire Report 1/07
 5. Broome Community College Budget Transfers 1/07
 6. Audit & Control-Quarterly Accounts Receivable Analysis 1/07
 7. Public Defender-2006 Annual Statistical Report of Indigent Defendants

OTHER MATTERS PENDING OR REFERRED FROM PREVIOUS MEETINGS

None

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Mr. Kuzel made a motion, seconded by Mr. Gamar, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2007 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

Mr. Hull and Mr. LaBare were designated as participants with Chairman Whalen in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

RESOLUTION RECALLED FROM PREVIOUS SESSION

RESOLUTION NO. 109

Mr. Keibel made a motion, seconded by Mr. Hutchings, to recall the Resolution. Ayes-18, Nays-0, Absent-1(Sanfilippo)
Nathalie Maxwell, Director of Budget, explained that some of the figures were reported incorrectly, and need to be amended.

By Education, Culture and Recreation and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2007

WHEREAS, the County has contributed financial support to various Public Libraries in Broome County to assist them with their annual operating costs, and

WHEREAS, it is the desire of this Legislature to distribute the 2007 budgeted library aid to said Public Libraries, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2007 budgeted library aid in the manner described to local libraries as follows:

<u>Library</u>	<u>Amount</u>
<u>Deposit Free Library</u>	<u>\$4,739</u>
G. F. Johnson Memorial	\$106,539
Lisle Free Library	\$13,609
<u>Mary Wilcox Memorial</u>	<u>\$18,668</u>
Moody Memorial (Fenton)	\$37,800
Nineveh Public Library	\$4,245
Vestal Public Library	\$258,665
Your Home Public Library	\$138,170
<u>Total</u>	<u>\$582,435</u>

and be it

FURTHER RESOLVED, said library aid shall be distributed in the following manner:

- Aid up to and including \$10,000 shall be distributed in one lump sum payment
- Aid between \$10,001 and up to and including \$50,000 shall be distributed in semi-annual payments
- Aid in excess of \$50,000 shall be distributed on a quarterly basis

FURTHER RESOLVED, that the amounts allocated to George F. Johnson Memorial Library and Your Home Public Library be paid to the Town of Union.

Mr. Keibel made a motion, seconded by Mr. Materese, to amend the Deposit Free Library to the amount of \$5,254 and the Mary Wilcox Memorial Library to the amount of \$27,940, amend the Total to \$592,222 Library Aid Distributed, and add Total Budgeted \$602,938.

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

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 84

By Personnel Committee
Seconded by Mr. Cleary

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 82 OF 1989 REGARDING RESIDENCY REQUIREMENTS FOR CERTAIN BROOME COUNTY EMPLOYEES

WHEREAS, this County Legislature, by Resolution 82 of 1989, granted preference to County residents for appointment to positions in County Government, within the limits of Civil Service Law, and

WHEREAS, when there is not a valid eligible list for competitive title, Broome County department heads are permitted to appoint employees on a provisional basis, and

WHEREAS, upon completion of recruiting efforts, a department head may determine that the best candidate available to fill a provisional position is not a Broome County resident, and

WHEREAS, the current residency preference policy goes beyond Section 23 of Civil Service Law which permits a jurisdiction to request a preference list, now, therefore, be it

RESOLVED, that the Broome County Department of Personnel will continue to certify Broome County residents ahead of non-residents, except where the department head with the concurrence of the Personnel Officer, requests a waiver of the preference policy based on the fact that a non-resident provisional appointment has been made in that title, and be it

FURTHER RESOLVED, that this Resolution pertains only to new hires, and be it

FURTHER RESOLVED, that Resolution 82 of 1989, 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 the effective date of this resolution shall be January 1, 2007.

Carried. Ayes-15, Nays-3 (Shafer, Hutchings, Howard), Absent-1(Sanfilippo)

RESOLUTION NO. 120

By Economic Development and Planning
Seconded by Mr. Shafer

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD

WHEREAS, the Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution 230, adopted June 27, 1967, Resolution 416, adopted December 30, 1974, Resolution 48, adopted February 7, 1984, and Resolution 108, adopted March 31, 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Southern Tier East Regional Planning Development Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
<u>Mark R. Whalen</u> <u>Chairman, Broome County Legislature</u>	<u>12/31/09</u>
<u>Jerome Knebel</u> <u>Broome County Commissioner of Finance</u>	<u>12/31/09</u>

Henry D. Weissmann 12/31/09
Broome County Commissioner of Public Works

Merry E. Harris 12/31/09
12 Cornell Ave.
Binghamton, NY 13903

Joseph M. Moody 12/31/09
1100 Irving Avenue
Endicott, NY 13760

Alexis R. Dugon, E.I.T. 12/31/09
2005 NYS Route 79
Windsor, NY 13865

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 230,
adopted June 27, 1967, Resolution 416, adopted December 30, 1974, Resolution 48, adopted
February 7, 1984, and Resolution 108, adopted March 31, 1987, confirms the appointments of
the above-named individuals to membership on the Southern Tier East Regional Planning
Development Board for the terms indicated, in accordance with their appointment by the Chair of
the Broome County Legislature.

A motion was made by Mr. Garnar, seconded by Mr. Shafer, to amend the Resolution, removing
all individuals except Merry E. Harris, and to change the expiration date of her term to 12/31/07,
as she is being appointed to an unexpired term.

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

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 123

Introduced by: Education, Culture and Recreation Committee

Seconded by: Mr. Materese

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY LIBRARY BOARD OF TRUSTEES

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by
Resolution 221 of 1984 has duly designated and appointed the following named individual to
membership on the Broome County Library Board of Trustees, for the term indicated, subject to
confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Constance M. Barnes 65 Murray Street Binghamton, New York 13905	12/31/09 (Unexpired Term)

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 221 of
1984, hereby confirms the appointment of the above-named individual to membership on the

Broome County Library Board of Trustees for the term indicated, in accordance with her appointment by the County Executive.
Carried. Ayes-18, Nays-0, Absent-1(Sanfilippo)

RESOLUTION NO. 124

Introduced by: Health and Human Services Committee
Seconded by: Mr. Materese

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY OFFICE FOR AGING ADVISORY COUNSEL

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 165 of 1973, has duly designated and appointed the following named individuals to membership on the Broome County Office for Aging Advisory Counsel, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Jean Hill 1153 US Highway 11 Castle Creek, New York 13744	New Appointment 12/31/09
Mary Pease PO Box 87 Port Crane, New York 13833	New Appointment 12/31/09
Dennis McCabe 4513 Madison Drive Vestal, New York 13850	New Appointment 12/31/09

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 165 of 1973 confirms the appointments of the above-named individuals to membership on the Broome County Office for Aging Advisory Counsel for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 125

Introduced by: Transportation and Rural Development Committee
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH NIAGARA FRONTIER TRANSPORTION AUTHORITY FOR THE ACCEPTANCE OF SEVEN TRANSIT BUSES BY BC TRANSIT

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Niagara Frontier Transportation Authority for the acceptance of seven transit buses by BC Transit, and

RESOLVED, that this County Legislature hereby authorizes an agreement with Niagara Frontier Transportation Authority, for the acceptance of seven transit buses, and be it

FURTHER RESOLVED, that due to the donation of said services, there will be no cost to the County for the agreement, and be it

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

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

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

RESOLUTION NO. 126

Introduced by: Economic Development and Planning and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH CLOUGH HARBOUR AND ASSOCIATES FOR CONSULTING SERVICES IN RELATION TO A BROWNFIELD OPPORTUNITY AREA GRANT FROM MARCH 15, 2007 TO MARCH 22, 2010

WHEREAS, the Commissioner of Planning requests authorization for an agreement with Clough Harbour and Associates for consulting services in relation to a Brownfield Opportunity Area grant at a cost not to exceed \$155,000, for the period March 15, 2007 through March 22, 2010, and

WHEREAS, said services are necessary to perform a redevelopment study of the Endicott-Johnson Industrial Spine in Johnson City, and,

WHEREAS, Resolution 195 of 2006 authorized acceptance of a \$155,000 grant from the New York State Department of Environmental Conservation for consulting services in relation to a Brownfield Opportunity Area Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clough Harbour and Associates, for consulting services for the period March 15, 2007 through March 22, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$155,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440149.4545.105181 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 127

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 138 of 2006, as amended by Resolution 94 of 2007, authorized and approved renewal of the Supplemental Nutrition Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$333,800 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides supplemental funding for congregate meals and home delivered meals, and

WHEREAS, it is desired to renew said program grant in the amount of \$382,088 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,665 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Supplemental Nutrition Assistance Program Grant for the period April 1, 2007 through March 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 \$382,088, and be it

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

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

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

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

RESOLUTION NO. 128

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 142 of 2006, as amended by Resolution 96 of 2007, authorized and approved renewal of the Community Services for the Elderly Program Grant for the Office for Aging and adopted a program budget in the amount of \$503,893 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides for a variety of services including social day care transportation, rural shopping, in-home mental health counseling and the GROW Program, and

WHEREAS, it is desired to renew said program grant in the amount of \$548,844 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$254,445 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Community Services for the Elderly Program Grant for the period April 1, 2007 through March 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 \$548,844, and be it

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

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

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

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

RESOLUTION NO. 129

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE CAREGIVER RESOURCE CENTER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 81 of 2006, authorized and approved the Caregiver Resource Center Program Grant for the Office for Aging and adopted a program budget in the amount of \$20,000 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said program grant in the amount of \$20,000 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Caregiver Resource Center Program Grant for the period April 1, 2007 through March 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 \$20,000, and be it

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

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

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

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

RESOLUTION NO. 130

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM GRANT, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 285 of 2006, as amended by Resolution 411 of 2006, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program Grant, adopted a program budget in the amount of \$29,900 and authorized an agreement with Action for Older Persons, Inc., to administer said program for the period April 1, 2006 through March 31, 2007, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$15,000, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to

administer said program for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Health Insurance Information and Counseling Assistance Program Grant for the period April 1, 2007 through March 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 \$15,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2007 through March 31, 2008, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105288 (Other Federal Revenue), and be it

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

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

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

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

RESOLUTION NO. 131

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE INSURANCE EDUCATION AND OUTREACH PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 281 of 2006, authorized and approved renewal of the Long Term Care Insurance Education and Outreach Program Grant for the Office for Aging, adopted a program budget in the amount of \$50,000 and authorized an agreement with Action for Older Persons, Inc. to administer said program for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides funding to inform and educate the general public on long term care insurance, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,000, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the Office for Aging, Empire State Agency Building 2, Albany, New York 12223-

0001 for the Office for Aging's Long Term Care Insurance Education and Outreach Program Grant for the period April 1, 2007 through March 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 \$50,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$47,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761197.0460.105289 (Other State Revenue), and be it

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

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

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

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

RESOLUTION NO. 132

Introduced by: Health and Human Services, Personnel, and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR OFFICE OF AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 139 of 2006, as amended by Resolution 95 of 2007, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the amount of \$817,674 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides personal care and housekeeper/chore services and case management of clients, and

WHEREAS, it is desired to renew said program grant in the amount of \$875,194 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$653,416 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Expanded In-Home Services for the Elderly Program (EISEP) Grant for the period April 1, 2007 through March 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 \$875,194, and be it

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

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

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

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

RESOLUTION NO. 133

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF CONGREGATE SERVICES INITIATIVE PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 85 of 2006, authorized and approved renewal of the Congregate Services Initiative Program Grant for the Office for Aging and adopted a program budget in the amount of \$11,271 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides funding for various congregate center activities including menu enhancement and testing, transportation, health/wellness and computer equipment, and

WHEREAS, it is desired to renew said program grant in the amount of \$11,278 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,278 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Congregate Services Initiative Program Grant for the period April 1, 2007 through March 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 \$15,238, and be it

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

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

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

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

RESOLUTION NO. 134

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY'S REAL CHOICE SYSTEM CHANGE GRANT FOR 2003-2006

WHEREAS, this County Legislature, by Resolution 486 of 2003, and amended by Resolution 436 of 2005, authorized an agreement with Action for Older Persons, Inc. for the Community Alternative Systems Agency (CASA) Real Choice System Change Grant at a cost not to exceed \$68,500, for the period October 1, 2003 through December 31, 2006, and

WHEREAS, said services are necessary to develop and implement a Consumer Education Seminar Series and a Long Term Care Advocate Program, and

WHEREAS, it is necessary to authorize an amendment to increase the amount of the agreement by \$30,929, and

WHEREAS, the Director of the Community Alternative Systems Agency 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 Action for Older Persons, Inc., 30 West State St., Binghamton, NY 13901, for services for the Community Alternative Systems Agency for the period October 1, 2003 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$30,929, to a total amended amount not to exceed \$99,429, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 680041.4542.104815 (Contracted Training), and be it

FURTHER RESOLVED, that Resolution 486 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 135

Introduced by: Personnel and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 712 OF 2006 ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2007

WHEREAS, this County Legislature, by Resolution 712 of 2006, authorized the rate of compensation for non-union administrative personnel for fiscal year 2007, and

WHEREAS, said Resolution provides that all County Executive appointed positions shall remain at the 2004 salary level for his/her positions, and

WHEREAS, the position of CASA Director was included as a County Executive appointed position, and

WHEREAS, the incumbent was appointed prior to Resolution 492 of 2004 which established that County Executive appointed positions would remain at the 2004 salary level, and had permanent rights to the competitive civil service position, and

WHEREAS, it is necessary to authorize an amendment to said resolution to provide a 3% salary increase for the employee currently occupying the position of CASA Director, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 712 of 2006, granting a 3% salary increase to the employee currently occupying the position of CASA Director effective January 1, 2007, and be it

FURTHER RESOLVED, that Resolution 712 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.

Held over 'under the rules' by Mr. Shafer.

RESOLUTION NO. 136

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 197 OF 1988 AUTHORIZING RELEVANT DEPARTMENT HEADS TO HIRE NURSING PERSONNEL AT A STEP LEVEL THAT INCLUDES COMPENSATION FOR PAST EXPERIENCE

WHEREAS, this County Legislature, by Resolution 197 of 1988, authorized relevant department heads to hire nursing personnel at a step level that includes compensation for past experience, and

WHEREAS, said agreement provides the ability of Broome County to compete in the labor force, and

WHEREAS, it is necessary to authorize an amendment to said resolution to provide authorization to hire nursing professionals above minimum salaries for all County departments, except Willow Point Nursing Home, and set the step above minimum for each year of experience, and

WHEREAS, the Personnel Officer 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 giving County departments, except Willow Point Nursing Home, which is governed by Resolution 90-398, authorization to pay nursing professionals above minimum salaries based on past experience at the following step above minimum for each year of experience;

<u>Experience</u>	<u>Step</u>
1 year practical experience	1
2 years practical experience	2
3 years practical experience	3
4 years practical experience	4
5 or more years practical experience	5

and be it

FURTHER RESOLVED, that in addition to the nursing personnel listed in Resolution 197 of 1988 this authorization shall also apply to Nurse Practitioners, and be it

FURTHER RESOLVED, that Resolution 197 of 1988, 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-13, Nays-5 (Keibel, Schofield, Hutchings, Garner, Kuzel), Absent-1(Sanfilippo)

RESOLUTION NO. 137

Introduced by: Economic Development and Planning, Transportation and Rural Development and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH HAWK ENGINEERING, PC FOR ENGINEERING SERVICES FOR THE INTERMODAL TRANSIT TERMINAL PROJECT FROM JANUARY 1, 2005 THROUGH DECEMBER 31, 2008

WHEREAS, the Commissioner of Planning requests authorization for an agreement with Hawk Engineering, PC for engineering services for the Intermodal Transit Terminal Project at a cost not to exceed \$18,149.50, for the period January 1, 2005 through December 31, 2008, and

WHEREAS, said services are necessary to determine the type of soil for foundation design now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, PC, for engineering services for the period January 1, 2005 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 \$18,149.50 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4545.501468 (Contracted Services), and be it

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

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

RESOLUTION NO. 138

Introduced by: Economic Development and Planning and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS EMPLOYERS AND EDUCATIONAL PROVIDERS FOR TRAINING SERVICES FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 2007-2008

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, 2007 through June 30, 2008, 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, 2007 through June 30, 2008, 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-18, Nays-0, Absent-1(Sanfilippo)

RESOLUTION NO. 139

Introduced by: Personnel, Education, Culture, and Recreation, and Finance Committees

Seconded by: Mr. Marinich

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR PARKS AND RECREATION

RESOLVED, that in accordance with a request contained in PCR# 07-008 from the Commissioner of Public Works, this County Legislature hereby authorizes the change of the position of Director of Golf, Union Code 01, salary \$61,000 at budget line 850008.1000.309000 to Director of Golf, Union Code 01, Salary \$63,500 at budget line 850008.1000.309000, effective January 1, 2007 and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR #07-009 from the Commissioner of Parks and Recreation, this County Legislature hereby authorizes the change of the position of Superintendent of Golf, Union Code 01, salary \$57,000 at budget line 850008.1000.309000 to Superintendent of Golf, Union Code 01, salary \$61,500 at budget line 850008.1000.309000, effective January 1, 2007

Motion by Mr. Schofield, seconded by Mr. Kuzel, to amend the increases for the two positions to 3%.

Amendment failed. Ayes-7 ,Nays-11(Materese, Shafer, LaBare, Howard, Cleary, Reynolds, Marinich, Herz, Buchta, Mather, Whalen), Absent-1(Sanfilippo)

Held over 'under the rules' by Mr. Schofield

RESOLUTION NO. 140

Introduced by: Education, Culture & Recreation and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE US ARMY CORPS OF ENGINEERS FOR AN ENVIRONMENTAL AND CULTURAL STUDY FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 208 of 2006, authorized an agreement with the US Army Corps of Engineers for an environmental and cultural study for the Department of Parks and Recreation at a cost not to exceed \$25,000 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is necessary to perform a study to satisfy requirements under the National Environmental Policy Act and Section 106 of the National Historical Preservation Act, prior to granting a lease at the Whitney Point Lake Project, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement through March 31, 2008, at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the US Army Corps of Engineers, Department of the Army, Baltimore District,

PO Box 1715, Baltimore, Maryland, 21203-1715 to extend the term though March 31, 2008 for an environmental and cultural study for the Department of Parks and Recreation, and be it

FURTHER RESOLVED, that Resolution 208 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.

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

RESOLUTION NO. 141

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DR. CHONG TAEK LEE, M.D. FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2007

WHEREAS, this County Legislature, by Resolution 575 of 2005, authorized renewal of the agreement with Dr. Chong Taek Lee, M.D. for psychiatric services for the Department of Mental Health at a rate of \$82 per hour, total amount not to exceed \$59,023, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement is necessary to provide psychiatric services to children with serious emotional problems, and

WHEREAS, said agreement expires by its terms on December 31, 2006, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$92 per hour, total amount not to exceed \$38,272, for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Dr. Chong Taek Lee, 4529 Salem Drive, Vestal, New York 13850 for psychiatric services for the Department of Mental Health for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$92 per hour, total amount not to exceed \$38,272 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 142

Introduced by: Education, Culture & Recreation, County Administration and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH 3M LIBRARY SYSTEMS FOR SOFTWARE MAINTENANCE FOR THE BROOME COUNTY PUBLIC LIBRARY FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 190 of 2006, authorized renewal of the agreement with 3M Library Systems for software maintenance for the Broome County Public Library at an amount not to exceed \$23,236 for the period April 6, 2006 through April 5, 2007, and

WHEREAS, said agreement is necessary to provide maintenance on the filtering internet/vend card system, and

WHEREAS, said agreement expires by its terms on April 5, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$22,738, for the period April 6, 2007 through April 5, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with 3M Library Systems, PO Box 33682, St. Paul, Minnesota 55133-3682 for software maintenance for the Broome County Public Library for the period April 6, 2007 through April 5, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,738 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 841007.4359.304000 (Computer Software and Supplies), and be it

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

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

RESOLUTION NO. 143

Introduced by: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES PROVIDED BY THE DPW-SECURITY DIVISION FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 340 of 2006, authorized renewal of agreement with the Unified Court System of the State of New York, Sixth Judicial District for court security services provided by DPW-Security Division with revenue to the County in the amount of \$436,000 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

WHEREAS, said agreement expires by its terms on March 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 \$161,144, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901 for court security services provided by the DPW-Security Division for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$161,144 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 031450.0240.101000 (Temporary Court Officers), and be it

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

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

RESOLUTION NO. 144

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH CHARLOTTE M. HEANEY FOR OCCUPATIONAL THERAPY SERVICES FOR THE DEPARTMENT OF HEALTH'S PRESCHOOL EDUCATION PROGRAM AND EARLY INTERVENTION PROGRAM FOR 2006-2007

WHEREAS, the Public Health Director requests authorization for an agreement with Charlotte M. Heaney for occupational therapy services for the Department of Health's Preschool Education Program for the period June 1, 2007 through June 30, 2008 and the Department of Health's Early Intervention Program for the period June 1, 2007 December 31, 2007, at rates which are set by the New York State Department of Education and the Broome County Department of Health as listed on Exhibit "B" and

WHEREAS, said agreement is necessary to provide occupational therapy services in the Whitney Point, Chenango Forks, and Harpursville area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Charlotte M. Heaney, 3 Brookside Lane, Chenango Forks, New York 13746 for occupational therapy services for the Department of Health's Preschool Education Program for the period June 1, 2007 through June 30, 2008 and the Early Intervention Program for the period June 1, 2007 through December 31, 2007, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4457.101081/101082 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 145

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH COREY R. SMITH FOR PHYSICAL THERAPY ASSISTANT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2007

WHEREAS, this County Legislature, by Resolution 692 of 2006, authorized an agreement with Corey R. Smith for physical therapy assistant services for the Willow Point Nursing Home at

the rate of \$38 per hour, not to exceed 120 hours, total amount not to exceed \$4,560 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide physical therapy assistant services during staffing shortages, and

WHEREAS, it is necessary to authorize an amendment to said agreement to add an additional 280 hours at the rate of \$38 per hour, total amount of additional hours not to exceed \$10,640 for physical therapy assistant 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 Corey R. Smith, 1613 Newell Road, Endicott, New York 13760 to add an additional 280 hours at the rate of \$38 per hour for physical therapy assistant services for the Willow Point Nursing Home for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$10,640, total amount not to exceed \$15,200 for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 692 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.

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

RESOLUTION NO. 146

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO 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 FOR 2007

WHEREAS, this County Legislature, by Resolution 595 of 2006, 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 \$25,000 for the period January 1, 2007 through December 31, 2007, 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 amount by an additional \$15,000 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 amount by an additional \$15,000 for physical, speech and occupational therapy services for the Willow Point Nursing Home for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$15,000, 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 160226/160234/160242.4706.204000 (Rehab and Therapy Services), and be it

FURTHER RESOLVED, that Resolution 595 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.

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

RESOLUTION NO. 147

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 544 of 2005, authorized renewal of agreement with Lourdes Hospital for lab testing services for the Willow Point Nursing Home at a amount not to exceed \$55,800 for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement is necessary for lab testing services at the Willow Point Nursing Home, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the amount an additional \$1,400, 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 Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to increase the amount an additional \$1,400 for lab testing services for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$1,400, total amount not to exceed \$57,200, 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 Resolution 544 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 148

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING REVISION OF THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 607 of 2005, as amended by Resolution 593 of 2006, authorized and approved renewal of the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the total amount of \$91,721 for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said program grant oversees screening and follow up required of Primary Care Providers, coordinates remediation activities with property owners and its responsible for community awareness and promotion, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,025 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Childhood Lead Poisoning Prevention Program Grant to reflect an increase of \$1,025 for the period January 1, 2006 through March 31, 2007, 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 \$92,746, and be it

FURTHER RESOLVED, that Resolutions 607 of 2005 and 593 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 authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

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

RESOLUTION NO. 149

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING REVISION OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 457 of 2006, authorized and approved renewal of the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the total amount of \$62,788 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant supports the Department of Health's activities in youth tobacco use enforcement and prevention, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$879.03 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Youth Tobacco Enforcement and Prevention Program Grant to reflect an increase of \$879.03 for the period October 1, 2006 through September 30, 2007, 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 \$63,667.03, and be it

FURTHER RESOLVED, that Resolution 457 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 authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

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

RESOLUTION NO. 150

Introduced by: Finance Committee

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON THE 2006 TOWN AND COUNTY TAX ROLLS FOR A PARCEL IN THE TOWN OF CHENANGO

WHEREAS, an application for Correction of Errors on the 2006 Town and County Tax Rolls for a parcel in the Town of Chenango has been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the following parcel, pursuant to Section 554 of the Real Property Tax Law.

Town: Chenango
Parcel ID: 112.06-2-36
Owner: Rosenkrance, Robert Andrew
Address: 21 Clark Avenue
Reason: Assessment from \$49,700 to \$33,000 with a Basic STAR exemption for school purposes only

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
County	\$296.60	\$296.60
Town	7.13	7.13
Town Hwy	37.76	37.76
School	678.25	165.72
Compost	4.08	4.08
Fire	27.98	27.98
Light	12.38	12.38

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
Sewer7	217.47	217.47
Ret Sewer	99.70	99.70
Ret Water	79.74	79.74
Water1	<u>12.29</u>	<u>12.29</u>
	\$1,473.38	\$960.85

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

RESOLUTION NO. 151

Introduced by: County Administration and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH M&T BANK FOR PURCHASING CARDS (VISA) FOR THE DIVISION OF PURCHASING FOR 2007-2008

WHEREAS, the Purchasing Agent solicited proposals for purchasing cards and it was determined M&T Bank submitted the best proposal, and

WHEREAS, the Purchasing Agent requests authorization for an agreement with M&T Bank for purchasing cards (VISA) for the Division of Purchasing for the period April 15, 2007 through April 14, 2008, with the option of four one year renewals by mutual consent, under the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with M&T Bank, 2 Court Street, Binghamton, New York 13901 for purchasing cards for the Division of Purchasing for the period April 15, 2007 through April 14, 2008, with the option of four one year renewals by mutual consent, under the same terms and conditions and be it

FURTHER RESOLVED, that said agreement shall be subject to the following terms and conditions:

- No annual billing account fee
- No membership fee
- No implementation fee
- No customer service maintenance fee
- No setup fee
- No late charges
- 30 day payment term

and be it

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

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

RESOLUTION NO. 152

Introduced by: Health Services, Personnel and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 129 of 2006, as amended by Resolutions 215 of 2006 and 24 and 110 of 2007, authorized and approved the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and

adopted a program budget in the amount of \$604,867 for the period April 1, 2006 through March 31, 2007, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$ 268,547 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$268,547 from the New York State Department of Health, Bureau of Chronic Disease, Corning Tower, Empire Plaza, Albany, New York 12237, for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2007 through March 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 \$268,547, and be it

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

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

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

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

RESOLUTION NO. 153

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

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 2007-2008

WHEREAS, this County Legislature, by Resolution 130 of 2006, 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, 2006 through March 31, 2007, 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 expires by its terms on March 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 \$5,000, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

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, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105xxx (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.
Carried. Ayes-18, Nays-0, Absent-1(Sanfilippo)

RESOLUTION NO. 154

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolutions 217 and 335 of 2006, as amended by Resolution 509 of 2006, authorized agreements and renewal of agreements with various vendors for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health Adjusted Upstate Fee Schedule for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at rates set by the New York State Department of Health Upstate Fee Schedule, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the various vendors for services as listed on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Upstate Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105311 (Medical and Hospital), (Other Health and Medical Services), and 480376.4715.105241/105xxx (Other Health and 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(Sanfilippo)

RESOLUTION NO. 155

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS DELAWARE COUNTY PROVIDERS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolutions 216 of 2006, as amended by Resolution 509 of 2006, authorized renewal of agreements with various Delaware County vendors for services

for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health Adjusted Upstate Fee Schedule for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at rates set by the New York State Department of Health Hudson Valley Fee Schedule, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the various Delaware County vendors for services as listed on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Hudson Valley Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105311 (Medical and Hospital), (Other Health and Medical Services), and 480376.4715.105241/105xxx (Other Health and 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(Sanfilippo)

RESOLUTION NO. 156

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH ROBERT PACKER HOSPITAL AND GUTHRIE CLINIC LIMITED FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 214 of 2006, as amended by Resolution 506 of 2006 authorized renewal of the agreement with Robert Packer Hospital and Guthrie Clinic Limited for various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health's Adjusted Fee Schedule, for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreements are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured, or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, said agreements expire by their terms on March 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the rates set by the New York State Department of Health's Upstate Fee Schedule, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Robert Packer Hospital, One Guthrie Square, Sayre, Pennsylvania 18840 and Guthrie Clinic Limited, One Guthrie Square, Sayre, Pennsylvania 18840 for services as shown on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the most current rates set by the New York State Department of Health's Upstate Fee Schedule, the current rate sheet attached hereto as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4707/4715.105311, (Medical and Hospital), (Other Health and Medical Services) and 480376.4715.105241/105xxx (Other Health and 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(Sanfilippo)

RESOLUTION NO. 157

Introduced by: Health and Human Services Committee

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING A CLINICAL AFFILIATION AGREEMENT BETWEEN THE STATE UNIVERSITY OF NEW YORK, DECKER SCHOOL OF NURSING AND THE BROOME COUNTY HEALTH DEPARTMENT FOR 2006-2007

WHEREAS, the Public Health Director requests authorization for a clinical affiliation agreement between the State University of New York, Decker School of Nursing and the Broome County Health Department at no cost to the County, for the 2006-2007 school year, and

WHEREAS, said agreement is necessary to provide a clinical site for the training of graduate/undergraduate nursing students, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a clinical affiliation agreement between the State University of New York at Binghamton, Decker School of Nursing, Vestal

Parkway East, Vestal, New York 13850 and the Broome County Health Department for the 2006-2007 school year, at no cost to the County, and be it

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

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

RESOLUTION NO. 158

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF FAMILY DRUG COURT IMPLEMENTATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2007-2009

WHEREAS, the Commissioner of Social Services requests authorization to accept a Family Drug Court Implementation Program Grant and adopt a program budget in the amount of \$115,440 for the period April 1, 2007 through May 31, 2009, and

WHEREAS, said program grant will provide a community service worker that will provide transportation and visitation for clients who are involved in Broome County Family Drug Treatment Court, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$115,440 from the Unified Court System Sixth Judicial District, State Office Building, 44 Hawley Street, Suite 1501, Binghamton, New York 13901-4466 for the Department of Social Services'

Family Drug Court Implementation Program Grant for the period April 1, 2007 through May 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 \$115,440, 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.

Motion by Mr. Reynolds, seconded by Mr. Shafer, to amend title of the Resolution to 2005-2008. The first "Whereas" paragraph and the first "Resolved" paragraph should be for the period October 1, 2005 through September 20, 2008, and the exhibit should be amended accordingly.

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

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

RESOLUTION NO.159

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A FAMILY DRUG TREATMENT COURT ICM PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2005-2008

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Family Drug Treatment Court ICM Program Grant and adopt a program budget in the amount of \$146,502 for the period October 1, 2005 through September 30, 2008, and

WHEREAS, said program grant provides expertise and assistance in the development of the court-directed Drug Diversion-to-Treatment Program and counseling and services to defendants in this program pursuant to the terms under the Violent Crime Control and Law Enforcement Act of 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$146,502 from the Unified Court System Sixth Judicial District, State Office Building, 44 Hawley Street, Suite 1501, Binghamton, New York 13901-4466 for the Department of Mental Health's Drug Treatment Court ICM Program Grant for the period October 1, 2005 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 146,502, and be it

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

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

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

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

RESOLUTION NO.160

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY RESIDENTIAL AND OUTPATIENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH VARIOUS VENDORS TO ADMINISTER SAID PROGRAM FOR 2007

WHEREAS, this County Legislature, by Resolution 474 of 2005, as amended by Resolution 373 of 2006, authorized and approved the Community Residential and Outpatient Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$61,500 and authorized an agreement with various vendors to administer said program for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said grant program is an extension of the Road to Recovery Program which provides non-violent felony offenders, with a history of drug and alcohol abuse and treatment, an alternative to incarceration, and

WHEREAS, it is desired to renew said grant program in the amount of \$61,500, adopt a program budget and renew the agreement with Fairview Recovery Services, Samaritan Village, Phoenix House and New Hope Manor to continue to administer said program for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$61,500 from the New York State Office of Alcoholism and Substance Abuse Services, Finger Lakes Field Office, 109 S. Union Street, Room 400, Rochester, New York 14607-1826 for the Department of Mental Health's Community Residential and Outpatient Program Grant for the period January 1, 2007 through December 31, 2007, 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 \$61,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Samaritan Village, Phoenix House and New Hope Manor to administer said program for the Department of Mental Health's Community Residential and Outpatient Program Grant for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$1,000 per client, the maximum amount to the various vendors as follows:

Fairview Recovery Services- \$13,000
Samaritan Village- \$19,000
Phoenix House-\$19,000
New Hope Manor-\$10,500

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4747.105313, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

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

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

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

RESOLUTION NO.161

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID OUTSTATIONED WORKER PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 144 of 2006, authorized and approved the Medicaid Outstationed Worker Program Grant for the Department of Social Services and adopted a program budget in the amount of \$109,054 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides funding for staff personnel to conduct Medicaid assistance eligibility activities and process Medicaid applications at both Lourdes and UHS hospitals, enhancing the County's ability to serve indigent Broome County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said program grant in the amount of \$110,013 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,006.50 from the New York State Department of Health and \$55,006.50 from miscellaneous contributions for the Department of Social Services' Medicaid Outstationed Worker Grant for the period April 1, 2007 through March 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 \$110,013, and be it

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

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

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

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

RESOLUTION NO. 162

Introduced by: Public Safety and Emergency Services and Finance Committees
Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF SPEED ENFORCEMENT TRAILER GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, the Broome County Sheriff requests authorization to accept a Speed Enforcement Trailer Grant and adopt a program budget in the amount of \$20,000 for the period April 1, 2006 through September 15, 2008, and

WHEREAS, said program grant provides for the purchase of two Kustom Signal Smart 950 Speed Trailers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the NYS Division of Criminal Justice Services, 4 Tower Place, Albany, NY 12203-3764 for the Office of the Sheriff's Speed Enforcement Trailer Grant for the period April 1, 2006 through September 15, 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 \$20,000 and be it

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

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

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

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

RESOLUTION NO. 163

Introduced by: Public Safety and Emergency Services and Finance Committees
Seconded by: Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF OPERATION IMPACT III GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2006-2007

WHEREAS, the Broome County Sheriff requests authorization to accept an Operation Impact III Grant and adopt a program budget in the amount of \$50,000 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant is intended to provide for the reduction of robbery and crime associated with narcotics, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the NYS Division of Criminal Justice Services, 4 Tower Place, 3rd Floor, Albany, NY 12203-3764 for the Office of the Sheriff's Operation Impact III Grant for the period July 1, 2006 through June 30, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,000, and be it

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

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

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

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

Motion by Mr. Materese, seconded by Mr. Shafer, to replace Exhibit "A" with a new Exhibit "A", which includes fringes that were omitted from the original exhibit.

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

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

RESOLUTION NO. 164

Introduced by: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF HOMELAND SECURITY LAW ENFORCEMENT TERRORISM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2006-2008

WHEREAS, the Broome County Sheriff requests authorization to accept a Homeland Security Law Enforcement Terrorism Grant and adopt a program budget in the amount of \$159,000 for the period July 1, 2006 through June 30, 2008, and

WHEREAS, said program grant provides funds for prevention of terrorist attacks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$159,000 from NYS Office of Homeland Security, 1220 Washington Ave., Albany, NY 12242 for the Office of the Sheriff's Homeland Security Law Enforcement Terrorism Grant for the period July 1, 2006 through June 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 \$159,000 and be it

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

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

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

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

RESOLUTION NO. 165

Introduced by: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A VIDEO RECORDING OF STATEMENTS INITIATIVE PROGRAM GRANT FOR DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2006-2008

WHEREAS, the District Attorney requests authorization to accept a Video Recording of Statements Initiative Program Grant and adopt a program budget in the amount of \$55,556 for the period October 1, 2006 through March 31, 2008, and

WHEREAS, said program grant will enhance law enforcement efforts and prosecution outcomes through videotaping of interviews and interrogations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,556 from the New York State Division of Criminal Justice Services, Bureau of Justice Funding, 4 Tower Place, Albany, New York 12203-3702 for the District Attorney's Video Recording of Statements Initiative Program Grant for the period October 1, 2006 through March 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 \$55,556, and be it

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

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

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

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

RESOLUTION NO. 166

Introduced by: County Administration and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH XENOS GROUP, INC. FOR PURCHASE OF SOFTWARE FROM MARCH 1, 2007 THROUGH MARCH 1, 2008

WHEREAS, the Director of Information Technology requests authorization for an agreement with Xenos Group, Inc. for the purchase of software at a cost not to exceed \$109,700, for the period March 1, 2007 through March 1, 2008, and

WHEREAS, said services are necessary to purchase InfoWeb software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Xenos Group, Inc., 95 Mural Street, Suite 201, Richmond Hill, ON Canada L4B3G2, for the purchase of software for the period March 1, 2007 through March 1, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$109,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4359.501455 (Computer Software), and be it

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

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

RESOLUTION NO. 167

Introduced by: Transportation and Rural Development, Personnel, County Administration and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 117 of 2006, authorized and approved renewal of the Binghamton Metropolitan Transportation Study (BMTS) Grant and adopted a program budget in the amount of \$548,000 for the period April 1, 2006 through March 31, 2007 through, and

WHEREAS, it is desired to renew said grant program in the amount of \$765,100 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of Federal Highway Administration Grants in the amount of \$540,497 and Federal Transit Administration Grants in the amount of \$124,603 for the Binghamton Metropolitan Transportation Study Grant for the period April 1, 2007 through March 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 \$765,100, and be it

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

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

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

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

RESOLUTION NO. 168

Introduced by: Transportation and Rural Development and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE GREATER BINGHAMTON AIRPORT'S CAPITAL PROJECTS

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Department of Transportation Grant in the amount of \$117,828, and

WHEREAS, said program grant provides funds for the Greater Binghamton Airport's Capital Projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$117,828 from the New York State Department of Transportation, Albany, NY 12232, for the Department of Aviation's Greater Binghamton Airport's Capital Projects, and be it

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

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

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

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

RESOLUTION NO. 169

Introduced by: Economic Development and Planning and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A NYS QUALITY COMMUNITIES GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2005-2008

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a NYS Quality Communities Grant and adopt a program budget in the amount of \$80,000 for the period April 1, 2005 through March 31, 2008, and

WHEREAS, said program grant provides funds to procure professional services to research, develop and write a Management Plan Revision Report for the expansion of the NYS Susquehanna Heritage Area Program; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$80,000 from NYS Department of State Division of Local Government-QCP, 41 State St, 9th Floor, Albany, NY 12231-0001, Attn: Quality Communities Contract Coordinator, for the Department of Planning and Economic Development's NYS Quality Communities for the period April 1, 2005 through March 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 \$80,000 and be it

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

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

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

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

RESOLUTION NO. 170

Introduced by : Finance and Public Works Committees

Seconded by: Mr. Herz

BOND RESOLUTION DATED MARCH 15, 2007

RESOLUTION AUTHORIZING THE ISSUANCE OF \$262,000 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF A CAPITAL PROJECT

BE IT RESOLVED, by the County Legislature of the County of Broome, New York as follows:

Section 1. The following is the class of objects or purposes or specific object or purpose to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated cost thereof, and the subdivision of Section 11.00 (a) of the Local Finance Law and period of probable usefulness applicable thereto:

<u>Project Name</u>	<u>PPU/LFLSection11.00</u>	<u>Maximum Estimated Cost</u>
Highway Machinery	15/28	\$262,000
TOTAL		\$262,000

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the project listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed project is in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid class of objects or purposes or specific object or purpose is \$262,000 and the plan for financing thereof is by the issuance of \$262,000 serial bonds of said County.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County.

Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the General Fund and other Enterprise Funds, Internal Service Funds, or Special Revenue Funds to provide sufficient cash to proceed with these projects until the bonds authorized by this Resolution are sold.

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

RESOLUTION NO. 171

Introduced by: Personnel and County Administration Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR CENTRAL FOODS

RESOLVED, that in accordance with a request contained in PCR# 07-085 from the Director of Central Foods and Nutrition Services, this County Legislature hereby authorizes the change of the position of Senior Food Service Manager-Central Foods, Union Code 07, Grade 18, salary \$39,967 at budget line 230045.1600.251000 to Senior Food Service Manager, Union Code 07, Grade 18, salary \$39,967 at budget line 230045.1600.251000, effective January 1, 2007.

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

RESOLUTION NO. 172

Introduced by: Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BC SENATORS, INC. FOR LEASE OF THE VETERANS' MEMORIAL ARENA

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with the BC Senators, Inc. for the lease of Broome County Veterans' Memorial Arena, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the BC Senators, Inc., (Senators) 1 Stuart St., Binghamton, NY 13901, for lease by the Senators of the Broome County Veterans' Memorial Arena from the conclusion of the 2006-2007 playoff games through the conclusion of the 2011-2012 playoff games, and be it

FURTHER RESOLVED, that in consideration of said services, the Senators shall pay the County a per game rental for preseason, regular season and playoff games of \$2,000 plus the following additional per game rent:

- a. \$.10 per ticket sold in year one
- b. \$.20 per ticket sold in year two
- c. \$.30 per ticket sold in year three
- d. \$.40 per ticket sold in year four
- e. \$.50 per ticket sold in year five

and be it

FURTHER RESOLVED, all tickets sold from any location will be counted in the formula. The lease will place a cap on complimentary tickets at 17.5% of the tickets sold or 550 tickets, whichever is greater. If complimentary tickets exceed the cap, tickets over the cap will be counted as tickets sold and therefore be subject to the formula, and be it

FURTHER RESOLVED, that this agreement will be subject to the existing agreement between Broome County and Food Consultants, Inc. for beverage and food services at the Arena, and be it

FURTHER RESOLVED, that subject to availability the County shall provide at least 125 parking spaces during game and practice sessions; the Senators may sell additional parking, subject to availability and the revenue will be divided equally between the parties, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 655027.0159.305000 (Rentals and Fees), and be it

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

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

RESOLUTION NO. 173

Introduced by: Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH RICHIE KARL GOLF SCHOOL, LLC FOR LEASE OF THE ENDICOTT DRIVING RANGE FROM APRIL 1, 2007 THROUGH OCTOBER 15, 2007

WHEREAS, the Commissioner of Public Works and Parks and Recreation requests authorization for an agreement with Richie Karl Golf School, LLC for the lease of the Endicott Driving Range for \$26,000, for the period April 1, 2007 through October 15, 2007, and

WHEREAS, said services are necessary to lease the Endicott Driving Range, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Richie Karl Golf School, LLC, for lease of the Endicott Driving Range for the period April 1, 2007 through October 15, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$26,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the lessee agrees to split any profit with En-Joie once the gross revenues at the driving range have exceeded \$75,000 for the season, and be it

FURTHER RESOLVED, that the payments hereinabove received shall be credited to budget line 850008.0652.309000 (Driving Range 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.

Held over 'under the rules' by Mr. Materese

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

Held over 'under the rules' by Mr. Shafer

RESOLUTION NO. 176

Introduced by: Finance and Public Works Committees

Seconded by: Mr. Cleary

RESOLUTION REVISING THE 2006 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2006 Capital Improvement Program is hereby revised as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501484	Highway Machinery	262,000	0	0	262,000
	Local Finance Law Section 11		How Financed:		
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
	2006	5	28	262,000	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501484	Highway Machinery	262,000	0	0	262,000
	Local Finance Law Section 11		How Financed:		
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
	2006	15	28	262,000	0

Note: This change is only to revise the YPU as there was a change to the original CIP requested. The original request included rental of machinery it was amended to exclude the rental amount. Therefore the YPU must be changed to reflect the purchase of the machinery only.

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

RESOLUTION NO. 177

Introduced by: Economic Development and Planning and Transportation and Rural Development

Seconded by: Mr. Materese

RESOLUTION SUPPORTING DESIGNATION OF THE UPPER SUSQUEHANNA RIVER AND TRIBUTARIES AS A NATIONAL HERITAGE RIVER

WHEREAS, unprecedented flooding has plagued the Susquehanna River valley in recent years; and

WHEREAS, the federal government has created the American Heritage Rivers initiative with three objectives; national resource and environmental protection, economic revitalization, and historical and cultural preservation, and

WHEREAS, a coordinated watershed approach to the Upper Susquehanna River Watershed is an effective way for communities to solve flooding and erosion problems, to promote the River and its Tributaries' environmental, recreational and economic benefits, and to help communities with issues that may need additional resources, and

WHEREAS, there is an opportunity to apply for status as a National Heritage River under the American Heritage Rivers initiative that supports an American Heritage Rivers Navigator, and

WHEREAS, without any new regulations on private property owners, state, local and tribal governments, the American Heritage Rivers initiative is about making more efficient and effective use of existing federal resources, cutting red-tape, and lending a helping hand, and

WHEREAS, the Upper Susquehanna Coalition is a network of county and national resource professionals who develop strategies, partnerships, programs and projects to protect, among others, the Upper Susquehanna Watershed, and

WHEREAS, the County of Broome will work with the Upper Susquehanna Coalition to improve the Chemung River and the Susquehanna River through watershed partnerships, now, therefore, be it

RESOLVED, that the County of Broome supports the American Heritage Rivers initiative, and it is

FURTHER RESOLVED, that the County of Broome supports the efforts of the Upper Susquehanna Coalition to seek support for the entire headwaters of the Susquehanna River to be designated a Heritage River and to secure a River Navigator to help local watershed efforts.

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

RESOLUTION NO. 178

Introduced by: Finance Committee

Seconded by: Mr. Materese

RESOLUTION ACCEPTING FUNDING FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR DAMAGED VOTING MACHINES

WHEREAS, the Deputy Commissioner of Elections requests authorization for acceptance of funds from FEMA for damaged voting machines for the period through December 31, 2007, and

WHEREAS, Broome County has applied for said funds due to losses incurred to voting machines during the 2006 flood, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of \$109,631 from FEMA for the period through December 31, 2007 for the lease or replacement of damaged voting machines, and be it

FURTHER RESOLVED, that the funds hereinabove authorized shall be credited to budget line 415050.0353.501478 (Federal Aid-other), and be it

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

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

RESOLUTION NO. 179

Introduced by: Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Mather

RESOLUTION AUTHORIZING AN AGREEMENT WITH FOOD CONSULTANTS, INC., TO OPERATE RESTAURANT AND CATERING AT EN-JOIE GOLF COURSE FOR 2007-2010

WHEREAS, the County of Broome and Village of Endicott have executed a Joint Municipal Agreement authorizing the County to operate En-Joie Golf Course and related facilities, and

WHEREAS, En-Joie Golf Course includes a restaurant, grill, pavilion and facilities for catering services, and

WHEREAS, it is desired to obtain an independent vendor to operate the restaurant and catering facilities for 2007 through December 31, 2010, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes a management agreement with Food Consultants, Inc., 137 Corporate Drive, Binghamton, NY 13904 (Vendor) to manage the restaurant, grill and pavilion including catering facilities at En-Joie Golf Course, and be it

FURTHER RESOLVED, that the management agreement will commence April 1, 2007 and shall expire on December 31, 2010 with a right of first refusal given to Vendor for any renewal period that the County operates En-Joie Golf Course and related facilities, and be it

FURTHER RESOLVED, that upon consent of the Commissioner of Public Works, the vendor may add equipment to the facilities, which equipment will not exceed a total cost of \$60,000, and the County shall at the end of the term of the agreement purchase said equipment at depreciated values, and be it

FURTHER RESOLVED that the vendor may terminate the agreement as of December 31 of any year during the term of the agreement, and be it

FURTHER RESOLVED, that Vendor shall pay the County per golf season 5% of gross revenues over \$375,000.00; gross revenues shall be defined to include food, beverage, service and related sales; Vendor shall supply the County with monthly financial statements showing gross revenues; upon reasonable request the Broome County Comptroller may audit the books and records of the Vendor, and be it

FURTHER RESOLVED, that the Vendor shall operate the restaurant, grill and pavilion facilities; it shall not operate any facilities at the driving range, and be it

FURTHER RESOLVED, that the Vendor shall promptly apply for and obtain necessary licenses from the New York State Liquor Authority for beverage services at En-Joie facilities; and be it

FURTHER RESOLVED, that the agreement between the County and the Vendor shall be subject to any existing contractual agreements regarding operations at En-Joie Golf Course, 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.

A motion was made by Mr. Kuzel, seconded by Mr. Keibel, to amend the end date of the agreement to December 31, 2007.

Amendment failed.

A motion was made by Mr. Shafer, seconded by Mr. Schofield, to call the question.

Carried. Ayes-15, Nays-3(Mather,Materese,Kuzel),Absent-1(Sanfilippo)

A roll call vote was taken on the Resolution. Mr. Hutchings asked that his Aye vote be changed to a Nay vote. The Chair, Mr. Whalen, granted his request.

Carried. Ayes-14,Nays-4(Keibel,Hutchings,Kuzel,Mather),Absent-1(Sanfilippo)

RESOLUTION NO. 180

Introduced by: Transportation & Rural Development Committee

Seconded by: Mr. Materese

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY AGRICULTURAL AND FARM LAND PROTECTION BOARD

WHEREAS, Mark R. Whalen, Chair of the Broome County Legislature, pursuant to the authority vested in him by Article 25AA of the Agriculture and Markets Law, has duly designated and appointed the following named individual to membership on the Broome County Agricultural and Farm Land Protection Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Jerry Michael 15 VanKuren Dr. Binghamton, NY 13901	December 31, 2008

and

WHEREAS, this appointment is to complete the term of Dewey A. Decker, who was appointed to this Board by Resolution 118 of 2007 and who is unable to fulfill his term, 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 25AA of the Agriculture and Markets Law, hereby confirms the appointment of the above-named individual to membership on the Agricultural and Farm Land Protection Board for the term indicated, in accordance with the appointment by the Legislative Chair.

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

RESOLUTION NO. 181

Introduced by: Economic Development and Planning Committee

Seconded by: Mr. Materese

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY AGRICULTURAL DISTRICTS NO. 4 AND NO. 5 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural Districts No. 4 and No. 5, and

WHEREAS, pursuant to Section 303-b of the Agriculture and Markets Law, county legislative bodies are directed to establish an annual 30-day period wherein landowners can request inclusion of their property in a certified agricultural district, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, said Project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of Agricultural Districts No. 4 and No. 5, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that a

revision of Agricultural Districts No. 4 and No. 5 will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A".

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

RESOLUTION NO. 182

Introduced by: Economic Development and Planning Committee

Seconded by: Mr. Materese

RESOLUTION ADOPTING A PLAN FOR THE MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICTS NO. 4 AND NO. 5 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW

WHEREAS, this County Legislature, by Resolution 496 of 2004, pursuant to Section 303-b of the Agriculture and Markets Law, established an annual 30-day period wherein landowners can request inclusion of viable land in a certified agricultural district, and

WHEREAS, during the statutory thirty-day period, commencing December 1, 2006, 28 parcels were submitted for inclusion in Broome County Agricultural Districts No. 4 and No. 5, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has reviewed the 28 applications and found that all parcels, contained viable agricultural land that would strengthen the agricultural industry in their districts, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has recommended to the Broome County Legislature, that the 16 parcels below be included in their appropriate agricultural district, now, therefore, be it

RESOLVED, that this County Legislature hereby accepts the modification of the agricultural districts listed below in accordance with the recommendation of the Broome County Agricultural and Farmland Protection Board:

Agricultural District Number 4

<u>Town</u>	<u>Tax Parcel Number</u>	<u>Town</u>	<u>Tax Parcel Number</u>
Maine	109.09-1-12	Fenton	059.00-2-13.1
	109.09-1-10		089.00-2-14
Union	109.09-1-28		080.04-1-1
	109.03-1-16	080.04-1-2	
	108.04-1-6	080.02-1-20	
		Colesville	102.04-1-14.12
		Kirkwood	131.03-1-33

Agricultural District Number 5

<u>Town</u>	<u>Tax Parcel Number</u>
Nanticoke	044.00-2-1 044.00-2-2 004.00-2-3
Barker	048.01-1-25

and said agricultural districts located within the County of Broome is herein approved and modified in accordance with the provisions of Section 303-b of the New York State Agriculture and Markets Law, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature, pursuant to Section 303-b of the Agriculture and Markets Law, is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and copy of the plan for the modification of Broome County Agriculture Districts No. 4 and No. 5, which proposal heretofore has been filed with the Clerk of the Legislature, the Broome County Clerk, the Broome County Planning Department and the Broome County Agricultural and Farmland Protection Board, it being noted herein that less than 90 days have passed from the end of the statutory thirty-day period wherein land owners can request inclusion of their property in a certified agricultural district and said proposal was submitted to this body to the date of adoption of this Resolution

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

Motion by Mr. Materese, seconded by Mr. Shafer, to recall the Resolution. Ayes-18, Nays-0, Absent-1(Sanfilippo)

Motion by Mr. Materese, seconded by Mr. Shafer, to amend the Resolution to include the following additional parcels in Agricultural District No. 4:

Agricultural District Number 4

<u>Town</u>	<u>Tax Parcel Number</u>
Colesville	060.04-1-2 060.04-1-6 060.04-1-21

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

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

RESOLUTION NO. 183

Introduced by: Finance and Health and Human Services Committees

Seconded by: Mr. Materese

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize spending for the Childhood Lead Poisoning Prevention 06-07 Grant, as requested by BF# 006302, 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	8010	105145	State Retirement	2316
	480376	8030	105145	Social Security	64

	480376	8040	105145	Workers Compensation	566
	480376	8050	105145	Life Insurance	7
	480376	8070	105145	Unemployment Insurance	534
TO:	480376	1500	105145	Salaries – Part Time	270
	480376	8060	105145	Health Insurance	527
	480376	8063	105145	Disability Ins	14
	480376	4610	105145	Personal Service	1809
	480376	4609	105145	Data Process	867

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize funds for the 05-06 Youth Enforcement and Prevention Grant, as requested by BF# 006304, 6305, 6306, 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	4319	105091	Office Supplies	200
	480376	4346	105091	Train./Educ. Supplies	600
	480376	4411	105091	Postage & Freight	500
	480376	4419	105091	General Office Expense	100
	480376	4458	105091	Other Program Expenses	2175
	480376	4461	105091	Mileage & Parking	1000
	480376	4601	105091	Indirect Cost	700
	480376	4605	105091	County Attorney Chgback	550
	480376	4609	105091	Data Processing Chgback	700
	480376	4610	105091	Personal Serv. Chgback	2239
	480376	4615	105091	Gasoline Chargeback	500
	480376	4616	105091	Fleet Service Chgback	1000
	480376	4617	105091	Dup/Printing Chargeback	300
	480376	4618	105091	Office Supply Chgback	200
	480376	8010	105091	State Retirement	863
	480376	8030	105091	Social Security	296
	480376	8040	105091	Workers Comp	124
	480376	8060	105091	Health Insurance	941
TO:	480376	1500	105091	Salaries - Part Time	11392
	480376	1600	105091	Salaries - Temporary	1497
	480376	4462	105091	Travel/Hotel/Meals	64
	480376	8050	105091	Life Insurance	3
	480376	8063	105091	Disability Insurance	32

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize funds for the 06-07 Enhanced Water Supply Grant, as requested by BF# 006307 and 6308, 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	105168	Salaries – Full Time	105
	480376	8010	105168	State Retirement	5424
	480376	8030	105168	Social Security	130
	480376	8040	105168	Workers Compensation	1288
	480376	8050	105168	Life Insurance	14
	480376	8070	105168	Unemployment Insurance	1206

TO:	480376	1500	105168	Salaries - Part Time	139
	480376	4319	105168	Office Supplies	2800
	480376	4463	105168	Education/Training	50
	480376	4609	105168	Data Processing Chgback	4920
	480376	8060	105168	Health Insurance	245
	480376	8063	105168	Disability Ins	13

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts per the NYS Department of Health outreach initiative to increase the case load for the 2007 WIC Grant, as requested by BF# 006316, 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	4459	105200	Reserve for Program	25340
TO:	480376	1500	105200	Salaries - Part Time	7677
	480376	1600	105200	Salaries - Temporary	13565
	480376	8010	105200	State Retirement	2046
	480376	8030	105200	Social Security	1435
	480376	8040	105200	Workers Compensation	375
	480376	8050	105200	Life Insurance	9
	480376	8063	105200	Disability Ins	45
	480376	8070	105200	Unemployment Ins	188

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

Mr. Howard made a motion to adjourn, seconded by Mr. Cleary. The meeting was adjourned at 7:35 p.m.

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