

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
APRIL 23, 2009**

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

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

Mr. Whalen made a motion, seconded by Ms. Messina, that the minutes of March 19, 2009 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

Mr. Reynolds noted that the committee minutes for the period March 19, 2009 through April 22, 2009 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Garnar, seconded by Mr. Herz. **Carried**, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

ANNOUNCEMENTS FROM THE CHAIR

Mr. Reynolds presented proclamations for Earth Day to sixteen organizations
Mr. Labare, Mr. Materese and Mr. Pasquale presented a proclamation to the Union Endicott Women's Bowling Team.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

State of Emergency, Violent Crime at American Civic Association 4/3/09

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

1. Designations for Mr. Moran 4/6/09 & 4/8/09
2. Designations for Mr. Nirchi 4/8/09
3. Designations for Mr. Nirchi and Mr. Keibel 4/9/09

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: None

COMMUNICATIONS:

1. RPTS-Public Emergency-35 Church Street, Town of Maine
2. Health Department-Local Early Intervention Public Hearing Notice
3. Finance-Transfers to Balance 2008 Accounts
4. Public Transportation- Response to J. Weidemann Re: Transit Issue
5. IDA-Agency Agreement
6. DSS-Additional HEAP Allocation, Resolution 08-496
7. IDA-Meeting Minutes 2/13/09
8. NYS Office of the State Comptroller-Recycled Paper Audit

NOTICES:

1. Ad Hoc Committee on Mineral Rights Meeting 4/14/09

REPORTS:

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. 171

By Economic Development and Planning and Finance Committees Seconded by Mr. Moran
RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INVESTMENT ACT DISLOCATED WORKER ECONOMIC STIMULUS PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Investment Act Dislocated Worker Economic Stimulus Program Grant and adopt a program budget in the amount of \$572,346 for the period May 1, 2009 through June 30, 2011, and

WHEREAS, said program grant provides funds to support the training of individuals and youth in order to create new job opportunities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$572,346 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's Workforce Investment Act Dislocated Worker Economic Stimulus Program Grant for the period May 1, 2009 through June 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$572,346, 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. 172

By Economic Development and Planning and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INVESTMENT ACT YOUTH ECONOMIC STIMULUS PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Investment Act Youth Economic Stimulus Program Grant and adopt a program budget in the amount of \$608,217 for the period May 1, 2009 through June 30, 2011, and

WHEREAS, said program grant provides funds to support the training of individuals and youth in order to create new job opportunities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$608,217 from the New York State Department of Labor, State Office Building, Albany, New

York 12240 for the Office of Employment and Training's Workforce Investment Act Youth Economic Stimulus Program Grant for the period May 1, 2009 through June 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$608,217, 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. 173

By Economic Development and Planning and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INVESTMENT ACT GAS CARD INITIATIVE PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Investment Act Gas Card Initiative Program Grant and adopt a program budget in the amount of \$6,250 for the period February 23, 2009 through June 30, 2009, and

WHEREAS, said program grant provides funds for gas cards for unemployed jobseekers in rural areas to access job training, travel for interviews or attend the One Stop Career Centers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,250 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's Workforce Investment Act Gas Card Initiative Program Grant for the period February 23, 2009 through June 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$6,250, 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. 174

By Economic Development and Planning and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING THE DIVISION OF ECONOMIC DEVELOPMENT TO SPONSOR THE 2009 STOP-DWI CHRIS THATER MEMORIAL RACES

WHEREAS, this County Legislature, by Resolution 256 of 2008 authorized the Division of Economic Development to sponsor the 2008 STOP-DWI Chris Thater Memorial Races at a cost not to exceed \$15,000, and

WHEREAS, the Director of Economic Development requests authorization to sponsor the 2009 STOP-DWI Chris Thater Memorial Races at a cost not to exceed \$25,000, and

WHEREAS, the Chris Thater Memorial Races is an annual community based event organized by the Broome County STOP-DWI program which brings international professional cycling to the area and draws fans from all over the region and participants from all over the world, providing Regional and National exposure while raising community awareness about the dangers of drinking and driving, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Division of Economic Development to sponsor the 2009 STOP-DWI Chris Thater Memorial Races at an amount not to exceed \$25,000, and be it

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

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

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

RESOLUTION NO. 175

By Finance Committee Seconded by Mr. Marinich
RESOLUTION AUTHORIZING AN AGREEMENT WITH PITNEY BOWES INC., FOR SOFTWARE AND MAINTENANCE FOR THE OFFICE OF REAL PROPERTY TAX SERVICE FOR 2009-2013

WHEREAS, the Director of Real Property Tax Service requests authorization for an agreement with Pitney Bowes Inc., for software and maintenance for the Office of Real Property Tax Service at a cost not to exceed \$18,672, for the period May 1, 2009 through April 30, 2013, and

WHEREAS, said agreement is necessary for software and periodic updates for a zip code file which will allow a barcode to be placed on tax bills that will reduce postage to a bulk rate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Pitney Bowes, Inc., 4100 Old Vestal Road LL3, Vestal, New York 13850 for software and maintenance for the Office of Real Property Tax Service for the period May 1, 2009 through April 30, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$389 a month, total amount not to exceed \$18,672 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630004.4513.101000 (Software Maintenance), 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. 176

By Finance Committee Seconded by Mr. Whalen

RESOLUTION AUTHORIZING CORRECTION OF 2009 TOWN AND COUNTY TAX BILLS IN THE TOWN OF VESTAL

WHEREAS, applications for Correction of Errors on Tax Rolls for the Town of Vestal have 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 is requesting authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records in accordance with all applicable laws for the properties listed below, now, therefore, be it

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

Town Vestal
 Parcel ID 190.03-1-54
 Owner Vestal Pines Housing Development FD
 Reason Wholly exempt except for special districts

	Incorrect Tax	Correct Tax
County	\$ 9,057.61	\$ 0
Town	\$ 3,664.80	\$ 0
Highway	\$ 1,572.27	\$ 0
Fire	\$ 790.82	\$ 0
Drain	\$ 0	\$ 63.75
Fire	\$ 0	\$ 92.17
Cons Swr Bond	\$ 0	\$ 75.02
Maint 1 Sewer	\$ 0	\$612.51
Cons Water Bond	\$ 0	\$ 29.75
Total	\$15,085.50	\$873.20

Town Vestal
 Parcel ID 159-18-2-12
 Owner Chabad of Binghamton
 Reason Wholly exempt except for water and sewer bonds

	Incorrect Tax	Correct Tax
County	\$1,542.26	\$ 0
Town	\$ 624.01	\$ 0
Highway	\$ 267.71	\$ 0
Fire	\$ 134.65	\$ 0
Cons Water Bond	\$ 43.47	\$43.47
Cons Sewer Bond	\$ 6.43	\$ 6.43
Total	\$2,618.53	\$49.90

Held over by Mr. Klipsch

RESOLUTION NO. 177

By Finance Committee

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING ADJUSTMENT OF TAXES AND ISSUING A REFUND OF OVERPAYMENT OF TAXES ON A PARCEL IN THE TOWN OF UNION

WHEREAS, the Director of Real Property Tax Service requests authorization for the Commissioner of Finance to execute and make adjustments to tax bills, tax records and property records in accordance with all applicable laws, and issue a refund of overpayment of taxes, now, therefore be it

RESOLVED, that this County Legislature hereby approves authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records, and issue a refund of overpayment of taxes for the following property:

Town Union

Parcel ID 157.07-1-31
 Owner Joseph Karpel
 Address 11 Grant Ave.
 Reason Assessment from \$4,500 to \$3,000

	Incorrect Tax		Correct Tax
County	\$ 608.48		\$ 405.65
Town	\$ 70.16		\$ 46.78
School	\$2,356.92		\$ 1,571.28
Village	\$ 763.05		\$ 508.70
Library	\$ 38.49		\$ 25.66
Ambulance	\$ 8.76		\$ 5.84
Total	\$3,845.86		\$ 2,563.91
		Search Fee	\$ 150.00
		Redem. Fee	\$ 1.00
			\$2,714.91 + penalty. & Interest

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

RESOLUTION NO. 178

By Finance Committee Seconded by Mr. Marinich
RESOLUTION AUTHORIZING A LEASE AND MAINTENANCE AGREEMENT WITH PITNEY BOWES INC., FOR THE OFFICE OF REAL PROPERTY TAX SERVICE FOR 2009-2013

WHEREAS, the Director of Real Property Tax Service requests authorization for a lease and maintenance agreement with Pitney Bowes Inc., for the Office of Real Property Tax Service at a cost not to exceed \$30,432, for the period May 1, 2009 through April 30, 2013, and

WHEREAS, said agreement is necessary for the stuffing, folding and sealing machine used for mailing tax bills for various towns, school districts and villages, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease and maintenance agreement with Pitney Bowes, Inc., 4100 Old Vestal Road LL3, Vestal, New York 13850 for the Office of Real Property Tax Service for the period May 1, 2009 through April 30, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$634 a month, total amount not to exceed \$30,432 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630004.4419.101000 (General Office 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. 179

By County Administration, Public Works and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BOND SCHOENECK & KING, LLPC FOR LEGAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2008

WHEREAS, the Board of Acquisition and Contract on December 14, 2007, by CA No. 2598, as amended by this Broome County Legislature by Resolution 123 of 2008, authorized an agreement with Bond, Schoeneck & King, PLLC for legal services for the Department of Public Works-Division of Solid Waste Management at a cost not to exceed \$22,500 for the period December 14, 2007 through December 31, 2008, and

WHEREAS, said agreement is necessary for legal services in connection with asbestos processing and environmental compliance procedures at the Broome County Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement through December 31, 2009, at no additional cost to the County, and

WHEREAS, the County Attorney 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 Bond, Schoeneck & King, LLPC, One Lincoln Center, Syracuse, New York 13202-1355 to extend the term of the contract through December 31, 2009 at no additional cost to the County, for legal services for the Department of Public Works-Division of Solid Waste Management, and be it

FURTHER RESOLVED, that CA No. 2598 and Resolution 123 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 180

By Public Works and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AN AGREEMENT WITH DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY) FOR THE GREATER BINGHAMTON HEALTH CENTER SITE STUDY PHASE 1 FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Commissioner of the Broome County Department of Public Works requests authorization for an agreement with Dormitory Authority of the State of New York (DASNY) to conduct an analysis and prepare a Cost Estimate Survey for a new Broome County Nursing Home at the Greater Binghamton Health Center Site not to exceed \$84,921 from the one year notice to proceed, and

WHEREAS, said services are necessary to prepare an environmental and hazardous materials survey, a structural survey, a Cost Estimate for abatement, demolition, site clearing, and grading, to perform a topographical site survey, and to undertake the environmental quality review for the proposed site of a new County Nursing Home at the Greater Binghamton Health Center, and

WHEREAS, this is Phase I of a phased analysis of the proposed building site for which the cost is not to exceed \$84,921, and

WHEREAS, based on the results additional phases may be requested with the total amount for all services, if approved, estimated at \$246,663, and

WHEREAS, Only Phase I approval is requested at this time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dormitory Authority of the State of New York (DASNY) 515 Broadway, Albany, New York 12207-2964 to conduct an analysis and prepare a Cost Estimate Survey for the proposed site of the new Broome County Nursing Home at the Greater Binghamton Health Center at a cost not to exceed \$84,921 for Phase I, for the Department of Public Works for the period of one year from notice to proceed, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160275.4746.501474 (FY 2006) (A/E Professional 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. 181

By Public Works and Finance Committees

Seconded by Mr. Marinich

RESOLUTION IMPLEMENTING ENERGY CONSERVATION DESIGN AND OPERATIONAL PRACTICES FOR FUTURE MAJOR COUNTY CONSTRUCTION PROJECTS

WHEREAS, support for the "County Energy Use Policy" and Federal "Energy Star" program, in conjunction with giving attention to the use of energy conserving equipment and construction techniques could reduce County operating costs on a systematic basis for County facilities; and

WHEREAS, the County of Broome could benefit from implementing a "Cost Effective Energy Improvements" program for: a) future construction of County facilities, b) major renovation of County facilities, and c) energy saving operational practices and management; now, therefore, be it

RESOLVED, that the Commissioner of the County Department of Public Works and his designees are hereby authorized, empowered, and directed to apply the principles of energy conservation in design and operational practices, as a standard that meets environmental and economic performance goals for County owned facilities, using established and/or advanced building energy principles, practices, management, materials and standards for: a.) planning of new major County facility construction projects occurring on or after the effective date of this Resolution, or, b.) planning of renovation of existing major County facilities, or, c.) energy saving operational practices and management, occurring on or after the effective date of this Resolution, and be it

FURTHER RESOLVED, that any Capital Project or Operational Management Practice meeting the criteria set forth above shall be subject to a financial feasibility study by the Department of Public Works, designee or contractor to evaluate economic performance to confirm the project or practice proposed is financially viable, and be it

FURTHER RESOLVED, that compliance with the requirements herein may only be waived if: a.) the financial analysis for the projects' economic performance confirms that conformance with the standards herein is not financially viable for the project considered; or b.) there exists Federal and/or State engineering design standards, or historic district, or preservation requirements, or there exist, in the opinion of the Commissioner of Public Works, special or extraordinary engineering design circumstances, which would prevent compliance with the standards herein; and be it

FURTHER RESOLVED, that the County Department of Public Works is hereby further authorized, empowered, and directed to promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this Resolution, and be it

FURTHER RESOLVED, that the Resolution shall take effect immediately.

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

RESOLUTION NO. 182

By County Administration, Personnel and Finance

Seconded by Mr. Marinich

RESOLUTION CONFIRMING APPOINTMENT OF DR. WADIH DIAB AS BROOME COUNTY CORONER

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Article XVII of the Broome County Code and Charter, has duly designated and appointed the following named individual to Broome County Coroner, subject to confirmation by this County Legislature:

NAME

Dr. Wadih Diab

PO Box 37

Johnson City, NY 13790

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 the Broome County Code and Charter, hereby confirms the appointment of the above-named individual as

Broome County Coroner for the terms indicated, in accordance with the appointment by the County Executive.

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

RESOLUTION NO. 183

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR SERVICES IN CONNECTION WITH THE DEPARTMENT OF HEALTH'S BUILDING A HEALTHY NATION: STRATEGIC ALLIANCE FOR HEALTH PROGRAM GRANT FOR 2009

WHEREAS, the Director of Public Health requests authorization for an intermunicipal agreement with the City of Binghamton for services in connection with the Department of Health's Building a Healthy Nation: Strategic Alliance for Health Program Grant at a cost not to exceed \$500, for the period February 26, 2009 through September 29, 2009, and

WHEREAS, said agreement is necessary to conduct the CHANGE process with a neighborhood community coalition to identify areas of need and provide local relevant data and assist in completing the Community Health Assessment which will validate perceptions about areas in need of improvement related to chronic disease and associated risk factors, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with the City of Binghamton, 38 Hawley Street, 4th Floor, Binghamton, New York 13901 for services in connection with the Department of Health's Building a Healthy Nation: Strategic Alliance for Health Program Grant for the period February 26, 2009 through September 29, 2009, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105538 (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. 184

By Personnel, Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request contained in PCR 09-109 from the Director of Health, this County Legislature hereby authorizes the creation of Principal Account Clerk, Grade 13, Union Code 04 CSEA, minimum hourly rate of \$15.17 per hour, at budget line 480376.1500.105499, effective May 4, 2009.

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

RESOLUTION NO. 185

By Finance, Personnel, and Public Health and Environmental Protection

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for Immunization Action Plan Grant, as requested by BF# 7786 and 7787, this

2009 JOURNAL OF PROCEEDINGS

501531 Unanticipated Bridge Repairs 250,000 0 0 250,000

Local Finance Law Section 11				How Financed:
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2008	20	10	250,000	0

Description: Replace/rehabilitate unanticipated (including structural safety flags) County owned bridges based on bi-annual ratings.
TO:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501531	Unanticipated Bridge Repairs	60,000	0	0	60,000

Local Finance Law Section 11				How Financed:
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2008	20	10	60,000	0

Description: Replace/rehabilitate unanticipated (including structural safety flags) County owned bridges based on bi-annual ratings.
and be it

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

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

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

RESOLUTION NO. 187

By Finance, Transportation and Rural Development and Public Works Committees
Seconded by Mr. Cleary

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2009 Capital Improvement Program is hereby revised as follows:

FROM:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501584	Highway Reconstruction/ Rehabilitation	2,000,000	0	0	2,000,000

Local Finance Law Section 11				How Financed:
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	10	20 b	2,000,000	0

Description: Reconstruct county highways as needed based on pavement condition, sufficiency and priority.

TO:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501584	Highway Reconstruction/ Rehabilitation	2,350,000	0	350,000	2,000,000

2009 JOURNAL OF PROCEEDINGS

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	10	20 b	2,350,000	0

Description: Reconstruct county highways as needed based on pavement condition, sufficiency and priority.
and
FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County*</u>
501574	Airport Main Apron Rehabilitation- Design	300,000	7,500	285,000	7,500

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	10	14	300,000	0

Description: Design work needed to complete the construction phase of the main apron project.

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County*</u>
501574	Airport Main Apron Rehabilitation - Design	300,000	0	0	300,000

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	10	14	300,000	0

Description: Design work needed to complete the construction phase of the main apron project.
*County's portion funded by PFC funds
and
FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501591	Purchase of four (4) hybrid- electric buses	2,200,000	823,000	1,157,000	220,000

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	5	29	2,200,000	0

Description: Replace four (4) buses that have surpassed their useful life.

TO:

<u>Code</u>	<u>Project</u>	<u>Total</u>	Estimated Construction Cost:		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	

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501591	<u>Name</u> Purchase of up to ten (10) transit buses	3,651,619	0	3,651,619	0
		Local Finance Law Section 11			How Financed
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>
		2009	5	29	3,651,619
					: <u>Current Revenue</u> 0

Description: Replace up to ten (10) transit buses that have surpassed their useful life.
and be it
FURTHER RESOLVED, that the 2009 Capital Improvement Program is hereby revised to add the following project:

			Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	
501602	Vestal-Endicott Bridge Painting	1,982,000	\$0	1,792,000	190,000	
			Local Finance Law Section 11			How Financed:
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2009	10	10	1,982, 000	0

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

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it
FURTHER RESOLVED, that the Director of Budget and Research, Comptroller and the Commissioner of Finance are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.
Carried, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO.188

By Finance and County Administration Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING A HOME RULE REQUEST TO EXTEND THE AUTHORIZATION OF THE COUNTY OF BROOME TO IMPOSE AN ADDITIONAL ONE PERCENT SALES AND COMPENSATING USE TAX

WHEREAS, this County Legislature by Resolution 49 of 2009 requested the New York State Legislature to enact State Legislation to extend the effectiveness of provisions authorizing the County of Broome to continue to impose an additional one percent of sales and compensating use taxes, and

WHEREAS, Assembly Bill A6817 and Senate Bill S2804 have been introduced into the New York State Assembly and Senate respectively to amend the tax law in relation to extending the effectiveness of provisions authorizing the County of Broome to continue to impose an additional one percent of sales and compensating use taxes, and

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

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A6817 and Senate Bill S2804 entitled "AN ACT to amend the tax law, in relation to extending the authorization of the county of Broome to impose an additional one percent of sales and compensating use taxes" and hereby declare that a necessity exists for the passage of such bill and that the local legislative body of the County of Broome does not have the power to enact such legislation by local law, and be it

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

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

RESOLUTION NO. 189

By Human Services and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH JEFF FARINELLA P.T. FOR PHYSICAL THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009-2010

WHEREAS, the Board of Acquisition and Contract, by CA#17-558 of 2009, authorized and approved an agreement with Jeff Farinella P.T. for physical therapy services for the Willow Point Nursing Home at a cost not to exceed \$14,400, for the period February 1, 2009 through April 30, 2009, and

WHEREAS, said agreement allows for physical therapy services to residents of the Willow Point Nursing Home during the vacancy of a full time Physical Therapist, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$47,447 and amend the period to February 1, 2009 through January 1, 2010, or until the vacancy is filled, whichever occurs first, 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 Jeff Farinella, P.T., 239 Sheedy Road, Vestal, New York 13850 to increase the not to exceed amount by \$47,447 and amend the period to February 1, 2009 through January 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$60 per hour, total amount not to exceed \$61,847, 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 & Therapy Services), and be it

FURTHER RESOLVED, that CA No. 17-558 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 190

By Human Services and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING REVISION OF THE MEDICAID TECHNOLOGIES ENHANCEMENT PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 676 of 2008, authorized and approved renewal of the Medicaid Technologies Enhancement Program Grant for the Department of Social Services and adopted a program budget in the amount of \$8,058,456 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funding for 75 positions whose goal is to perform timely and appropriate Medicaid eligibility determinations, conduct managed care activities, disability determination, provide medical transportation, dental case management; monitor family type homes and image Medicaid records, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$102,763 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Medicaid Technologies Enhancement Program Grant to reflect an increase of \$102,763 for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$8,161,219, and be it

FURTHER RESOLVED, that Resolution 676 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 191

By Human Services and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING ACCEPTANCE OF THE SAFETY NET ASSISTANCE PROGRAM (SNAP) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE STAR GROUP INC TO ADMINISTER SAID PROGRAM FOR 2009

WHEREAS, the Commissioner of Social Services requests authorization to accept a Safety Net Assistance Program (SNAP) Grant, adopt a program budget in the amount of \$47,500 and enter into an agreement with the Star Group, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant will provide intensive, client-centered services to address the needs and barriers of targeted Safety Net individuals to achieve specific outcome goals such as completion of educational and vocational training, obtaining and retaining employment or securing Social Security benefits, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,500 from the New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001 for the Department of Social Service's Safety Net Assistance Program (SNAP) Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$47,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Star Group, Inc., PO Box 708, Whitney Point, New York 13862 to administer said program grant, for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay 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 670513.4747.105xxx (Other Fees for Services), and be it

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

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

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

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

RESOLUTION NO. 192

By Human Services and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AN AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES DETENTION ALTERNATIVE AFTER-SCHOOL PROGRAM GRANT FOR 2009

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Our Lady of Lourdes Hospital for services for the Department of Social Services Detention Alternative After-School Program Grant at a cost not to exceed \$118,000, for the period April 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to provide services to youth at risk of becoming Persons in Need of Supervision (PINS) or entering detention and residential placements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, Lourdes Youth Services, 219 Front Street, Binghamton, New York 13905 for services for the Department of Social Services Detention Alternative After-School Program Grant for the period April 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$118,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4561.105536 (Purchase of Services), and be it

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

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

RESOLUTION NO. 193

By Human Services and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING REVISION OF THE JUVENILE JUSTICE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 744 of 2007, authorized and approved renewal of the Juvenile Justice Program Grant for the Department of Mental Health, adopted a

program budget in the amount of \$140,000 and authorized renewal of the agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant provides for closer working relationships between the Probation Department and the Mental Health Clinic staff and will facilitate diversion of children who are in need of mental health and/or alcohol and substance abuse services by linking them to these services at the earliest opportunity while such children are under the supervision of the Probation Department, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$9,194 in grant appropriations, amend the agreement with Our Lady of Lourdes Hospital, and extend the period through January 1, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Juvenile Justice Program Grant to reflect an increase of \$9,194 for the period January 1, 2008 through January 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$149,194, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to reflect an increase in the amount of \$9,194, total amount not to exceed \$149,194 to administer said program for the Department of Mental Health for the period January 1, 2008 through January 31, 2009, and

FURTHER RESOLVED, that Resolution 744 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 194

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH PROFESSOR SURINDER KAHAI FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2009

WHEREAS, this County Legislature, by Resolution 200 of 2008, authorized renewal of the agreement with Professor Surinder Kahai for professional services for the Department of Health at the rate of \$100 per hour, total amount not to exceed \$12,000 for the period April 25, 2008 through April 24, 2009, and

WHEREAS, said agreement is necessary for software training and development, and

WHEREAS, said agreement expires by its terms on April 24, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,000, for the period April 25, 2009 through October 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Professor Surinder Kahai, 1040 Glenwood Road, Vestal, New York 13850-3239 for professional services for the Department of Health for the period April 25, 2009 through October 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$100 per hour, total amount not to exceed \$6,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4457.101000 (Subcontracted Program Expenses), and be it

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

RESOLUTION NO. 195

By Public Health and Environmental Protection, Personnel and Finance Committees
Seconded by Mr. Marinich

RESOLUTION AUTHORIZING REVISION OF THE DIABETES PREVENTION AND CONTROL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 484 of 2008, authorized and approved renewal of the Diabetes Prevention and Control Program Grant for the Department of Health and adopted a program budget in the amount of \$97,944 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides diabetes awareness, education and screening to targeted populations in a five county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$6,570 in grant appropriations, and,

WHEREAS, the New York State Department of Health may increase or decrease the program funds throughout the year, and

WHEREAS, because the New York State Department of Health may increase or decrease the Program funds throughout the year, the Department requests this authorizing resolution permit the Department to accept the final state allocation and modify the program budget to reflect any increases or decreases in grant funding as may be required by New York State from October 1, 2008 through September, 30, 2009 provided there is no increase in employee head count and that the County's financial contribution is not increased, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Diabetes Prevention Grant to reflect a decrease in grant funds of \$6,570 for the period October 1, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$91,374, and be it

FURTHER RESOLVED, that Resolution 484 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, Broome County Legislature hereby authorizes the Department of Health to accept the final state allocation and modify the budget to reflect any increases or decreases in grant funding as may be required from October 1, 2008 through September 30, 2009, without further legislative approval, provided there is no increase in employee head count and that the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that 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. 196

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE SCHUYLER COUNTY HOSPITAL FOR SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 211 of 2008, authorized a renewal of the agreement with Schuyler County Hospital for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program at an amount not to exceed \$35,000, for the period April 1, 2008 through and March 31, 2009

WHEREAS, said services are necessary to provide outreach, education, case management, data processing and input services for the Chemung and Schuyler County Cancer Services Program and

WHEREAS, said agreement expires by its terms on March 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$32,000 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Schuyler County Hospital, 220 Steuben Street, Montour Falls, NY 14865 for outreach, education, case management, data and input services for Broome County Department of Health's Chemung and Schuyler Cancer Services Program for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$32,000 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 (Various), 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. 197

By Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Marinich

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

WHEREAS, this County Legislature, by Resolution 210 of 2008, authorized a renewal of the agreement with the Chemung County Health Department for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant at an amount not to exceed \$45,600, for the period April 1, 2008 through and March 31, 2009

WHEREAS, said services are necessary for outreach, education, case management, data collection and input services for the Chemung & Schuyler Cancer Services Program now, therefore, be it

WHEREAS, said agreement expires by its terms on March 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$49,000, for the period April 1, 2009 through March 31, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chemung County Health Department, 103 Washington Street, Elmira, NY 14902 for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$49,000 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 (Various), 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. 198

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS CHEMUNG AND SCHUYLER COUNTY VENDORS FOR SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2009-2010

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

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

WHEREAS, said agreements expired by their terms on March 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rates according to the New York State Department of Health's Upstate Fee Schedule, for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with various Chemung and Schuyler County providers as listed on Exhibit "A" for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2009 through March 31, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4715.105502 for the period April 1, 2009 through June 29, 2009, 480376.4715.105xxx for the period June 30, 2009 through March 31, 2010 (Other Health and Medical Services), and 480376.4707.105483 (Medical and Hospital Services) for the period April 1, 2009, through March 31, 2010, and be it

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

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

RESOLUTION NO. 199

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

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAL RESERVE CORPS CAPACITY BUILDING AWARD GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 34 of 2008, authorized and approved the Medical Reserve Corps Capacity Building Award Project and adopted a program budget in the amount of \$10,000 for the period December 17, 2007 through July 31, 2008, and

WHEREAS, said program will expand and improve the local Medical Reserve Corps through training, uniforms, equipment, supplies and recruitment outreach, and

WHEREAS, it is desired to renew said program grant in the amount of \$5,000 for the period January 1, 2009 through July 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the National Association of City and County Health Officials, 1100 17th Street, NW, Second Floor, Washington, DC 20036-4636 for the Department of Health's Medical Reserve Corps Capacity Building Award Grant for the period January 1, 2009 through July 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$5,000, 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. 200

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH MARSH USA, INC. FOR EVENT INSURANCE FOR THE DEPARTMENT OF AVIATION FOR 2009

WHEREAS, Commissioner of Transportation requests authorization for an agreement with Marsh USA, Inc. for event insurance for the Department of Aviation at a cost not to exceed \$10,000, for the period July 3, 2009 through July 5, 2009, and

WHEREAS, said agreement is necessary for insurance coverage for the 2009 Greater Binghamton Airshow, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Marsh USA, Inc., 507 Plum Street Suite 110, Syracuse, New York 13204 for event insurance for the Department of Aviation for the period July 3, 2009 through July 5, 2009, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Aviation Day Trust Fund 60 GL 525052, 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. 201

By Economic Development and Planning and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING THE DIVISION OF ECONOMIC DEVELOPMENT TO SPONSOR THE 2009 SPIEDIE FEST AND BALLOON RALLY

WHEREAS, the Deputy County Executive requests authorization to sponsor the 2009 Spiedie Fest and Balloon Rally at a cost not to exceed \$35,000, and

WHEREAS, said sponsorship will provide support to an area event which has an approximate 6 million dollar economic impact, drawing nearly 100 thousand visitors from the region and outside the region who visit local businesses including hotels, restaurants, retail outlets, etc., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Division of Economic Development to sponsor the 2009 Spiedie Fest and Balloon Rally at an amount not to exceed \$35,000, and be it

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

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

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

RESOLUTION NO. 202

By Public Works Committee Seconded by Mr. Marinich
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH THE SUSQUEHANNA VALLEY CENTRAL SCHOOL DISTRICT, THE TOWN OF UNION AND THE WINDSOR CENTRAL SCHOOL DISTRICT TO HOLD AN ELECTRONIC RECYCLING COLLECTION FOR 2009

WHEREAS, the Deputy Commissioner of Public Works requests authorization for an intermunicipal agreements with Susquehanna Valley Central School District, the Town of Union and the Windsor Central School District to hold an electronics recycling collection for 2009, and

WHEREAS, said agreements are necessary for the Broome County Division of Solid Waste Management to hold free off-site electronics recycling collections to promote the recycling of end-of-life electronic waste, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes intermunicipal agreement with the following vendors to hold an electronic recycling collection on the date listed at no cost to either party:

Susquehanna Valley Central School District, 1040 Conklin Road, Conklin, NY 13748	7/18/09
Town of Union, 3111 E. Main Street, Endwell, NY 13760	5/16/09
Windsor Central School District, 206 Main Street, Windsor, NY 13865	10/3/09

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. 203

By County Administration and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH JSJ ASSOCIATES FOR LEASE OF OFFICE/WAREHOUSE SPACE FOR THE BOARD OF ELECTIONS FOR 2008-2013

WHEREAS, this County Legislature, by Resolution 253 of 2008, authorized an agreement with JSJ Associates for lease of office/warehouse space for the Board of Elections at a cost not to exceed \$34,895 per year for the period June 1, 2008 through May 31, 2013, and

WHEREAS, said agreement is necessary for the lease of 6,000 square feet of office/warehouse space for the new electronic voting machines, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$8,715 per year for an additional 1,500 square feet of office/warehouse space for the period June 1, 2009 through May 31, 2013, and

WHEREAS, the Deputy Commissioners of Elections have 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 JSJ Associates, PO Box 7242, Endicott, New York 13760-7242 to increase the not to exceed amount by \$8,715 per year for an additional 1,500 square feet of office/warehouse space for the period June 1, 2009 through May 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$209,335, for the period June 1, 2008 through May 31, 2013, and be it

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

FURTHER RESOLVED, that Resolution 253 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 204

By County Administration and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF VESTAL FIRE DISTRICT FOR RENTAL OF STORAGE SPACE FOR THE BROOME COUNTY BOARD OF ELECTIONS FOR 2009

WHEREAS, this County Legislature, by Resolution 265 of 2008, authorized an agreement with the Town of Vestal Fire District for rental of storage space for the Broome County Board of Elections at an amount not to exceed \$3,500 for the period January 1, 2008 through December 31, 2008, and

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

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,500 for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Vestal Fire District, 605 Vestal Parkway West, Vestal, New York 13850 for rental of storage space for the Broome County Board of Elections for the period January 1, 2009 through December 31, 2009, and be it

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

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

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

RESOLUTION NO. 205

By Economic Development and Planning and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING REVISION OF THE TRADE ADJUSTMENT ASSISTANCE PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 93 of 2009, authorized and approved renewal of the Trade Adjustment Assistance Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$11,630 for the period September 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides aid to workers who lose their jobs or whose hours or work and wages are reduced as a result of increased imports, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$10,963 in grant appropriations, and extend the period through September 30, 2011, and

WHEREAS, the New York State Department of Labor may allocate additional funds during the authorization period of September 1, 2008 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Trade Adjustment Assistance Program Grant to reflect an increase of \$10,963 for the period September 1, 2008 through September 30, 2011, 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 \$22,593, and be it

FURTHER RESOLVED, that due to the New York State Department of Labor allocating funds throughout the allocation period, the Office of Employment and Training is authorized to accept and allocate additional funding as may be allocated by New York State for this program, provided there is no increase in employee head count and that the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that Resolution 93 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 206

By Finance Committee Seconded by Mr. Marinich
RESOLUTION AUTHORIZING THE DELETION OF TAX MAP NUMBERS FROM THE TAX ROLLS FOR TWO PARCELS IN VESTAL

WHEREAS, the Director of Real Property requests authorization to delete Tax Map Nos. 175.14-2-2 and 175.14-2-3 in the Town of Vestal from the tax rolls, and

WHEREAS, according to a search done by the Office of Real Property, it was determined that the parcels do not exist, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the deletion of Tax Map Nos. 175.14-2-2 and 175.14-2-3 in the Town of Vestal from the tax rolls, and be

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. 207

By Finance Committee

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN AGREEMENT WITH CANUSA HEALTH INC TO CANPHARM BENEFITS, LTD FOR ADMINISTRATION OF A PORTION OF THE BROOME COUNTY'S HEALTH BENEFITS PRESCRIPTION DRUG PLAN FOR THE OFFICE OF RISK AND INSURANCE

WHEREAS, this County Legislature, by Resolution 245 of 2006, authorized an agreement with Canusa Health, Inc. for administration of a portion of the Broome County's health benefits prescription drug plan for the Office of Risk and Insurance, and

WHEREAS, Canusa Health Inc. wishes to assign its contract with the County to CanPharm Benefits, LTD, which has agreed to accept assignment, and

WHEREAS, the Risk Manager agrees with said assignment and requests authorization to consent to said assignment, now therefore, be it

RESOLVED, that this County Legislature hereby consents to the assignment of the agreement by Canusa Health, Inc. to CanPharm Benefits, LTD, 100 Ouellette Avenue, Suite 900, Windsor, Ontario N9A 7T3, under the same terms and conditions set forth in said agreement between Broome County and Canusa Health, Inc., for administration of a portion of the Broome County's health benefits prescription drug plan, 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. 208

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Marinich

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

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with the New York State Department of Transportation for funding to provide low income employment transportation services, as described in the Broome County Community Solutions for Transportation application, to low income persons under the Community Solutions for Transportation program in the amount of \$50,732 for the period July 1, 2008 through June 30, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,732 from the New York State Department of Transportation, 50 Wolf Road, Albany, New

York 12232 for the Department of Public Transportation's Community Solutions for Transportation Program for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 225029.0901.213008 (TANF AID), and be it

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

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

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

RESOLUTION NO. 209

By Economic Development and Planning and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING ACCEPTANCE OF A GREATER CATSKILLS FLOOD REMEDIATION PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Greater Catskills Flood Remediation Program Grant and adopt a program budget in the amount of \$331,772 for the period March 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funds for the County to purchase and demolish three flood damaged homes that were owned by income eligible homeowners, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$331,772 from the Housing Trust Fund Corporation, 38-40 State Street, Albany, New York 12207 for the Department of Planning and Economic Development's Greater Catskills Flood Remediation Program Grant for the period March 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$331,772, 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. 210

By Transportation and Rural Development and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2009-2011

WHEREAS, the Secretary of the United States Department of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, the Commissioner of Transportation requests authorization to accept a United States Department of Transportation Federal Transit Administration Grant Award for capital assistance for Broome County's Mass Transportation Program in the amount of \$3,651,619 for the period January 1, 2009 through December 31, 2011, and

WHEREAS, said grant award provides the Federal stimulus funds for the Broome County Department of Public Transportation Mass Transportation Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$3,651,619 from the United States Department of Transportation Federal Transit Administration, for capital assistance of Broome County's Mass Transportation Program for the period January 1, 2009 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to 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 is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

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

RESOLUTION NO. 211

By Human Services, Personnel and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING REVISION OF FLEXIBLE FUNDS FOR FAMILY SERVICES (FFFS) PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE STAR GROUP FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 158 of 2009, authorized and approved renewal of the Flexible Funds for Family Services (FFFS) Program Grant for the Department of Social Services and adopted a program budget in the amount of \$5,559,739 for the period April 1, 2009 through March 31, 2010, and

WHEREAS, said program grant is intended to be tailored to local district needs to serve local low-income families and assist them with self sufficiency, and

WHEREAS, it is necessary at this time to revise said program grant to renew the agreement with the Star Group in the amount of \$48,025, eliminate the position of Principal Account Clerk and eliminate the contract with CCSI in the amount of \$25,000, and

WHEREAS, it is also necessary at this time to revise said program to reflect a decrease from \$1,260,372 to \$1,209,917 in appropriations as reflected in Exhibit "B" for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Flexible Funds for Family Services (FFFS) Program Grant to renew the agreement with the Star Group in the amount of \$48,025, eliminate the position of Principal Account Clerk and eliminate the

contract with CCSI in the amount of \$25,000, as reflected in Exhibit "A" for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program grant budget annexed hereto as Exhibit "A" in the total amount of \$5,559,739 for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "B" in the total amount of \$1,209,917 for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that Resolution 158 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds, accept and allocate final SFY funding within this grant budget without further Legislative approval 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. 212

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

RESOLUTION AUTHORIZING AN AMENDMENT TO SPECIFICATIONS FOR IMPLEMENTATION OF THE MINORITY EMPLOYMENT GOALS FOR BROOME COUNTY'S PUBLIC WORKS CONTRACTS TO BE CONSISTENT WITH STATE AND FEDERAL REGULATIONS

WHEREAS, this County Legislature, by Resolution 260 of 1983, Resolution 511 of 1994 and Resolution 195 of 1994, adopted and established a goals for minority hiring on certain public works projects and adopted the contract specification provisions for the Broome County Public Works Department, and

WHEREAS, said provisions establish minority hiring goals on public works projects financed with public dollars, and

WHEREAS, it is requested to authorize the amendment of said provisions to establish minority hiring goals, on public work projects financed with public dollars that are uniform and compliant with State and Federal goals and regulations, and

WHEREAS, the Commissioner of Public Works and the EEO Compliance Officer have requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that if the County minority hiring goals or implementing regulations are different or inconsistent with state and/or federal minority hiring goals, or implement regulations, then the state and/or federal minority hiring goals and implementing regulations shall apply, and be it

FURTHER RESOLVED, that Resolution 260 of 1983, Resolution 511 of 1994, and Resolution 195 of 1994 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. 213

By Transportation and Rural Development and Finance Committees Seconded by Mr. Marinich
RESOLUTION AUTHORIZING ACCEPTANCE OF AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to accept American Recovery and Reinvestment Act of 2009 Funds in the amount of \$400,000, and

WHEREAS, said funding will be used to purchase four BC Country buses (the Project), and

WHEREAS, Broome County and the State of New York will enter into an agreement which authorizes the undertaking of the Project, and reimbursement to the County of 100% of the project cost through the American Recovery and Reinvestment Act of 2009 at a cost of \$400,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$400,000 from the New York State Department of Transportation, pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA) for the purchase of up to four BC Country buses, for the Department of Public Transportation, 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 (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. 214

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

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH SUNY HEALTH SCIENCE CENTER AT SYRACUSE CLINICAL CAMPUS AT BINGHAMTON FOR MEDICAL DIRECTOR SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 25 of 2008, authorized renewal of the agreement with the SUNY Health Science Center at Syracuse Clinical Campus at Binghamton for the Department of Health at the amount of \$75,000 for medical director services for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement provides professional physician services, consultation and clinical supervision for the Department of Health, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$76.92 per hour, total amount not to exceed \$80,000 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with SUNY Health Science Center at Syracuse, Clinical Campus at Binghamton, 425 Robinson Street, Binghamton, New York 13901 for medical director services for the Department of Health for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$76.92 per hour, total amount not to exceed \$80,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480012.4715.101000 (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. 215

By Personnel, Human Services, and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that in accordance with a request contained in PCR 09-117 from the Commissioner of Social Services, this County Legislature hereby authorizes the abolishment of Social Services Examiner, Grade 11, Union Code 04 CSEA, minimum hourly rate of \$13.73 per hour, at budget line 670042.1000.103000, effective May 4, 2009 and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR 09-116 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Principal Account Clerk, Grade 13, Union Code 04 CSEA, minimum hourly rate of \$15.17 per hour, at budget line 670513.1000.105547, to be changed to Principal Account Clerk, Grade 13, Union Code 04 CSEA, minimum hourly rate of \$15.17 per hour, at budget line 670026.1000.103000 effective May 4, 2009.

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

RESOLUTION NO. 216

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDING FROM THE NEW YORK STATE ENERGY RESEARCH DEVELOPMENT AUTHORITY (NYSERDA) FOR THE TRANSIT COACH REPLACEMENT PROJECT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Transportation requests authorization to accept funding from the New York State Energy Research Development Authority (NYSERDA) for the transit coach replacement project for the Department of Public Transportation in the amount of \$1,050,000, and

WHEREAS, said funding will be used for a portion of the incremental costs associated with the purchase of six hybrid-electric 40' transit buses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,050,000 from the New York State Energy Research Development Authority (NYSERDA), Albany, New York 12203 for the transit coach replacement project for the Department of Public Transportation, and be it

FURTHER RESOLVED, that the funds hereinabove authorized will be credited to budget line 225011.0302.501394 (Other Transportation 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 (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. 217

By County Administration and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING ACCEPTANCE OF 2009 CRIME VICTIMS ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, the Department of Mental Health requests authorization to accept a 2009 Crime Victims Assistance Program Grant and adopt a program budget in the amount of \$100,000 for the period of April 3, 2009 through October 2, 2009, and

WHEREAS, said program grant will provide services such as counseling, legal assistance and other needs, with the balance of the unused funds to go to the Crime Victims Assistance Center, Inc. for local assistance, and,

WHEREAS, following the devastating tragedy at the American Civic Association, several crime victim assistance agencies, along with the Broome County Mental Health Department mobilized to assist those impacted by the horrific event, and

WHEREAS, a Victim Assistance Center has been established at the Broome County Health Department, located at 225 Front Street in Binghamton, to provide help such as counseling, legal assistance, and other needs, and

WHEREAS, the Department of Mental Health has requested and the State of New York has offered funding to offset the expenses incurred by Broome County, and

WHEREAS, the Department of Mental Health is proposing to use said funds to offset the expenses associated with the operation of the Victim Assistance Center, and

WHEREAS, the Department of Mental Health is proposing that any remaining funds from the 2009 Crime Victims Assistance Grant not expended on the Victim Assistance Center be contributed to Crime Victims Assistance Center, Inc., and

WHEREAS, the Department of Mental Health is requesting authorization to accept the 2009 Crime Victims Assistance Grant and adopt a program budget in connection therewith for the Department of Mental Health for the period April 3, 2009 through October 2, 2009, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby authorizes and approves acceptance of \$100,000 from the State of New York for the 2009 Crime Victims Assistance Program Grant for the period April 3, 2009 through October 2, 2009 for the Department of Mental Health, and be it

FURTHER RESOLVED, that proceeds from said Grant Program shall be credited to budget line 470153.0460.105xxx, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$100,000, for the 2009 Crime Victims Assistance Program Grant for the period April 3, 2009 through October 2, 2009, and be it

FURTHER RESOLVED, that the Department of Mental Health is hereby authorized to contribute any unexpended funds from the 2009 Crime Victims Assistance Grant to the Crime Victims Assistance Center, Inc., and be it

FURTHER RESOLVED, that said contribution shall be made from budget line 470153.4747.105xxx, 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. 218

By Finance Committee

Seconded by Mr. Moran

RESOLUTION AUTHORIZING ACCEPTANCE OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD, AND AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN BROOME COUNTY, THE CITY OF BINGHAMTON, THE VILLAGE OF JOHNSON CITY, AND THE VILLAGE OF ENDICOTT

WHEREAS, the Commissioner of Public Works requests authorization to accept funding under the American Recovery and Reinvestment Act of 2009 Justice Assistance Grant (JAG) Program Award and authorization to enter into an Inter-municipal Agreement with the City of Binghamton, the Village of Johnson City, the Village of Endicott and

WHEREAS, the County of Broome, The City of Binghamton, the Village of Johnson City, and the Village of Endicott are jointly eligible for said grant offered through the United States Department of Justice, and

WHEREAS, the County of Broome, The City of Binghamton, the Village of Johnson City, and the Village of Endicott, pursuant to General Municipal Law §119-o, have the authority to enter into an Inter-municipal Agreement for the allocation and distribution of grant proceeds, and

WHEREAS, the JAG award will be paid to the City of Binghamton and the City will allocate and disburse the JAG Award as follows:

Broome County	\$ 30,142.00
City of Binghamton	\$110,397.00
Village of Johnson City	\$ 37,908.00
Village of Endicott	\$ 25,519.00

and,

WHEREAS, said program grant provides critical resources for state and local law enforcement and other criminal justice activities through the American Recovery and Reinvestment Act of 2009 JAG Program Award, which was authorized by the American Recovery and Reinvestment Act of 2009, Public Law 111-5 (the "Recovery Act"), and which was signed into law by President Obama on February 17, 2009, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the funding from the American Recovery and Reinvestment Act of 2009 Justice Assistance Grant (JAG) Program Award offered from the United States Department of Justice, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Inter-municipal agreement with the City of Binghamton, the Village of Johnson City, the Village of Endicott, attached as Exhibit "A", which provides for the allocation and distribution of grant proceeds to Broome County and the other municipalities, 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).

Ms. Messina made a motion to adjourn, seconded by Mr. LaBare. **Motion to adjourn Carried**, Ayes-18, Nays-0, Absent-1 (Sanfilippo). The meeting was adjourned at 5:35 p.m.

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