

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JUNE 18, 2009**

The Legislature convened at 5:02 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-19, Absent-0.

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. Howard made a motion, seconded by Mr. Garnar, that the minutes of May 21, 2009 be approved as prepared and presented by the Clerk. **Carried**, Ayes-19, Nays-0, Absent-0.

Mr. Reynolds noted that the committee minutes for the period May 21, 2009 through June 17, 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 was present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Cleary, seconded by Mr. Diffendorf. **Carried**, Ayes-19, Nays-0, Absent-0.

ANNOUNCEMENTS FROM THE CHAIR

1. Legislative Public Hearing on the 2009-2010 BCC Budget, July 6, 2009 at 4:00 pm in the Legislative Chamber, 6th Floor, Broome County Office Building
2. Mr. Reynolds and Mr. Nirchi presented a proclamation to Carrie Abbott for the Southern Tier Cancer Services Program
3. Mr. Nirchi presented a proclamation to Sharon Fischer for the Broome County Tobacco Free Coalition
4. Mr. Herz and Mr. Diffendorf presented a proclamation to Rachael La Mantia and Jeri Smith, winners of the Broome County Traffic Safety Education Program award
5. Mr. Reynolds presented a proclamation to Michael Hanbury for his service as Legislative Intern and Legislative Aide.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

1. County Executive's Order of Succession
2. Appointment of Hon. Jerry Marinich to the En-joie Golf Course Advisory Committee
3. Broome County Recommended BCC Budget 2009-2010

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

1. Appointment of Hon. T. Cleary to BC Supreme Court Law Library
2. Designation for Barry Klipsch - 6/8/2009
3. Designation for Mark Whalen 6/11/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

Petitions: None

Communications

1. Real Property Tax Service-Sell Back Denial Letter, Town of Maine, Property # 109.02-1-2
2. BCC Quarterly Income Statement – May 31, 2009
3. Town of Union BC Agreement – 2007 Library Aid Service Contract for Renewal for 2009 George F. Johnson Memorial Library

Bob Gazda
527 West Main Street
Endicott, NY 13850

Re-Appointment
Term Expires: December 31, 2009

Bob Hartung
1616 Sylvia Drive
Endwell, NY 13760

Re-Appointment
Term Expires: December 31, 2009

Mike Karl
507 Swartwood Avenue
Endicott, NY 13760

Re-Appointment
Term Expires: December 31, 2009

Esther Aswad
100 Franklin Avenue Extension
Binghamton, NY 13901

Re-Appointment
Term Expires: December 31, 2009

James Pudish
1325 Campus Drive
Vestal, NY 13850

Re-Appointment
Term Expires: December 31, 2009

Len Basso
P.O. Box 1602
Binghamton, NY 13902

Re-Appointment
Term Expires: December 31, 2009

Tony Cerasaro
2 Page Avenue
Endicott, NY 13760

Re-Appointment
Term Expires: December 31, 2009

Legislators:
Jerry F. Marinich
40 Clearview Place
Binghamton, NY 13901

Re-Appointment
Term Expires: December 31, 2009

Richard Materese
1425 Campville Road
Endicott, NY 13760

Re-Appointment
Term Expires: December 31, 2009

Village of Endicott Appointee:
Roland "Butch" Neira
503 N. Oak Avenue
Endicott, NY 13760

New Appointment
Term Expires: December 31, 2009

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 39 of
2006, confirms the appointments of the above-named individuals to membership on the En-Joie
Golf Course Advisory Committee for the terms indicated, in accordance with their appointment
by the County Executive.

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

RESOLUTION NO. 256

By Education, Culture, and Recreation, Economic Development and Planning, and Finance
Committees

Seconded by Mr. Marinich

TERMINAL PROJECT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2005-2008

WHEREAS, this County Legislature, by Resolution 137 of 2007, authorized an agreement with Hawk Engineering for engineering services for the intermodal transit terminal project for the Department of Planning and Economic Development at a cost not to exceed \$18,149.50 for the period January 1, 2005 through December 31, 2008, and

WHEREAS, said agreement is necessary to determine the type of soil for foundation design, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period to June 30, 2010 at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Hawk Engineering, P.O. Box 427, Binghamton, New York 13902 to amend the period to January 1, 2005 through June 30, 2010, at no additional cost to the County, for engineering services for the intermodal transit terminal project for the Department of Planning and Economic Development, and be it

FURTHER RESOLVED, that Resolution 137 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 261

By County Administration and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS FOR LEASE OF DIGITAL COPY MACHINES FOR THE DIVISION OF PURCHASING FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 269 of 2009, authorized an agreement with Toshiba Business Solutions for the lease of digital copy machines for various departments for the Division of Purchasing at the rates and terms listed on Exhibit "A" for the period July 1, 2008 through June 30, 2009, and

WHEREAS, said agreement provides for the lease of digital copy machines for various Broome County Departments, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through January 1, 2010 under the same terms and conditions, and

WHEREAS, the Purchasing Agent 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 Toshiba Business Solutions, 7037 Fly Road, East Syracuse, New York 13057 to amend the period to July 1, 2008 through January 1, 2010 for the lease of digital copy machines for various departments for the Division of Purchasing, and be it

FURTHER RESOLVED, that Resolution 269 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-19, Nays-0, Absent-0.

RESOLUTION NO. 262

By Education, Culture and Recreation and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF A PUBLIC LIBRARY CONSTRUCTION PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET FOR 2008-2010

WHEREAS, the Director of the Broome County Public Library requests authorization to accept a Public Library Construction Program Grant and adopt a program budget in the amount of \$19,605 for the period July 1, 2008 through June 30, 2010, and

WHEREAS, said program grant funds will be used to excavate, pave, seal and stripe 25 Pine Street which will be used for a new parking lot for Library patrons, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,605 from the New York State Education Department, The University of the State of New York, Grants Finance, Room 510W, Education Building, Albany, New York 12234 for the Broome County Public Library's Public Library Construction Program for the period July 1, 2008 through June 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$19,605, and be it

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

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

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

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

RESOLUTION NO. 263

By Public Health & Environmental Protection, Personnel & Finance Committees
Seconded by Mr. Garnar

RESOLUTION AUTHORIZING REVISION OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 478 of 2008, authorized and approved renewal of the Children with Special Health Care Needs Program Grant for the Department of Health and adopted a program budget in the amount of \$25,927 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides aid in determining children with special needs, identifies relevant issues and works with State agencies to resolve such issues, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$2,151 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Children with Special Health Care Needs Program Grant to reflect an increase of \$2,151 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 \$28,078, and be it

FURTHER RESOLVED, that Resolution 478 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 264

By Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH TIOGA COUNTY HEALTH DEPARTMENT FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S TOBACCO CONTROL PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 351 of 2008, authorized renewal of the agreement with the Tioga County Health Department for Professional Services in conjunction with the Tobacco Control Program for the Tioga County Health Department at a cost not to exceed \$75,000, for the period August 1, 2008 through July 31, 2009, and

WHEREAS, said agreement provides a contract for professional services in Tioga County in conjunction with the Tobacco Control Program, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the subcontract award to the Tioga County Health Department, the Cost of Living Adjustment (COLA) increase to be \$15,000, from the Broome County Health Department for the Tobacco Control Program, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Tioga County Health Department, PO Box 120, 1062 State Route 38, Owego, New York 13827, to increase the amount of funding from the Broome County Health Department in a Cost of Living Adjustment (COLA) of \$15,000, for the period August 1, 2008 through July 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor the total amount not to exceed \$90,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105471 (Sub-contracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 351 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-19, Nays-0, Absent-0.

RESOLUTION NO. 265

By Public Health and Environmental Protection Services and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING REVISION OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 735 of 2008, authorized and approved renewal of the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$56,178 for the period October 1, 2008 through September 30, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$5,082 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Youth Tobacco Enforcement Program Grant to reflect an increase of \$5,082 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 \$61,260, and be it

FURTHER RESOLVED, that Resolution 735 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 266

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING REVISION OF THE HEALTHY FAMILIES NEW YORK: HEALTHY FAMILIES BROOME PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 297 of 2008, authorized renewal of the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the total amount of \$549,000 and authorized an agreement with Lourdes Health Care System Youth Services for intensive home visiting services in the amount of \$379,145 for the period July 1, 2008 through June 30, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$43,261 in grant appropriations and amend the agreement with Lourdes Health Care System to reflect a decrease in the amount of \$23,957, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Families NY: Healthy Families Broome Program Grant to reflect a decrease of \$43,261 for the period July 1, 2008 through June 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 \$505,739, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Lourdes Health Care System Youth Services, 219 Front Street, Binghamton, New York 13905, to reflect a decrease of \$23,957 for intensive home visiting services for the Department of Health's Healthy Families New York: Healthy Families Broome Program Grant for the period July 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$355,188 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 297 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 267

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY FAMILIES NEW YORK: HEALTHY FAMILIES BROOME PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AN AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 297 of 2008, as amended by companion resolution, authorized and approved renewal of the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the amount of \$505,739 and authorized an agreement with Lourdes Health Care System Youth Services in the amount of \$355,188 for intensive home visiting services for the period July 1, 2008 through June 30, 2009, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$505,739, adopt a program budget and renew the agreement with Lourdes Health Care System Youth Services in the amount of \$349,268 for intensive home visiting services for the period July 1, 2009 through June 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$505,739 from the New York State Office of Children & Family Services, Development and Prevention Services, 52 Washington Street, 3N, Rensselaer, New York 12144-2796, for the

Department of Health's Healthy Families New York: Healthy Families Broome Program Grant for the period July 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$505,739, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Health Care System Youth Services, 219 Front Street, Binghamton, New York 13905, for intensive home visiting services for the Department of Health's Healthy Families New York: Healthy Families Broome Program Grant for the period July 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$349,268 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105xxx (Subcontracted Program Expense), and be it

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

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

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

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

RESOLUTION NO. 268

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

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING RENEWAL OF THE WOMEN, INFANTS AND CHILDREN'S COLA PROGRAM GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 37 of 2008, authorized and approved the Women, Infants and Children's COLA Program Grant for the Health Department and adopted a program budget in the amount of \$44,990 for the period October 1, 2007 through September 30, 2008, and

WHEREAS, said program grant will be used to support the expansion of hospital certifications to increase caseload and critical needs, now therefore, be it

WHEREAS, it is desired to renew said program grant in the amount of \$69,926 for the period October 1, 2008 through September 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$69,926 from New York State Department of Health Women, Infants and Children Program, 217 South Salina St. Syracuse, NY 13202, for the Health Department's Women, Infants and Children's COLA Program Grant for the period October 1, 2008 through September 30, 2009 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$69,926 and be it

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

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

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

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

RESOLUTION NO. 269

By Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING RENEWAL OF THE SOUTHERN TIER AIDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 340 of 2008, authorized and approved the Southern Tier AIDS Program Grant for the Health Department and adopted a program budget in the amount of \$19,500 for the period July 1, 2008 through June 30, 2009, and

WHEREAS, said program grant provides free, anonymous HIV/AIDS counseling and testing for people in Broome County who would be considered at risk, and

WHEREAS, the New York State Department of Health AIDS Institute has agreed to pay part of the salary and benefits of the HIV Program Representative to provide Anonymous Counseling and Testing, and the Southern Tier AIDS program is the conduit for these funds to be received by the Broome County Health Department, and

WHEREAS, it is desired to renew said program grant in the amount of \$19,500 for the period July 1, 2009 through June 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier AIDS Program Inc. (STAP), 122 Baldwin Street, Johnson City, New York 13790, for the Department of Health's Southern Tier AIDS Program for the period July 1, 2009 through June 30, 2010 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$19,500, and be it

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

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

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

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

RESOLUTION NO. 270

By County Administration and Human Services Committees

Seconded by Ms. Messina

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 of 2009, ENTITLED: "A LOCAL LAW AMENDING ARTICLE XIV OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING THE DEPARTMENT OF NURSING HOMES"

WHEREAS, the Administrator of the Willow Point Nursing Home, requests authorization to amend Article XIV of the Broome County Administrative Code, to comply with New York State Quality assessment and assurance program codes, rules and regulations, and to more accurately reflect current and desired practice, and

WHEREAS, current detail in the Charter wording puts the Nursing Home at risk of being out of compliance with the Charter and New York State, and

WHEREAS, the proposed wording assures compliance by being more general and referencing the pertinent New York State regulation, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5 of 2009, entitled: "A Local Law Amending Article XIV of the Broome County Charter and Administrative Code Regarding the Department of Nursing Homes", be and the same hereby is adopted and approved in accordance with the Broome County Charter and Administrative Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 5 of 2009
A LOCAL LAW AMENDING ARTICLE XIV OF THE BROOME COUNTY CHARTER AND
ADMINISTRATIVE CODE REGARDING THE DEPARTMENT OF NURSING HOMES**

BE IT ENACTED, by the County Legislature of the County of Broome as follows:

Section 1. Article XIV of the Broome County Charter and Administrative Code, as amended, be and hereby is amended to read as follows:

ARTICLE XIV. Department of Nursing Homes [and Health-Related Facilities]

§ A1401. Department; Administrator.

There shall be a Department of Nursing Homes **[and Health-Related Facilities]** headed by an Administrator . **The Administrator will hold a currently valid Nursing Home Administrator's license and registration, or temporary license, issued pursuant to Article 28-D of the New York State Public Health Law.** The Administrator shall be appointed by the County Executive subject to Legislative confirmation and shall continue to serve at the pleasure of the County Executive.

§ A1402. Powers and duties.

The Administrator shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, this Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive or by any applicable provision of any act of the State Legislature not inconsistent with the Charter or this Code.

§ A1403. Reports.

[On or before March 1 in each year, the Administrator shall make an annual] Annually the Administrator shall make a report for the immediately preceding calendar year, covering generally the work of his office. He shall make such other reports at such times as may be required by the County Legislature, County Executive or any other applicable law. **[Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.]**

§ A1404. Nursing Home **[s] Advisory Board [of Directors].**

There shall be a Nursing Homes Board of Directors to oversee the quality of care and treatment of residents of the Broome County Nursing Homes and to advise the County Executive and the Nursing Homes Administrator of conditions affecting the welfare of residents in the facilities.

The **Advisory** Board shall consist of **[13 or more voting]** members as follows: The County Executive or a designee and the Chair of the County Legislature or a designee, **and Administrator of the Broome County Nursing Home** who shall serve ex officio; at least one resident; at least one family member; one physician; **[one provider representative]**; one nurse;

one holder of a master's degree in social work; and five members at large. Board members other than those serving ex officio shall be appointed by the County Executive, subject to confirmation by the County Legislature. Resident member(s) and family member(s), the total of which shall not exceed five, shall serve at the pleasure of the County Executive. Other members appointed by the County Executive, subject to confirmation by the County Legislature, shall be appointed for three-year terms so that the terms of three (3) members shall expire each year. A member shall not be eligible for reappointment until one (1) year after having served two (2) consecutive three-year terms. The County Executive shall have the authority to appoint an additional ex officio member to the Board.

[The Board shall elect each year a Chairman, Vice Chairman and Secretary. No officer shall serve more than two (2) consecutive terms in the same office.] The Board shall adopt a schedule of at least ten (10) regular meetings per year and shall establish rules for the conduct of its meetings. The Board shall also hold special meetings upon the call of the Chairman, the County Executive or the Nursing Home[s] Administrator or upon written request of three (3) Board members. Board members, the Nursing Homes Administrator, the County Executive and the Clerk of the County Legislature shall be notified of all Board meetings.

[The Chairman shall appoint all Committees with the approval of the Board, as needed, at the request of the County Executive or the Board. There shall be a Committee, known as the "Quality Assurance Committee," which shall consist of a physician, a nurse, a holder of a master's degree in social work, a dietician, a provider representative, two (2) members at large and a resident or family member. The Chair of the Quality Assurance Committee shall be a member of the Board. The Quality Assurance Committee shall meet at least once a month and review patient care questions or concerns, review complaints or alleged abuses, conduct on-site inspections of the facilities and perform any other duties assigned by the Board.] Willow Point Nursing Home will establish and maintain a coordinated Quality Assessment and Assurance Program which integrates the review activities of all nursing home programs and services to enhance the quality of life and resident care and treatment. Pursuant to "Codes, Rules and Regulations of the State of New York, title 10, §415".

When any Board member fails to attend three (3) consecutive meetings or attends less than seventy-five percent (75%) of the regular meetings scheduled for the year, the Board shall have the authority to remove such member from office. In exercising such authority, the Board shall take into consideration whether such member had a bona fide reason for not attending and whether advance notification was given to the Administrator or the Chair. Any Board member who fails to visit and inspect any facility at least once annually shall be considered to have automatically vacated his or her office.

The Board shall make recommendations at any time pertaining to any matter at **[either] the** facility to the **[facility]** administrator or the County Executive; aid and/or recommend to the **[facility]** administrator in regard to facility operation, staffing, community relations, facility conditions, construction plans and the programs and activities of the facility; advise the County Executive regarding the proposed appointment of a facility administrator; investigate any charge against the administration; **and investigate any case of alleged resident abuse or mistreatment.]**

The **Advisory** Board **[of Directors]** shall perform the above responsibilities consistent with the advice and direction, where applicable, of the Department of Law, Department of Personnel and Department of Audit and Control and in accordance with the provisions of any resolution now or hereafter adopted by the County Legislature.

Members of the Board and of the Quality Assurance Committee, either individually or jointly, while acting in their official capacity, are agents of the County of Broome, and, in consideration of said services, the County shall indemnify and save harmless such members from any and all claims, suits, damages, costs, losses and expenses arising out of any act or omission while such members were acting within the scope of their official duties.

The member shall deliver, within ten (10) days of the time he or she is served with any summons, complaint, process, notice, demand or pleading, the original copy thereof to the County Attorney and request the County Attorney to assume control of his or her representation. Upon determining that the member was acting within the scope of his or her duties as a member, said determination being final unless arbitrary and capricious, the County Attorney shall assume control of the representation of the member. When the County Attorney assumes such control, the member shall cooperate fully with the County Attorney.

§ A1405. Deputies.

(A) The Administrator may appoint three deputies, who shall be the Deputy Nursing Home Administrator for Fiscal Services, the Deputy Nursing Home Administrator for Health Services and the Deputy Nursing Home Administrator for Administration Services. All Deputy Nursing Home Administrators shall serve at the pleasure of the Administrator.

(B) The Administrator shall designate a Deputy or Deputies to whom shall be delegated all the powers and duties of the Administrator and shall have the authority to act generally for and in place of said Administrator. The designation or designations shall be in writing and filed in the Department of Records, and copies thereof shall be filed with the County Executive and with the Clerk of the Legislature.

Section 2. This Local Law shall take effect upon filing with the Secretary of State

Material in **[brackets]** deleted

Material **underlined** added

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

RESOLUTION NO. 271

By Public Safety & Emergency Services, and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF 2008 TERRORISM PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2008-2011

WHEREAS, the Office of the Sheriff, requests authorization to accept the 2008 Terrorism Program Grant and adopt a program budget in the amount of \$118,500 for the period September 1, 2008 through August, 31, 2011, and

WHEREAS, said program grant provides funds for the prevention of terrorist attacks, the ability to respond to terrorist attacks, to minimize the danger, and to recover from terrorist attacks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$118,500 from New York State Office of Homeland Security, Harriman State Office Campus, 1220 Washington Avenue, Bldg. 7A, 6th Floor, Albany, NY 12242 for the Office of the Sheriff, for the 2008 Terrorism Program Grant for the period September 1, 2008 through August 31, 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 \$118,500, and be it

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

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

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

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

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

RESOLUTION NO. 272

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A PRESIDENTIAL THREAT PROTECTION ACT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, the Office of the Sheriff requests authorization to accept a Presidential Threat Protection Act Program Grant and adopt a program budget in the amount of \$5,000 for the period December 8, 2008 through September 30, 2009, and

WHEREAS, said program grant is necessary for the purpose of locating and apprehending fugitives, and participating in the New York New Jersey Regional Fugitive Task Force, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the United States Department of Justice, United States Marshals Service, P.O. Box 7260, 100 So. Clinton St., Syracuse, NY 13261, Attn: Barbara Wright for the Office of the Sheriff's Presidential Threat Protection Act Program Grant for the period December 8, 2008 through September 30, 2009, and be it

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

Mr. Materese made a motion, seconded by Mr. Cleary to amend the 1st Whereas paragraph, the 1st Resolved paragraph and the 1st Further Resolved paragraph to \$10,000 and replace Exhibit "A". **Amendment carried.** Ayes-19, Nays-0, Absent-0. **Resolution as amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 273

By Economic Development and Planning, Personnel and Finance Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING ACCEPTANCE OF PY2009 WORKFORCE INVESTMENT ACT SHARED COST POOL PROGRAM GRANT FOR 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 PY2009 Workforce Investment Act Shared Cost Pool Program Grant and adopt a program budget in the amount of \$879,627 for the period July 1, 2009 through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$879,627 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2009 Workforce Investment Act Shared Cost Pool Program Grant for the period July 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 \$879,627, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIA funding as may be allocated by New York State from July 1, 2009 through June 30, 2011, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

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

RESOLUTION NO. 274

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar

RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2009 WORKFORCE INVESTMENT ACT ADULT PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2009 Workforce Investment Act Adult Program Grant and adopt a program budget in the amount of \$378,211 for the period July 1, 2009 through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$378,211 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2009 Workforce Investment Act Adult Program Grant for the period July 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 \$378,211, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIA funding as may be allocated by New York State from July 1, 2009 through June 30, 2011, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

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

RESOLUTION NO. 275

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2009 WORKFORCE INVESTMENT ACT ADMINISTRATION PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2009 Workforce Investment Act Administration Program Grant and adopt a program budget in the amount of \$144,085 for the period July 1, 2009 through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$144,085 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2009 Workforce Investment Act Administration Program Grant for the period July 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 \$144,085, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIA funding as may be allocated by New York State from July 1, 2009 through June 30, 2011, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

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

RESOLUTION NO. 276

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2009 WORKFORCE INVESTMENT ACT DISLOCATED WORKER PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2009 Workforce Investment Act Dislocated Worker Program Grant and adopt a program budget in the amount of \$492,776 for the period July 1, 2009 through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$492,776 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2009 Workforce Investment Act Dislocated Worker Program Grant for the period July 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 \$492,776, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIA funding as may be allocated by New York State from July 1, 2009 through June 30, 2011, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

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

RESOLUTION NO. 277

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF THE 2009 TANF SUMMER YOUTH 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 the 2009 TANF Summer Youth Program Grant and adopt a program budget in the amount of \$441,043 for the period May 1, 2009 through September 30, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$441,043 from the State of New York Office of Temporary and Disability Assistance, 40 North Pearl Street-9C, Albany, New York 12243-0001 for the Office of Employment and Training's 2009 TANF Summer Youth Program Grant for the period May 1, 2009 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$441,043, and be it

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

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

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

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

RESOLUTION NO. 278

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING ACCEPTANCE OF PY2009 WORKFORCE INVESTMENT ACT YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2009-2011

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2009 Workforce Investment Act Youth Program Grant and adopt a program budget in the amount of \$425,784 for the period July 1, 2009 through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$425,784 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2009 Workforce Investment Act Youth Program Grant for the period July 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 \$425,784, and be it

FURTHER RESOLVED, that the Office of Employment and Training is authorized to accept and allocate additional WIA funding as may be allocated by New York State from July 1, 2009 through June 30, 2011, provided there is no increase in employee head count and that the County's contribution is not increased, and be it

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

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

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

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

RESOLUTION NO. 279

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

RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE JUSTICE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR 2009

WHEREAS, this County Legislature, by Resolution 744 of 2007, authorized and approved the 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 an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said grant program 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 desired to renew said grant program in the amount of \$130,448, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$130,448 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144-2796, for the Department of Mental Health's Juvenile Justice Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$130,448, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to administer said program for the Department of Mental Health for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$130,448 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4457.105xxx (Subcontracted Program Expense), and be it

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

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

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

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

RESOLUTION NO. 280

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

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF PUBLIC HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds in Emergency Preparedness 08/09 Grant, as requested by BF# 7805, 7806, 7807, and 7808 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobjec</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
		†			
FROM:	480376	1500	105474	Salaries-Part Time	\$ 28,601
	480376	4449	105474	Other Operational Expenses	\$ 3,900
	480376	4462	105474	Travel Hotel & Meals	\$ 2,655
	480376	4463	105474	Education & Training	\$ 4,800
	480376	4606	105474	Telephone Billing	\$ 2,640
	480376	4615	105474	Gasoline Chargeback	\$ 1,750
	480376	8010	105474	State Retirement	\$ 4,438
	480376	8030	105474	Social Security	\$ 1,412
	480376	8040	105474	Workers Compensation	\$ 309
	480376	8050	105474	Life Insurance	\$ 19
	480376	8060	105474	Health Insurance	\$ 5,308
	480376	8070	105474	Unemployment Insurance	\$ 981
	480376	0549	105474	Chargeback to Grants	\$ 8,801
TO:	480376	1600	105474	Salaries-Temporary	\$ 12,109
	480376	4311	105474	Books & Subscriptions	\$ 200
	480376	4319	105474	Office Supplies	\$ 11,380
	480376	4329	105474	Bldg & Grounds Supplies	\$ 210
	480376	4346	105474	Trng & Ed Supplies	\$ 5,000
	480376	4349	105474	Misc. Oper. Supp	\$ 7,692
	480376	4359	105474	Computer Soft & Supp	\$ 6,627
	480376	4363	105474	Med Lab & Clinical Supp	\$ 8,000
	480376	4411	105474	Postage & Freight	\$ 100
	480376	4448	105474	Advertising & Promo Exp	\$ 3,130
	480376	4461	105474	Mileage & Parking	\$ 5
	480376	4465	105474	Non Employee Travel	\$ 200
	480376	4610	105474	Personal Service Chrgbk	\$ 8,448
	480376	4614	105474	Other Chargeback Exp.	\$ 10
	480376	4616	105474	Fleet Service Chargeback	\$ 250
	480376	4618	105474	Office Supplies Chargeback	\$ 1,000
	480376	4619	105474	Building Services Chrgbk	\$ 1,000
	480376	4626	105474	Transportation Svc Chrgbk	\$ 250
	480376	8063	105474	Disability Insurance	\$ 3

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

RESOLUTION NO. 281

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

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE PURCHASE OF FOUR (4) SMALL CUTAWAY BUSES

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

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County*</u>
501591	Purchase of up to ten	3,651,619	0	3,651,619	0

(10) transit buses

Local Finance Law Section 11			How Financed:	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current</u>
<u>Start</u>				<u>Revenue</u>
2009	5	29	3,651,619	0

TO:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County*</u>
501591	Purchase of up to ten (10) transit buses plus four (4) small cutaway buses	4,051,619	0	4,051,619	0

Local Finance Law Section 11			How Financed:	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current</u>
<u>Start</u>				<u>Revenue</u>
2009	5	29	4,051,619	0

Description: Amend project to utilize additional 100% ARRA funds 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-19, Nays-0, Absent-0.

RESOLUTION NO. 282

By Finance, Public Works and Transportation and Rural Development Committees

Seconded by Ms. Messina

RESOLUTION AMENDING THE 2007 CAPITAL IMPROVEMENT PROGRAM FOR 2007 CORPORATE HANGAR IMPROVEMENTS

RESOLVED, that the 2007 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</u>	<u>County</u>
501515	07 Corporate Hangar Improvements	750,000	600,000	0	150,000

Local Finance Law Section 11			How Financed:	
<u>Year</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current</u>
<u>Start</u>				<u>Revenue</u>
2007	10	14	750,000	0

TO:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
501515	07 Corporate Hangar Improvements	750,000	241,000	0	509,000

Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2007	10	14	750,000	0

Description: Reduce State share of project due to NYS grant not received.
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-19, Nays-0, Absent-0.

RESOLUTION NO. 283

By Education, Culture and Recreation and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING AN AGREEMENT WITH OUR LADY OF GOOD COUNSEL ROMAN CATHOLIC CHURCH FOR THE USE OF THE CHURCH PARKING LOT FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2009

WHEREAS, the Deputy Commissioner of Department of Parks & Recreation requests authorization for an agreement with Our Lady of Good Counsel Roman Catholic Church for the use of the church's parking lot for the Department of Parks and Recreation, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for Broome County to use the church's parking lot adjacent to the En-joie Golf Course parking lot, and

WHEREAS, in consideration of said agreement, the County will provide in-kind services by providing adequate lighting, maintaining the paved surface, and maintaining landscaping consistent with the landscaping of the adjacent County owned lot, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Good Counsel Roman Catholic Church, 701 West Main Street, Endicott, New York 13760 for the use of the church's parking lot for the Department of Parks and Recreation for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall provide in-kind services by providing adequate lighting, maintaining the paved surface, and maintaining landscaping consistent with the landscaping of the adjacent County owned lot, for the term of the agreement, and be it

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

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

RESOLUTION NO. 284

By Finance, Public Works and Public Safety and Emergency Services Committees
Seconded by Ms. Messina
RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR SECURITY AT GEORGE HARVEY JUSTICE BUILDING

RESOLVED, that the 2009 Capital Improvement Program is hereby revised to create a new project as follows:

TO:

Estimated Construction Cost:

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<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501603	Security at George Harvey Building	60,800			60,800

<u>Year Start</u>	<u>Local Finance Law Section 11</u>		<u>How Financed:</u>	
	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	5	32	60,800	0

Description: In the Fall of 2009 the George Harvey Justice Building will be opening. The offices of the Public Defender, District Attorney and Probation will be relocating to this building. In order to provide security for these departments a Magnetometer, X-ray and associated security area upgrades will be required.

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-19, Nays-0, Absent-0.

RESOLUTION NO. 285

By Education, Culture & Recreation Committee Seconded by Mr. Garnar
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY LIBRARY BOARD OF TRUSTEES

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Karima Legette 67 1/2 Lincoln Ave. Binghamton, New York 13905	12/31/2012 (filling unexpired term of Bethany Williams)

and
 WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, hereby confirms the appointment of the above-named individual to membership on the Broome County Library Board of Trustees for the terms indicated, in accordance with the appointment by the County Executive.

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

RESOLUTION NO. 286

By Human Services Committee Seconded by Mr. Garnar
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Daniel Spero (youth Member) 20 Grand Blvd. Binghamton, NY 13905	1 st Term to expire 12/31/2011

Katelyn Hritcko (youth Member) 1st Term
205 Old State Road to expire 12/31/2011
Binghamton, NY 13904

Deborah Hibbard 1st Term
9 Aldrich Ave. to expire 12/31/2011
Binghamton, NY 13903

and

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

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

RESOLUTION NO. 287

By Economic Development and Planning Committee Seconded by Mr. Garnar
**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME
COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS**

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority
vested in her by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and
Resolution 341 of 1980 has duly designated and appointed the following named individuals to
membership on the Broome County Environmental Management Council Board of Directors, for
the terms indicated, subject to confirmation by this County Legislature:

Member-At-Large Nominees (2-year appointments)

<u>NAME</u>	<u>TERM EXPIRING</u>
Marley Urdanik 2011 Kim Drive Endicott, NY 13760	12/31/2010

Jaime Welch
20 Corbett Avenue
Binghamton, NY 13903

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of
1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, confirms the
appointments of the above-named individuals to membership on the Broome County
Environmental Management Council Board of Directors for the terms indicated, in accordance
with their appointment by the County Executive.

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

RESOLUTION NO. 288

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
**RESOLUTION AUTHORIZING ACCEPTANCE OF A WIA TITLE IB STATEWIDE
TECHNOLOGY PURCHASE PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND
TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2009**

WHEREAS, the Director of Employment and Training requests authorization to accept a
WIA Title IB Statewide Technology Purchase Program Grant and adopt a program budget in the
amount of \$14,740 for the period May 5, 2009 through June 30, 2009, and

WHEREAS, said program grant provides funds to upgrade equipment and other
technology at One-stop Centers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$14,740 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's WIA Title IB Statewide Technology Purchase Program for the period May 5, 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 \$14,740, and be it

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

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

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

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

RESOLUTION NO. 289

By Finance and Human Services Committees

Seconded by Mr. Garnar

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR WILLOW POINT NURSING HOME

RESOLVED, that in accordance with a request from the Administrator of Willow Point Nursing Home, in order to cover contracted services for Physical Therapy, as requested by BF# 7201, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160226	1000	204000	Salaries-Full Time	\$ 46,400
TO:	160226	4706	204000	Rehab & Therapy Services	\$ 46,400

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

RESOLUTION NO. 290

By County Administration and Economic Development and Planning Committees

Seconded by Mr. Garnar

RESOLUTION OPPOSING THE PROPOSED CONSOLIDATION OF THE BINGHAMTON MAIL-PROCESSING OPERATION BY THE UNITED STATES POSTAL SERVICE

WHEREAS, the Binghamton Postal Services Facility is a public institution that exists to serve our community, and the proposed consolidation of the Binghamton mail processing operation provides no benefit to our community and offers no increase in delivery efficiency or cost effectiveness, and

WHEREAS, Broome County residents are fortunate to have excellent mail service made possible by the hard work of clerks, mail handlers and letter carriers who live and raise their families in our community, and

WHEREAS, across the Southern Tier our residents, small businesses and elected officials are working to revitalize our economy and region and the proposed loss of local processing of our First Class mail would undermine those efforts, and

WHEREAS, residents and small businesses could see delayed delivery of tax forms, legal documents, bills, checks, and prescription drugs, and

WHEREAS, we as a community question the cost in delayed service and the possible environmental impact of the additional energy consumption required to move mail back and forth from Syracuse to Binghamton, and

WHEREAS, we maintain that the loss of any postal positions in our community will result in a delay and reduction in service standards and will be harmful to residents, small businesses and our region's municipalities, and

WHEREAS, this Broome County Legislature supports maintaining the current processing of First Class mail in Binghamton with the current staffing levels while supporting our current excellent service along with our local postmark on all mail originating from our communities, now, therefore, be it

RESOLVED, that this Legislature opposes any consolidation plan that would adversely affect the delivery of First Class mail in our community and cost the jobs of the local workforce and we urge the United States Postal Service to retain all current functions at the Binghamton Post Office, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature shall be directed to forward this resolution to the Offices of U.S. Senator Charles E. Schumer; U.S. Senator Kirsten Gillibrand; U.S. Congressman Maurice D. Hinchey; U.S. Congressman Michael A. Arcuri; and the Albany District Consumer Affairs Manager.

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

RESOLUTION NO. 291

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Garnar

RESOLUTION AUTHORIZING APPLICATION FOR A JUSTICE ASSISTANCE GRANT JOINTLY WITH THE CITY OF BINGHAMTON

WHEREAS, the City of Binghamton and the County of Broome are jointly eligible for a Justice Assistance Grant (JAG), offered through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and

WHEREAS, the Grant is the successor to two prior Bureau of Justice Assistance programs, the Local Law Enforcement Block Grant Program (LLEBG) and the Edward Byrne Memorial Formula Grant Program, and

WHEREAS, in past years the City of Binghamton has received 100% of the grants for the purpose of funding the City Parks Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the execution of an Interlocal Agreement between the City of Binghamton and the County of Broome to apply for the 2009 Justice Assistance Grant offered through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and be it

FURTHER RESOLVED, that the Interlocal Agreement will provide that the City of Binghamton retain 100% (\$26,768) from the JAG award and that there shall be no local match requirements to the Grant, 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 Broome County Department of Law, as may be necessary to implement the intent and purpose of this resolution, and be it

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

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

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

RESOLUTION NO. 292

By Public Safety and Emergency Services, and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING AN AGREEMENT WITH T-MOBILE USA, (OMNIPONT COMMUNICATIONS) INC. TO LEASE TOWER SPACE FOR 2009-2019

WHEREAS, the Director of Emergency Services requests authorization for an agreement with T-Mobile USA, (Omnipoint Communications) Inc. to lease tower space with revenue to the County, for the period July 1, 2009 through June 30, 2019, and

WHEREAS, said lease will not affect the operation of communications equipment and related purposes, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with T-Mobile USA, (Omnipoint Communications) Inc., Attn: PCS Lease Administrator, 12920 SE 38th Street, Bellevue, Washington 98006 to lease tower space, for the period July 1, 2009 through June 30, 2019 and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$21,000 (\$1,750 per month split equally with NYSEG) with a 3% increase each year per contract for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue payments hereinabove authorized shall be credited to budget line 460006.0068.101000 (Other Public Safety Dept Income), and be it

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

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

RESOLUTION NO. 293

By Economic Development and Planning and Finance Committees Seconded by Mr. Garnar
RESOLUTION AUTHORIZING RENEWAL OF THE DISABILITY PROGRAM NAVIGATOR GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 462 of 2008, authorized and approved the Disability Program Navigator Grant for the Office of Employment and Training and adopted a program budget in the amount of \$74,548 for the period July 1, 2008 through June 30, 2009, and

WHEREAS, said program grant assists persons with disabilities in Broome and Tioga Counties with using the One-Stop Career Center and the services available at the centers, and

WHEREAS, it is desired to renew said program grant in the amount of \$74,693 for the period July 1, 2009 through June 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$74,693 from the New York State Department of Labor, State Office Campus, Building 12, Room 450, Albany, New York 12240 for the Office of Employment and Training's Disability Program Navigator Grant for the period July 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$74,693, and be it

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

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

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

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

Mr. Materese made a motion, seconded by Mr. Whalen to have Chairman Reynolds send a letter, on behalf of the whole legislature, to the federal government in protest of the job loss at Lockheed Martin due to the cancellation of the presidential helicopter program. Carried. Ayes-19, Nays-0, Absent-0.

Mr. Herz informed the members of the Legislature that the IDA would be meeting Friday, June 19th at 12 noon at the Broome County Public Library.

Mr. Marinich suggested that the chair of the appropriate committee should follow up on the development of a master plan for the Broome County Veterans Memorial Arena

Mr. Howard made a motion to adjourn, seconded by Mr. Garnar. **Motion to adjourn Carried**, Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 6:08 p.m.