

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
SEPTEMBER 24, 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 (Keibel).

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.

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

Mr. Reynolds noted that the committee minutes for the period August 19, 2009 through September 23, 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. Nirchi, seconded by Mr. LaBare. **Carried.** Ayes-18, Nays-0, Absent-1 (Keibel).

**ANNOUNCEMENTS FROM THE CHAIR**

Mr. Denk announced that the ProAct Prescription Discount Cards are available this evening for Departments to pick up and to notify the Legislative Office if they require more.

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

Mr. Reynolds invited County Executive Barbara J. Fiala to the podium for her 2010 Budget Address.

**BROOME COUNTY BUDGET MESSAGE 2010**

Good evening everyone. Chairman Reynolds, Majority Leader LaBare, Minority Leader Marinich, all of our legislators, thank you for this opportunity.

Members of the media, department heads and employees, as well as residents of Broome County thank you all for coming out tonight. We are living in unprecedented times.

We are facing extraordinary obstacles. We need, more than ever, to work together to solve these daunting challenges.

Before we get too far into this budget message, I did want to take a few moments to acknowledge the hard work of not only our budget office, Marie, Marty and Darlene, but of all the time and due diligence afforded this process by our department heads and their employees. It has really been a team effort.

Our department heads worked with us to trim expenses and increase revenues by almost \$4M. This was not an easy job but they understood and they worked with us. For those who did not work with us, we were forced to make cuts for them .

Between our state, local governments, and school districts, our property taxpayers have been squeezed beyond their ability to take much more.

We feel we have crafted a budget that balances our need to minimize the burden on our taxpayers while preserving valuable county services

I have heard so many comments about why we do not simply cut staff. In many situations we are doing just that. But cutting staff leads to cutting services. When you ask those same people about what services they would cut in order to meet their demands for cutting personnel, they are usually hard pressed to name the service they would sacrifice. What is an unnecessary service to one is necessary to another.

We are looking at cutting personnel. More importantly, we are looking top to bottom, at the way the county delivers its services. We have no choice. Our current operating procedures and existing forms of government at all levels are simply not sustainable.

#### **CURRENT FISCAL CHALLENGES AND STRATEGIES**

Before getting to next year, I wanted to address our financial challenges this year.

We are taking steps now to stave off financial turmoil in the 2009 current budget. We have already implemented a hiring freeze. We are not purchasing any new equipment. We are not allowing any taxpayer supported travel that is not mandated in the final quarter of 2009. We are asking department heads to freeze spending to the best of their ability. We still have mandated expenses but where we can cut, we will.

Additional measures will probably be necessary. I ask for support from this legislature and our residents as we work our way through these chaotic times.

#### **2010 BUDGET BY THE NUMBERS**

With all of these challenges in mind, and following a tremendous amount of work, the 2010 Broome County budget is calling for a 3.79% increase. That would mean approximately an additional \$44 to the average taxpayer that owns an average \$80,000 home.

This spending plan represents a nearly \$353M appropriation for the next fiscal year. It also limits the increase in spending from a 5½ % increase last year to this year, to a 1½ % increase this year to next year.

No increase is a good increase, but we believe this strikes a balance between the demand on services that our residents require and the escalating costs of doing business .

In difficult times, there is a larger demand on county services. For example, our Department of Social Services has seen the number of families seeking assistance skyrocket. Our work force office has been inundated with hundreds more people coming through the doors every month looking for assistance in finding a job.

Our library is seeing an influx of new and repeat users who are looking for additional resources as they begin their search for a job .

Our Meals on Wheels program is being stretched to the limit.

These are difficult times indeed. So as we put this spending plan together we took into consideration the need to keep providing these valuable services while again minimizing the extent of the tax rate increase.

#### **STAFF REDUCTIONS AND OTHER CUTS**

We are looking to reduce staff by 24 full time equivalent positions. This will remove nearly \$1.7M from our bottom line. These reductions are happening as a result of some offices restructuring the way they operate or simply going without key personnel to support services.

In addition, there will be no administrative raises next year. I know this is a tough blow for many families, but we simply cannot afford it. There were also a number of requests to upgrade positions. That is also not happening next year.

In addition, today, we are announcing an initiative to reduce the ranks of our personnel by offering an early retirement incentive. This effort still has to be approved by our legislators. However, in anticipation of that approval, we will distribute the eligibility requirements in an email to all employees tomorrow.

Bottom line, we would plan to offer \$13,000 to any eligible employee. If the number of employees participating exceeds 50, the incentive will be \$16,000 and if more than 100 employees participate, the incentive will be \$20,000.

Our goal is to not replace all of the staff members who will leave.

However, we must certainly be cognizant if one department is hit harder than others in terms of losing personnel. We will reserve the right to manage the personnel decisions following this incentive offer.

I make this vow to you our legislators and to our taxpayers that the end result will be fewer personnel AND a reduction in taxpayer supported personnel costs. The savings will more than cover the expected costs of the incentive program.

#### **PLANNING FOR THE FUTURE**

When it comes to future personnel issues, I am also announcing that this administration is going to begin meeting with our department heads in January to begin mapping out a plan for 2011 and beyond.

Will this mean fewer services for our community? I can almost guarantee it. Will it mean fewer hours of operation for some of the offices that deal with the public? Again, I can almost guarantee it.

However, I can also guarantee that before any of these decisions are made, we will thoroughly investigate all of our options and we will make sure we balance the need for these services with the taxpayer support that is necessary to maintain that service.

I ask for this legislature's support when it comes time to make some of these changes. And I ask for the public's support and patience when some of these cuts in service impact them personally.

#### **BC TRANSIT FARE TO INCREASE TWENTY FIVE CENTS**

We did have to make at least one very tough decision for next year and it involves our Broome County Transit operations. We are facing the loss of nearly a \$250,000 transportation grant. That grant allowed us to have Sunday BC Transit hours, as well as extended hours at night. We really did not want to have to cut back on those hours. That would have been devastating for the riders who rely on that service.

However, we had to make up the revenue some how. Unfortunately, that means an additional twenty five cents will be added to the current base fare. This brings the cost of one ride to \$1.50. There will be proportionate increases for all passes as well. This is a difficult move but we felt it was more important to salvage the service. Those who use the service will have to be called upon to pay a little more.

On a positive note, we are removing the charge for the transfer which is currently thirty cents. So the base rate will be a \$1.50, but there will be no transfer charges.

When compared to other cities of similar size, and even when compared to much larger cities, our \$1.50 is quite competitive

In Buffalo, the fare is a \$1.75, but there is a thirty cent zone fare and a thirty five cent transfer charge. In Rochester, the base fare is a \$1.00, but riders need to pay for transfers. In Albany, the fares are a \$1.50 as well but there are no free transfers. Syracuse has a \$1.25 fare but they also charge a twenty five cent zone charge. And in Ithaca, they are currently at the same fare that we will charge, a \$1.50 with free transfers.

So I think we, Broome County, compare pretty well. We have also surveyed riders and they overwhelmingly said they would rather pay a little more than have us cut services.

#### **CONTRACT AGENCIES FACE CUTS**

We also had to take a very close look at our contract agencies. They all offer extremely important services in our community and we do value them. However, we simply cannot afford to maintain the level of support we have provided in the past. When times were good, we certainly increased support. However, we needed to look across the board and make the appropriate cuts where possible. All of the agencies have been cut back 12.5 %.

We will get through these tough times but there will be some pain. If we manage the issue, I think we can still provide the quality services that our residents have come to enjoy with out the costs of those services driving our constituents away.

#### **SOME POSITIVE NEWS**

For a moment, let's touch on some of the highlights of 2009, meaning the positive things that have happened so far this year. And yes, there were some good things.

I want to thank our federal leaders, especially Senator Schumer, who recognized that counties have been carrying a huge part of the Medicaid burden for years now. The stimulus provided billions of dollars to New York for Medicaid relief, with much of that money going directly to counties.

The funds, which are called F-MAP, will amount to an estimated \$7.4M in direct relief for Broome County in 2009 and an estimated \$6M in 2010.

Just so you can all understand the Medicaid burden that our local taxpayers have carried; Medicaid remains our number two overall expense with more than \$60M in local tax dollars underwriting this program in just the last two years.

In case anyone thinks this F-MAP money is a gift, I do not consider it a gift. I think it is a well deserved reimbursement that hopefully can be continued in some form or another in the future. If, however, it is not continued, we stand ready to make the tough choices that will be necessary!

Medicaid spending is a tremendous burden on our local taxpayers but we are not sitting idly by just accepting the bills we are given. We are taking a proactive approach.

Broome County has been actively partnering with the state in conducting Medicaid audits. This is a time consuming process, however, it has paid off.

We hope to soon be able to release details about a large settlement that will more than take care of any expenses related to implementing this program and it will return dollars to county coffers.

We are looking for fraud and abuse, but we are also simply looking for mistakes. Mistakes do happen and sometimes good people and good companies make mistakes.

Our goal is to protect the integrity of the Medicaid program and that is what we are attempting to do.

On another positive note, our Risk and Insurance Office has been doing an excellent job of reducing costs

- Our 1100 Medicare-eligible retirees and dependents have been moved to the Aetna Medicare Advantage health plan. This results in an annual cash savings of about \$865,000. This also translated into a reduction of our GASB 45 liability of \$61M.
- The RationalMed program was added to our prescription drug plan. First year savings thru July are approximately \$87,000.
- And we have added a Preferred Drug Step Therapy program. Estimated savings for this change are expected to be over \$200,000 annually.

On another positive note, our Enterprise Resource Planning project or ERP is moving forward. The Human Capital Management phase is completed. While we experienced a few bumps along the way, it was a successful implementation and we are now in the midst of the second phase, which will address our financial issues.

I promise when all is said and done, these software applications will go a long way towards improving the way we do business. It will also provide more accountability. This is something we were ordered to do by the New York State Comptroller's Office and we are complying with those orders. Down the road, it will also provide us more flexibility in providing services to other government entities in Broome County.

In 2008, fuel prices escalated beyond where anyone could have imagined. That put a tremendous amount of pressure on our budgets last year. This year, gas prices, while not exactly economical, are certainly at more manageable levels. We budgeted for additional large spikes in prices this year, and so far that has not happened. Consequently, we are able to apply those savings to this year's bottom line.

Broome County has also implemented a number of energy efficient measures to keep current and long term heating and cooling costs under control. Our Deputy Commissioner of Buildings and Grounds, Mike Lynch, and his staff are to be commended for initiating changes in the way we manage our buildings. The Department's Energy Action Team has changed light bulbs, installed solar panels on the roof of the County Office Building and replaced and repaired equipment to make the items run more efficiently. The estimated annual cost savings add up to nearly \$150,000.

I want to acknowledge our Library Director Lisa Wise and her staff for also recognizing and implementing additional ways to save energy. So far at the library this year, consumption is down 19.5% because of the changes implemented there. The library also received NYSERDA and New York State Public Library Construction Grants to add solar panels to the roof next year. This will take place using no local tax support, but will certainly go a long way in saving future local tax dollars.

#### **CHALLENGING TIMES STILL AHEAD**

While there are positive developments, times are still extremely tough. We hear the stories every day. I wanted to share some of the numbers behind these sobering news stories:

- Our sales tax figures are currently tracking 7% below 2008 levels.
- Health insurance remains our number one tax supported expense, still outpacing Medicaid. The estimated increases in rates for next year are in the 5% range.
- Medicaid will eat up nearly \$36M.
- Our pension costs are going up more than 50%.

- The number of installment agreements signed by our Real Property Tax Department has increased 50% over the yearly average of the last several years.
- Our unemployment rate reached heights this summer never before experienced in recent decades.
- Some of our largest and more entrenched companies are laying off workers.
- Broome County has been forced to sue New York State because they have left us holding the bag on a more than \$1M cleanup tab following the accident in the basement of the Governmental Plaza earlier this year.
- And after months of delay, New York still has not announced its rules for natural gas drilling in the Marcellus Shale in the state.

#### **MARCELLUS SHALE DEVELOPMENT**

Regarding natural gas drilling, we do expect to hear news any day now from New York's Department of Environmental Conservation.

After the DEC issues the latest version of the Supplemental General Environmental Impact Statement, there will be a public comment period. It is our hope that drilling permits will be issued starting soon into 2010.

This will be good news for our landowners, for our local businesses, and for Broome County which has land to lease, benefiting taxpayers and our community as a whole.

I know not everyone sees eye to eye on this issue, but I stand by my administration's strong belief that we can benefit from this industry, while at the same time protecting our environment.

The Economic Impact Statement commissioned by my office talks about a potential impact in the billions of dollars in direct and indirect benefit. We do see the economic impact, but we also understand and seriously hold tight the need to protect our environment. Without a safe, clean environment, we have nothing.

We have expressed our concerns about potential environmental impacts to the DEC and to the federal government on multiple occasions.

We are not going into this blindly. We have done our research. We believe this industry, if allowed to develop and regulated appropriately, can contribute in a positive way to our community in the future.

#### **CONSOLIDATION AND SHARED SERVICES**

Before wrapping up I did want to touch on shared services and consolidation. Under our current circumstances, how could I not? However, I want this to be a hopeful message, not one that focuses on dire consequences.

We have a community right here in Broome County that is taking historic and unprecedented steps to make change. I think we should all salute the residents and the leaders in Johnson City. They have undertaken this incredible challenge. First, they did the work to get the referendum on the ballot. Then, they did an amazing job of figuring out a way to cover all of the services currently provided under the current form of government.

I have seen their plan. I had also been consulted on some of the matters that involved Broome County Government, specifically the Sheriff's Office.

I have to tell you I think the committee performed its task admirably. Will services be 100% the way they were before? Probably not. However, for communities not going through this process, I

can almost guarantee that the services enjoyed by your residents today will not be the same in the future either.

As I mentioned at the beginning of this speech, our current forms of government are simply not sustainable. Does this mean we have to collapse and consolidate all into one form of government? Absolutely not!

I continue my pledge here today that we stand ready to work with anyone who is willing to seriously discuss ways in which we can provide more effective and affordable services to our residents.

But short of that, I encourage you all to work together on your own efforts to find ways to provide some of your services to a broader population, while reducing the tax burden on all of our residents.

One large government may not be the answer, but I think we have reached some conclusions that with 1 city, 16 towns and 7 villages, there could be some reductions in the number of government entities.

Our Attorney General, Andrew Cuomo, has certainly reached this conclusion, and I applaud his efforts to provide for ways in which governments can more easily effect change. I encourage you to read his ideas about consolidation.

I think physically bringing some of our governments together can be done and done well. It is certainly possible between villages and towns, and yes, even between neighboring towns.

I think we should all support the effort in Johnson City. It is a major undertaking, but they have done all of the heavy lifting. We as a community now need to stand by to assist with whatever happens. They are a role model and I hope they are successful in showing many of us and people across the state that change can actually be a good thing.

We are only as strong as the sum of our parts. And right now some of our towns and villages are in need of a little support. Some are doing quite well and should be recognized for their solid efforts. In fact, we hope we can count on some of these communities to help going forward.

If we cannot effect change now, I am not sure it will ever happen in our valley. We have been through, and continue to suffer the consequences of some of the most difficult times since the great depression. We are lucky that our country and our community are in a much better situation to handle an economic crisis of this magnitude than we were in the 1930's.

However, I fear going forward that unless we undertake transformative change we will be facing many of these same challenges for decades to come.

#### **CONCLUSION**

I stand here today with a lot of hope that the people of our community who are known for their strong work ethic and innovative ways will step up to the challenge.

We will work with anyone who wants to work with us and we will stand by and support any efforts where our towns, villages, and city want to work together.

I know we will weather these turbulent times if we stick together and combine efforts.

We are a strong community with a resilient spirit. We have been tested many times, but we have always met the challenge. I am confident we will persevere. Thank you all again for coming out

tonight, and I look forward to working with all of you to meet the challenges that are ahead of us!  
Thank you!

Mr. Reynolds called for a short recess. The meeting reconvened at 5:50 pm.

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

- A. PETITIONS: None
- B. COMMUNICATIONS:
  - 1. State of New York Board of Real Property Services Certified 2009 State Equalization Rates
- C. NOTICES:
  - 1. Committee of the Whole of the Broome County Legislature 9/22/09
  - 2. Special Finance Committee Meeting 9/24/09
- D. REPORTS: None

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

- A. LETTERS FROM THE CHAIR, DANIEL D. REYNOLDS
  - 1. Chairman Designation for Mr. Cleary – Personnel Committee 9/9/09
  - 2. Designations for Mr. Materese and Mr. Moran – Public Works Committee 9/9/09
  - 3. Designation for Mr. Marinich – Public Safety & Emergency Services 9/8/09
  - 4. Designations for Mr. Cleary – Transportation & Rural Development; and Mr. Materese – Public Works 9/9/09

Ms. Messina and Mr. Diffendorf were designated as participants with Chairman Reynolds in the 'Short Roll Call'.

**RESOLUTION HELD OVER FROM A PREVIOUS SESSION  
RESOLUTION NO. 355**

Heldover by Mr. Nirchi

By Finance Committee

Seconded by Ms Messina

**RESOLUTION APPROVING SALE OF COUNTY OWNED REAL PROPERTY IN THE TOWN OF UNION**

WHEREAS, the County of Broome now owns a parcel of real property located at 4301 Watson Boulevard in the Town of Union (Tax Map No. 142.02-1-19), and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to Paul Darpino, at a bid amount of \$260,000, upon receipt of an assignment of bid from E & D Land, LLC, and

WHEREAS, Broome County will retain all mineral, gas, oil and subsurface rights on said parcel, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County owned real property located at 4301 Watson Boulevard in the Town of Union (Tax Map No. 142.02-1-19) to Paul Darpino, 22 Lori Drive, Apalachin, New York 13732 for the amount of \$260,000, upon receipt of an assignment of bid from E & D Land, LLC, and be it

FURTHER RESOLVED, that Broome County will retain all mineral, gas, oil and subsurface rights on said parcel, and be it

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

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

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

Mr. Whalen made a motion, seconded by Ms. Messina to amend the budget line in the 2<sup>nd</sup> Further Resolved paragraph to "630005.0002.101000 (Gain From Sale of Tax Acquired Property). Amendment carried. Ayes-18, Nays-0, Absent-1 (Keibel). Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Keibel)

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 378**

By Finance Committee

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING RENEWAL OF LEASE OF 312 MAPLE STREET TO JOSEPH AND CAROLE BELARDINELLI FOR 2008-2010**

WHEREAS, this County Legislature by Resolution 86 of 1996 authorized the lease of real property located at 312 Maple Street, Endicott, N.Y. to Joseph and Carole Belardinelli for the period of five years commencing April 1, 1996 with an option to purchase the premises, and

WHEREAS, pursuant to Resolution 352 of 2001 the lease and option to purchase was renewed for an additional term of five year commencing April 1, 2001, and

WHEREAS, pursuant to Resolution 171 of 2006 the lease and option to purchase was renewed for an additional term of two years commencing April 1, 2006, and

WHEREAS, Broome County took title to the premises through a tax foreclosure proceedings and the premises were discovered to be contaminated, and

WHEREAS, Broome County is working with the New York State Department of Conservation to clean up the contamination, and

WHEREAS, Broome County, working with its environmental engineer, has formulated a work plan for remediation of the contamination and it is anticipated to begin the remediation within the next few weeks to be completed within the next year so that the property may be purchased, and

WHEREAS, the Belardinelli's have requested that until the property has been remediated that the lease be renewed under the same terms and conditions including the right to purchase the premises, with the provision that they would be able to sublet a portion of the premises, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the April 1, 1996 agreement with Joseph Belardinelli and Carole Belardinelli of 307 Chaumont Drive, Endwell, N.Y. 13760 as subsequently renewed for the lease by Broome County to the Belardinelli's of real property known as 312 Maple Street, Endicott, N.Y. for an additional term of two years commencing April 1, 2008 and be it

FURTHER RESOLVED, that said renewal shall be on the same terms and conditions as the April 1, 1996 lease provided that the Belardinelli's shall have the right to sublet a portion of the premises and further provided that until such time as the environmental cleanup has been completed and the property restored to the tax roll that the Belardinelli's shall owe no real property taxes from April 1, 1996 to the time the property is restored to the tax rolls, and further provided that any rent in arrears shall be added to the original purchase price, 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 (Keibel)

**RESOLUTION NO. 379**

By Finance Committee

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS INTEREST AND PENALTIES ON PARCELS IN THE TOWN OF KIRKWOOD**

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

RESOLVED, that taxes, plus interest and penalties will be cancelled on the following parcels of real property:

Parcel ID:	146.03-1-40
Town/Village:	Town of Kirkwood
Owner:	People of the State of New York
Amount to be Cancelled:	\$39.83 plus interest and penalties
Reason:	Wholly Exempt
Parcel ID:	146.03-1-41
Town/Village:	Town of Kirkwood
Owner:	People of the State of New York
Amount to be Cancelled:	\$2,165.13 plus interest and penalties
Reason:	Wholly Exempt

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

### **RESOLUTION NO. 380**

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDING FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE BROOME COUNTY STOP-DWI PROGRAM'S 2009 CHRIS THATER MEMORIAL**

WHEREAS, the Coordinator of Broome County STOP DWI requests authorization to accept \$5,000 from the Division of Criminal Justice Services, to support the Chris Thater Memorial for the period April 1, 2009 through December 31, 2010, and

WHEREAS, said funding will promote the Chris Thater Memorial event, which draws athletes and spectators from the United States and beyond for various races, events and expo areas, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the STOP-DWI Programs 2009 Chris Thater Memorial for the period April 1, 2009 through December 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 (Keibel)

### **RESOLUTION NO. 381**

By Finance Committee      Seconded by Mr. Cleary  
**RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2010**

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2010 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2010, as apportioned to the County and the towns and villages participating in the fund be approved, and be it

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

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

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

<b>Municipality</b>	<b>Amount</b>
Broome County	2,100,451
Barker	30,603
Binghamton (Town)	85,404
Chenango	92,433
Colesville	63,518
Conklin	54,266
Lisle (Town)	25,747
Lisle (Village)	8,945
Maine	123,142
Nanticoke	7,318
Port Dickinson (Village)	6,802
Sanford	43,513
Triangle	27,712
Whitney Point (Village)	10,522
Windsor (Town)	37,661
<b>Total</b>	<b>2,718,034</b>

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

**RESOLUTION NO. 382**

By Finance and Personnel Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING AN AGREEMENT WITH EBS-RMSCO, INC. FOR CLAIMS ADMINISTRATION SERVICES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2009-2012**

WHEREAS, the Risk Manager requests authorization for an agreement with EBS-RMSCO, Inc., for claims administration services at a cost not to exceed \$108,000 for the period October 1, 2009 through September 30, 2012, with Broome County's option for two one-year renewals, and

WHEREAS, said services are necessary for claims administration of the CSEA employees' short-term disability insurance program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with EBS-RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088 for claims administration services for the Office of Risk and Insurance for the period October 1, 2009 through September 30, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$108,000 as follows:

Year 1	10/1/2009-9/30/2010	\$35,000
Year 2	10/1/2010-9/30/2011	\$36,000
Year 3	10/1/2011-9/30/2012	\$37,000

and be it

FUTHER RESOLVED, that Broome County has the option for two one-year renewals as follows:

Renewal Year 1	10/1/2012-9/30/2013	\$38,000
Renewal Year 2	10/1/2013-9/30/2014	\$39,000

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4743.254000 (Claims Administration), 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 (Keibel)

**RESOLUTION NO. 383**

By County Administration and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING AN AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS, NY FOR COPIER MANAGEMENT AND ASSOCIATED SERVICES FOR THE DIVISION OF PURCHASING FOR 2009-2014**

WHEREAS, the Broome County Division of Purchasing issued RFP #09-067 for Copier Management and Associated Services for Broome County, and

WHEREAS, as a result of said RFP, the Purchasing Agent requests authorization for an agreement with Toshiba Business Solutions, NY for copier management and associated services for the Division of Purchasing, at no cost to Broome County, for the period October 1, 2009 through September 30, 2014, and

WHEREAS, said agreement is necessary to help reduce copier costs through advanced technology, more effective deployment, on-site management and end user training, by providing professional consulting and implementation of the integration of applications for document imaging, management and workflow applications which will enable the County workforce to be more efficient by leveraging technology to reduce paper, toner and energy costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Toshiba Business Solutions, NY, 7037 Fly Road, East Syracuse, New York 13057 for copier management and associated services for the Division of Purchasing, at no cost to Broome County, for the period October 1, 2009 through September 30, 2014, 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 (Keibel)

**RESOLUTION NO. 384**

By County Administration and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING ACCEPTANCE OF HELP AMERICA VOTE ACT FUNDING FOR THE BOARD OF ELECTIONS FOR 2009-2014**

WHEREAS, the Deputy Commissioners of Elections request authorization to accept Help America Vote Act Funding in the amount of \$738,675.13 for the period August 1, 2009 through December 31, 2014, and

WHEREAS, said funding will be used for the purchase of goods and services to assist with the administration of the 2009 elections including but not limited to Ballot Marking Device Voting Machines and supplies, privacy booths, an alarm system at the storage facility, programming of ballots, seals, thermal paper, ink cartridges, etc., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$738,675.13 from the Office of the State Comptroller, 110 State Street, Albany, New York 12236 for the Board of Elections' Help America Vote Act Project for the period August 1, 2009 through December 31, 2014, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized in the amount of \$738,675.13 shall be credited to budget line 410019.0353.105xxx (Federal Aid-Other), and be it

FURTHER RESOLVED, that payments for said goods and services shall be made in accordance with standard procurement guidelines from budget line 410019.4449.105xxx (Other Operational Expense), 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 (Keibel)

#### **RESOLUTION NO. 385**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SUBWAY REAL ESTATE CORPORATION FOR RESTAURANT SERVICES AT THE GREATER BINGHAMTON AIRPORT FOR 2010**

WHEREAS, this County Legislature, by Resolution 705 of 1999, authorized an agreement with Subway Real Estate Corporation for restaurant services at the Greater Binghamton Airport with revenue to the County of an annual originating lease fee of \$5,400 plus five percent commission on all annual franchise sales activity exceeding \$175,000 for the period January 1, 2000 through December 31, 2006 with the option for three one year renewals, and

WHEREAS, said agreement is necessary for food concession services in the Passenger Terminal Building at the Greater Binghamton Airport, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through December 31, 2010 with additional revenue to the County in the amount of \$8,737, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Subway Real Estate Corporation, 325 Bic Drive, Milford, Connecticut 06461-3072 to extend the period through December 31, 2010 with additional revenue to the County in the amount of \$8,737, and be it

FURTHER RESOLVED, that \$6,677 shall be credited to budget line 210070.0108.207000 (Space Rental Other) and \$2,060 shall be credited to budget line 210070.0100.207000 (Restaurant), and be it

FURTHER RESOLVED, that Resolution 705 of 1999, 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 (Keibel)

#### **RESOLUTION NO. 386**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR DESIGN SERVICES OF THE AIRPORT MAIN APRON REHABILITATION PROJECT FOR THE DEPARTMENT OF AVIATION FOR 2009**

WHEREAS, this County Legislature, by Resolution 66 of 2009, authorized an agreement with McFarland Johnson, Inc., for design services of the Airport Main Apron Rehabilitation Project for the Department of Aviation at a cost not to exceed \$282,275 for the period January 15, 2009 through August 1, 2009, and

WHEREAS, said agreement is necessary to provide design services for the Greater Binghamton Airport Main Apron Rehabilitation Project, which involves making improvements to the main aircraft parking apron including work to pavement surfaces, pavement markings and lighting, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through August 1, 2010 for additional design services for the Department of Aviation, at no additional cost to Broome County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland Johnson, Inc., 49 Court Street, PO Box 1980, Binghamton, New York 13901 to extend the period through August 1, 2010 for design services for the Department of Aviation, at no additional cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 66 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 (Keibel)

### **RESOLUTION NO. 387**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR DESIGN SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 362 of 2008, authorized an agreement with McFarland Johnson, Inc., for design services for the Department of Aviation at a cost not to exceed \$130,000 for the period August 1, 2008 through October 31, 2009, and

WHEREAS, said agreement is necessary to provide and overview of the existing airport infrastructure as it relates to utilities, landside development, stormwater and environmental concepts, including a Drainage Master Plan, and

WHEREAS, recent airport capital projects have altered the date used for the development of this plan, specifically the aerial imagery, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$12,000 and extend the period through December 1, 2009 for design services for the Department of Aviation, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland Johnson, Inc., 49 Court Street, PO Box 1980, Binghamton, New York 13901 to increase the not to exceed amount by \$12,000 and extend the period through December 1, 2009 for design services for the Department of Aviation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$142,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211012.4747.502394 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 362 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 (Keibel)

### **RESOLUTION NO. 388**

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

**RESOLUTION AUTHORIZING RENEWAL OF THE BOOKS WITH SENATOR LIBOUS IN PARTNERSHIP WITH MORRISVILLE STATE COLLEGE PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 402 of 2008, authorized and approved renewal of the Senator Libous Children's Books Program Grant for the Broome County Public Library and adopted a program budget in the amount of \$4,500 for the period June 1, 2008 through May 31, 2009, and

WHEREAS, said program grant strengthens existing programs by supplementing current library funds and develops new literacy initiatives for children, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,300 for the period June 1, 2009 through May 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,300 from Books with Senator Libous in Partnership with Morrisville State College, PO Box 2127, Binghamton, New York 13902 for the Broome County Public Library's Books with Senator Libous in Partnership with Morrisville State College Program Grant for the period June 1, 2009 through May 31, 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 \$1,300, 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 (Keibel)

**RESOLUTION NO. 389**

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK STATE EMERGENCY MANAGEMENT OFFICE FOR A NY-ALERT ALL HAZARDS ALERT AND NOTIFICATION SYSTEM FOR THE OFFICE OF EMERGENCY SERVICES**

WHEREAS, the Director of Emergency Services requests authorization for an agreement with the New York State Emergency Management Office for a NY-Alert All Hazards Alert and Notification System for the Office of Emergency Services at no cost to Broome County for a period of 36 months or until termination by either party, and

WHEREAS, said agreement is necessary to integrate the New York State Emergency Management Office's NY-Alert All Hazards Alert and Notification System into the County's emergency alerting program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Emergency Management Office, Suite 101, Building 22, 1220 Washington Avenue, Albany, New York 12226 for a NY-Alert All Hazards Alert and Notification System for the Office of Emergency Services, at no cost to Broome County, for the period of 36 months or until termination by either party, 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 (Keibel)

**RESOLUTION NO. 390**

By Public Safety and Emergency Services Committee

Seconded by Mr. Herz

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY TRAFFIC SAFETY BOARD**

WHEREAS, Daniel D. Reynolds, Chairman of the Broome County Legislature pursuant to the authority vested in him by Local Law 4 of 1967, as amended by Local Law 1 of 1970, has duly designated and appointed the following named individuals to membership on the Broome County Traffic Safety Board, for the terms indicated, subject to confirmation by this County Legislature:

and

<u>NAME</u>	<u>TERM EXPIRING</u>
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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 Local Law 4 of 1967, as amended by Local Law 1 of 1970, confirms the appointments of the above-named individuals to membership on the Broome County Traffic Safety Board for the terms indicated, in accordance with their appointment by the County Executive.

Mr. Herz made a motion, seconded by Mr. Moran to amend the resolution to add the names as follows:

Steven Bard 408 Beckwith Avenue Endwell, NY 13760	9/30/2010 Reappointment
Larry Brooks 1152 Front Street Binghamton, NY 13905	9/30/2010 Reappointment
Shaun Carnevale 58 Elizabeth Street Johnson City, NY 13790	9/30/2010 Reappointment
Daniel Chambers 18 Schulte Avenue Johnson City, NY 13790	9/30/2010 Reappointment
Daniel Correll 64 Grand Avenue Binghamton, NY 13905	9/30/2010 Reappointment
Sean Crouse 258 Smith Hill Road Binghamton, NY 13905	9/30/2010 Reappointment
Eric Denk 1 Bayless Avenue Binghamton, NY 13903	9/30/2010 Reappointment
Sgt. Donald Edwards Bureau of Police City Hall, Government Plaza	9/30/2010 Reappointment

Binghamton, NY 13901

Joseph Hommel  
PO Box 300  
Sidney, New York 13838

9/30/2011  
New Appointment

Joel Dunham  
10 Beechknoll Road  
Binghamton, NY 13903

9/30/2011  
Reappointment

Richard Jacobs  
1128 Arnold Drive  
Endwell, NY 13790

9/30/2011  
Reappointment

Callie Kavleski  
5 Lennox Drive  
Binghamton, NY 13903

9/30/2011  
Reappointment

Lisa Leber  
486 Dunham Hill Road  
Castle Creek, NY 13744

9/30/2011  
Reappointment

Darryl Lindsay  
605 Vestal Parkway West  
Vestal NY 13850

9/30/2011  
Reappointment

Robin Mastrangelo  
2013 Donna Avenue  
Endicott, NY 13760

9/30/2011  
Reappointment

James May  
63 Park Street  
Binghamton, NY 13905

9/30/2011  
Reappointment

Scott Mastin  
304 Conklin Avenue, Apt. 1S  
Binghamton, New York 13903

9/30/2012  
New Appointment

Joseph Nirchi  
322 Cypress Lane  
Endicott, NY 13760

9/30/2012  
Reappointment

Cynthia Paddock  
1 Jesse Drive  
Binghamton, NY 13901

9/30/2012  
Reappointment

Greg Patinka  
44 Hawley Street Room 1307  
Binghamton, NY 13901

9/30/2012  
Reappointment

Garry Scutt  
9 Keeler Avenue  
Binghamton, NY 13901

9/30/2012  
Reappointment

Melody Solyian- Anderson  
1966 Old Rte #17  
Windsor, NY 13865

9/30/2012  
Reappointment

Laurie Sorensen  
450 Elmhaven Drive  
Vestal, NY 13850

9/30/2012  
Reappointment

Eric Zenel  
168 North Broad Street  
Johnson City, NY 13790

9/30/2012  
Reappointment

Lou Demarco  
2834 Route 26  
Glen Aubrey, New York 13777

9/30/2012  
New Appointment

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

### RESOLUTION NO. 391

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE OPERATION IMPACT VI PROGRAM  
GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR  
2009-2010**

WHEREAS, the Sheriff requests authorization to accept a Operation Impact VI Program Grant and adopt a program budget in the amount of \$86,761 for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant goal is to reduce crime with emphasis on gun related crime, conduct crime analysis and develop criminal intelligence, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$86,761 from New York State Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 for the Office of the Sheriff's Operation Impact VI 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 \$86,761, 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 (Keibel)

### RESOLUTION NO. 392

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING RENEWAL OF THE BYRNE JUSTICE ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SECURITY FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 447 of 2008, authorized and approved the Byrne Justice Assistance Program Grant for the Department of Public Works Division of Security and adopted a program budget in the amount of \$50,000 for the period September 1, 2008 through August 31, 2009, and

WHEREAS, said program grant provides funds for the upgrade and procurement of equipment for the CATS unit, and

WHEREAS, it is desired to renew said program grant in the amount of \$50,000 for the period September 1, 2009 through August 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from New York State Division of Criminal Justice Services, Law Enforcement Unit, 4 Tower Place, Albany, New York 12203-3762 for the Department of Public Works Division of Security's Byrne Justice Assistance Program Grant for the period September 1, 2009 through August 31, 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 \$50,000, and be it

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

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

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

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

### **RESOLUTION NO. 393**

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING RENEWAL OF THE SEX OFFENDER REGISTRATION ACT (SORA) PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 752 of 2008, authorized and approved renewal of the Sex Offender Registration Act Program Grant for the Department of Probation and adopted a program budget in the amount of \$41,220 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said program grant provides enhanced supervision services and polygraph examinations, and

WHEREAS, it is desired to renew said program grant in the amount of \$41,220 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,220 from the Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, New York 12205 for the Department of Probation's Sex Offender Registration Act (SORA) Program Grant for the period April 1, 2009 through March 31, 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 \$41,220, 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 (Keibel)

### RESOLUTION NO. 394

By Public Works and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE ITHACA AREA WASTEWATER TREATMENT FACILITY FOR DISCHARGE OF RAW LEACHATE AND SLUDGE FROM THE LEACHATE COLLECTION SYSTEM AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 468 of 2008, as amended by Resolution 71 of 2009, authorized renewal of the agreements with Ithaca Area Wastewater Treatment Facility for the discharge of raw leachate from the leachate collection system at the Nanticoke Landfill at a cost not to exceed \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons if the leachate exceeds 2,305 milligrams per liter Biochemical Oxygen Demand (BOD), total cost not to exceed \$81,000, for the period January 1, 2009 through September 30, 2009, and

WHEREAS, said agreement is necessary to discharge raw leachate and sludge to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, said agreement expires by its terms on September 30, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$81,000, for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with Ithaca Area Wastewater Treatment Facility, 525 Third Street, Ithaca, New York 14850 for discharge of raw leachate and sludge, from the leachate collection system at the Nanticoke Landfill, for the period October 1, 2009 through September 30, 2010, at an amount not to exceed \$81,000 for the term of this agreement, and be it

FURTHER RESOLVED, that for leachate treatment for the period October 1, 2009 through December 31, 2009, the County shall pay the contractor an amount not to exceed \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons if the leachate exceeds 2,305 milligrams per liter Biochemical Oxygen Demand (BOD), and be it

FURTHER RESOLVED, that for leachate treatment for the period January 1, 2010 through September 30, 2010, the County shall pay the contractor an amount not to exceed \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$.52 per pound of Biochemical Oxygen Demand if the leachate exceeds 2,305 milligrams per liter BOD, and be it

FURTHER RESOLVED, that for sludge treatment for the period January 1, 2010 through September 30, 2010, the County shall pay the contractor an amount not to exceed \$30.98 per 1,000 gallons discharged plus a solids fee calculated at two percent (2%) (10.7494 cents per pound of solids = \$17.93), for a total price of \$48.91 per 1,000 gallons, plus an administrative fee of \$1.00 per load, and be it

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

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

### **RESOLUTION NO. 395**

By Public Works and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 458 of 2008, Resolution 353 of 2004, Resolution 400 of 2005, Resolution 738 of 2006, and Resolution 524 of 2007, authorized an agreement with Stearns & Wheler, LLC for professional engineering services for the Division of Solid Waste Management at an amount not to exceed \$15,000 per year for the period September 1, 2008 through August 31, 2009, and

WHEREAS, said amendment is necessary to assist the leachate treatment plant operations staff with operation questions, evaluation of chemical usage, troubleshooting operations issues and plant maintenance and repair issues, including assistance with operations at the landfill facility including initial operation of the new Section IV, Cell 1 landfill, and ongoing operation at the County's leachate treatment facility at the Broome County Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term from September 1, 2009 through August 31, 2010, at a additional \$20,000 cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035, to extend the term to the period September 1, 2009 through August 31, 2010, for professional engineering services for the Division of Solid Waste Management, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor total amount not to exceed \$20,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 458 of 2008, Resolution 353 of 2004, Resolution 400 of 2005, Resolution 738 of 2006, and Resolution 524 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-18, Nays-0, Absent-1 (Keibel)

### **RESOLUTION NO. 396**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ADMINISTRATIVE SUPPORT PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 488 of 2008, authorized and approved renewal of the Mental Health Administrative Support Program Grant for the Department of

Mental Health and adopted a program budget in the amount of \$69,649 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funding for a Principal Account Clerk responsible for monitoring the Office of Mental Health regulations and Broome County procedures, and

WHEREAS, it is desired to renew said program grant in the amount of \$72,150 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$72,150 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Administrative Support Program Grant for the period January 1, 2010 through December 31, 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 \$72,150, 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 (Keibel)

### **RESOLUTION NO. 397**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) COORDINATOR PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 489 of 2008, authorized and approved renewal of the Mentally Ill Chemical Abuser (MICA) Coordinator Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$100,465 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides a position of Program Coordinator to oversee a coordinated system to better serve individuals with co-occurring mental health and substance abuse disorders, and

WHEREAS, it is desired to renew said program grant in the amount of \$94,476 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$89,783 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, NY 12203-3526, and \$4,693 from the State Office of Mental Health, 44 Holland Street, Albany, NY 12229 for the Mentally Ill Chemical Abuser (MICA) Coordinator Program Grant for the period January 1, 2010 through December 31, 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 \$94,476, 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 (Keibel)

### **RESOLUTION NO. 398**

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

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DRUG FREE COMMUNITIES SUPPORT PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 487 of 2008, authorized and approved renewal of the Drug Free Communities Support Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$130,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program's goal is to strengthen and expand capacity for systemic change by increasing community involvement and continuing to gather and use information regarding youth substance use to create change in the factors that have been demonstrated by research to influence alcohol and other drug use among youth, and

WHEREAS, it is desired to renew said program grant in the amount of \$125,000 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$125,000 from the United States Department of Justice, Office of the Justice Programs, 810 Seventh Street NW-5th floor, Washington, DC 20531, for the Department of Mental Health's Drug Free Communities Support Program Grant for the period October 1, 2009 through September 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 \$125,000, 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 (Keibel)

### **RESOLUTION NO. 399**

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING RENEWAL OF THE YWCA OF BINGHAMTON PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING THE AGREEMENT WITH YWCA OF BINGHAMTON TO ADMINISTER SAID PROGRAM FOR 2010**

WHEREAS, this County Legislature, by Resolution 486 of 2008, authorized and approved the Shelter Plus Care Program through the YWCA of Binghamton Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$78,480 and authorized an agreement with YWCA of Binghamton to administer said program for 2009, and

WHEREAS, said grant program provides funding to cover transitional housing costs for homeless women or women living in emergency shelters within the community, and

WHEREAS, it is desired to renew said grant program in the amount of \$78,480, adopt a program budget and renew the agreement with the 2010 YWCA of Binghamton to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$78,480 from U.S. Dept. of Housing and Urban Development, Shelter Plus Care Program, Buffalo Office, 465 Main Street, Buffalo, New York 14203-1780 for the Department of Mental Health's 2010 YWCA of Binghamton Program Grant, for the period January 1, 2010 through December 31, 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 \$78,480, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with YWCA of Binghamton, 80 Hawley Street, Binghamton, New York 13901, to administer the YWCA of Binghamton Program, for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$78,480 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5081.105xxx (Contracted Services-YWCA of Binghamton), 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 (Keibel)

**RESOLUTION NO. 400**

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

**RESOLUTION AUTHORIZING RENEWAL OF MENTAL HEALTH ASSOCIATION PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET, AND RENEWING AGREEMENT WITH THE MENTAL HEALTH ASSOCIATION OF THE SOUTHERN TIER, INC. TO ADMINISTER SAID PROGRAM FOR 2010**

WHEREAS, this County Legislature, by Resolution 495 of 2008, authorized and approved renewal of the Mental Health Association Program Grant for the Department of Mental Health,

adopted a program budget in the amount of \$765,003 and authorized an agreement with the Mental Health Association of the Southern Tier, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant advocates improvements in the quality of care available to persons with mental and emotional disabilities, educates the public about the causes, treatments and prevention of mental illness and advocates for needed changes in law governing the care of the mentally ill, and

WHEREAS, it is desired to renew said program grant in the amount of \$764,183, adopt a program budget, and renew the agreement with the Mental Health Association of the Southern Tier, Inc. to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$764,183 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mental Health Association Program Grant for the period January 1, 2010 through December 31, 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 \$764,183, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Mental Health Association of the Southern Tier, Inc., 153 Court Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$764,183 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5028.105xxx (Contracted Services-Mental Health Association), 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 (Keibel)

#### **RESOLUTION NO. 401**

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE FAIRVIEW RECOVERY SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH FAIRVIEW RECOVERY SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2010**

WHEREAS, this County Legislature, by Resolution 494 of 2008, authorized and approved renewal of the Fairview Recovery Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$1,545,135 and authorized an agreement with Fairview Recovery Services, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides short and long-term residential services and crisis intervention for men and women with alcohol-related problems, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,328,661, adopt a program budget and renew the agreement with Fairview Recovery Services, Inc. to continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$896,028 from the New York State Office of Alcoholism & Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203 and \$432,633 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2010 through December 31, 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 \$1,328,661, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Inc., 5 Merrick Street, Binghamton, New York 13904 to administer said program for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,328,661 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5032.105xxx (Contracted Services-Fairview Recovery Services), and be it

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

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

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

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

### **RESOLUTION NO. 402**

Introduced by Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF CHILDREN'S HOME OF WYOMING CONFERENCE PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE TO ADMINISTER SAID PROGRAM FOR 2010**

WHEREAS, this County Legislature, by Resolution 493 of 2008, authorized and approved renewal of the Children's Home of Wyoming Conference Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$60,278 and authorized an agreement with Children's Home of Wyoming Conference to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides support and respite services to children and families of children who have serious emotional illness, and

WHEREAS, it is desired to renew said program grant in the amount of \$60,885, adopt a program budget and renew the agreement with Children's Home of Wyoming Conference to

continue to administer said program for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,885 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2010 through December 31, 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 \$60,885, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696, for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,885 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5076.105xxx (Contracted Services-Children's Home of Wyoming Conference), 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 (Keibel)

### **RESOLUTION NO. 403**

Introduced by Public Health and Environmental Protection, Personnel, and Finance Committees  
Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL SUPPORT PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 492 of 2008, authorized and approved renewal of the Vocational Support Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$123,710 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides assistance to mentally ill individuals striving to achieve their vocational goals, and

WHEREAS, it is desired to renew said program grant in the amount of \$133,831 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,831 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Vocational Support Program Grant for the period January 1, 2010 through December 31, 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 \$133,831, 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 (Keibel)

#### **RESOLUTION NO. 404**

By Public Health and Environmental Protection and Finance Committees Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK, FOR INFORMATION MANAGEMENT AND RESEARCH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S DRUG FREE COMMUNITIES SUPPORT PROGRAM FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 491 of 2008, authorized renewal of the agreement with The Research Foundation, State University of New York, for information management and research services for the Department of Mental Health's Drug Free Communities Support Program at a cost not to exceed \$17,060, for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said agreement is necessary to fund a team of Binghamton University graduate students to provide information management and research for the Broome County Youth Prevention Partnership funded by the Drug Free Communities Support Program, and

WHEREAS, said agreement expires by its terms on September 30, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$18,325, for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Research Foundation, State University of New York, Office of Research & Sponsored Programs, PO Box 6000, Binghamton, New York 13902 for information management and research services for the Department of Mental Health's Drug Free Communities Support Program for the period October 1, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,325 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4747.105xxx (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.

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

#### **RESOLUTION NO. 405**

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

**RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 263 of 2009, authorized and approved the 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 \$28,078 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 desired to renew said program grant in the amount of \$25,927 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,927 from New York State Department of Health, Division of Family Health-Fiscal Unit, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Children with Special Health Care Needs Program Grant for the period October 1, 2009 through September 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 \$25,927, and be it

FURTHER RESOLVED, that the revenue/funding hereinabove authorized shall be deposited into budget line 480376.0578.105xxx (Health Department/Federal), 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 (Keibel)

**RESOLUTION NO. 406**

By Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING RENEWAL OF THE EARLY INTERVENTION ADMINISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 479 of 2008, and 29 of 2009 authorized and approved the Early Intervention Administration Program Grant for the Department of Health and adopted a program budget in the amount of \$122,101, for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant identifies and registers infants and children with suspected disabilities and developmental delays and refers them to the Early Intervention Program to ensure they are provided with appropriate services, and

WHEREAS, it is desired to renew said program grant in the amount of \$122,101 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$122,101 from New York State Department of Health, Division of Family Health-Fiscal Unit, Corning Tower, Empire State Plaza, Albany, New York 12237-0657 for the Department of

Health's 2009-2010 Early Intervention Administration Program Grant for the period October 1, 2009 through September 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 \$122,101, 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 (Keibel)

### **RESOLUTION NO. 407**

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

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE PRIMARY PREVENTION OF CHILDHOOD LEAD PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 651 of 2008, authorized and approved the Primary Prevention of Childhood Lead Program Grant for the Department of Health and adopted a program budget in the amount of \$170,712 for the period October 1, 2008, through September 30, 2009, and

WHEREAS, said program grant will develop a primary prevention program designed to eliminate or reduce the source of lead paint before it is ingested by children, now, therefore, be it, and

WHEREAS, it is desired to renew said program grant in the amount of \$280,857 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$280,857 from New York State Department of Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, Room 55, 547 River Street, Troy, New York 12180, for the Department of Health's Primary Prevention of Childhood Lead Program Grant, for the period October 1, 2009 through September 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 \$280,857, 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 (Keibel)

#### **RESOLUTION NO. 408**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 735 of 2008, authorized and approved 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 desired to renew said program grant for the Department of Health in the amount of \$55,025, for the period October, 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,025 from New York State Department of Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Troy, New York 12180 for the Department of Health's Youth Tobacco Enforcement and Prevention Program Grant for the period October 1, 2009 through September 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 \$55,025, 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 (Keibel)

#### **RESOLUTION NO. 409**

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

Seconded by Mr. Materese

#### **RESOLUTION AUTHORIZING RENEWAL OF WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 384 of 2008, authorized and approved the Women, Infants, and Children's Supplemental Food Program for the Department of Health/WIC and adopted a program budget in the amount of \$973,563, for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant is designed as a short term intervention to influence lifetime nutrition and health behavior in a targeted, high-risk population, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,095,081 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,095,081 from New York State Department of Health, 217 South Salina St., Syracuse, New York 13202 for the Department of Health's Women, Infants, and Children's Supplemental Food Program for the period October 1, 2009 through September 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 \$1,095,081, 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 (Keibel)

#### **RESOLUTION NO. 410**

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

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE TRAFFIC SAFETY AWARENESS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 648 of 2008, authorized and approved the Traffic Safety Awareness Program Grant for the Department of Health and adopted a program budget in the amount of \$67,540 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant supports local programs, public education events and activities designed to reduce mortality and morbidity related to traffic accidents, and

WHEREAS, it is desired to renew said program grant in the amount of \$67,540 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$67,540 from New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Room 414, for the Department of Health's Traffic Safety Awareness Program Grant, for the period October 1, 2009 through September 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 \$67,540, 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 (Keibel)

### **RESOLUTION NO. 411**

By Public Health and Environmental Protection, and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE AWARD PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, the Department of Health requests authorization to accept the Healthy Communities Capacity Building Initiative Award Program Grant, and adopt a program budget in the amount of \$34,000 for the period August 1, 2009 through March 31, 2010 and

WHEREAS, said program grant funding is allocated to build capacity and support local efforts to reduce obesity, working in coordination with the Strategic Alliance for Health grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the Healthy Communities Capacity Building Initiative Award Program Grant, for the Department of Health from the New York State Department of Health, Empire State Plaza, Corning Tower Albany, New York 12237, for the period August 1, 2009 through March 31, 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 \$34,000, 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, 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 (Keibel)

### **RESOLUTION NO. 412**

By Finance, and Public Health and Environmental Protection Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE ACCOUNTS RECEIVABLES FOR THE CLINIC SERVICES DIVISION OF THE HEALTH DEPARTMENT ACCOUNTS FOR 2005 and 2006**

WHEREAS, the Fiscal Manager of the Health Department has advised that for the calendar years 2005 and 2006, certain amounts owed to the Clinic Services Division of the Health Department, currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts but have been unsuccessful, either because the individuals cannot be located or because the costs involved in bringing suit would outweigh the potential recovery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge-off of the uncollectible accounts receivables for the Clinic Services Division of the Broome County Health Department, 225 Front Street, Binghamton, New York 13905 accounts as follows:

For the \$5745.92 total, the detail for each year is as follows:

<b>2005</b>	IMM	\$1,279.52	<b>2006</b>	IMM	\$1,542.11
	STD	\$1,987.52		STD	\$ 804.81
	TB	\$ 54.56		TB	\$ 77.40
		<u>\$3,321.60</u>			<u>\$2,424.32</u>

and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Broome County Comptroller are hereby authorized to make necessary accounting entries to implement the intent and purpose of this Resolution.

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

### RESOLUTION NO. 413

By Public Health and Environmental Protection, Human Services Committee

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN VARIOUS BROOME COUNTY SCHOOLS AND THE BROOME COUNTY DEPARTMENT OF HEALTH FOR DENTAL SERVICES THROUGH THE PREVENTIVE DENTAL SERVICES PROGRAM FOR 2009-2010**

WHEREAS, the Commissioner of Public Health requests authorization for intermunicipal agreements with various Broome County Schools and the Broome County Department of Health for dental services through the Preventive Dental Services Program, at no cost to the County for the 2009-2010 school year, and

WHEREAS, said agreements are necessary to provide primary and preventive dental health services at Binghamton City Schools: MacArthur School, Woodrow Wilson School, Horace Mann School, Calvin Coolidge School, and Thomas Jefferson School; Whitney Point Central Schools, Johnson City Central School, Harpursville Schools, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes intermunicipal agreements between various Broome County Schools and the Broome County Department of Health for dental services through the Preventive Dental Services Program, at no cost to the County for the 2009-2010 school year, and be it

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

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

### RESOLUTION NO. 414

By County Administration, Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING AN AGREEMENT FOR THE LEASING OF A DIGITAL COPY MACHINE WITH TOSHIBA BUSINESS SOLUTIONS FOR THE LEASE AND RELATED SERVICE AGREEMENT FOR A DIGITAL COPY MACHINE FOR THE WILLOW POINT NURSING HOME FOR 2009-2014**

WHEREAS, the Administrator for the Willow Point Nursing Home requests authorization for an agreement with Toshiba Business Solution for the lease and related services for a Digital Copy Machine at a cost \$16,920 (\$282/month for 60 payments), for up to 20,000 copies/month + overage @ \$ .005/copy, for the period October 1, 2009 through September 30, 2014, and

WHEREAS, said services are necessary to upgrade the copier used by Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Toshiba Business Solutions 7037 Fly Road, East Syracuse, New York 13057, for the lease and related services for a Digital Copy Machine for the Willow Point Nursing Home for the period October 1, 2009 through September 30, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount \$16,920 (\$282/month for 60 payments), for up to 20,000 copies/month + overage @ \$ .005/copy, for the period October 1, 2009 through September 30, 2014, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160119.4518.204000 (Copy Machine Rental) and 160119.4419.204000 (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 (Keibel)

### **RESOLUTION NO. 415**

By Human Services, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE CHILD CARE AND DEVELOPMENT BLOCK GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 407 of 2008, authorized and approved the renewal of the Child Care and Development Block Grant for the Department of Social Services and adopted a program budget in the amount of \$4,259,998 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides funds for child care subsidies to low income families and for activities related to improving the quality and availability of child day care services, and

WHEREAS, it is desired to renew said program grant in the amount of \$4,607,896 for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,607,896 from the New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, 3 North Building, Rensselaer, New York 12144-2796, for the Department of Social Services Child Care and Development Block Grant for the period October 1, 2009 through September 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 \$4,607,896, and be it

FURTHER RESOLVED, the Department of Social Services is authorized to accept and allocate additional Child Care and Development Block Grant funds as may be allocated by New York State Office of Temporary and Disability Assistance for the period October 1, 2009 through September 30, 2010, 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 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



WHEREAS, said program grant provides intensive case services to family members who are non-compliant with welfare to work activities or who are complying but under-engaged, in order to motivate them to fully participate and secure employment, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$56,086 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Intensive Case Services for Non-Compliant Families Program Grant to reflect an increase of \$56,086 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 \$108,556, and be it

FURTHER RESOLVED, that Resolution 74 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 (Keibel)

#### **RESOLUTION NO. 418**

By Human Services and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A DETENTION ALTERNATIVE AFTER SCHOOL PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2009-2010**

WHEREAS, the Commissioner of Social Services requests authorization to accept a Detention Alternative After School Program Grant, adopt a program budget in the amount of \$159,251 and enter into an agreement with Our Lady of Lourdes Hospital to administer said program for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant provides services to youth at risk of entering the Juvenile Justice System or becoming Persons in Need of Supervision (PINS), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$159,251 from the Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Social Services Detention Alternative After School 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 \$159,251, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 219 Front Street, Binghamton, New York 13905 to administer said program grant, for the Department of Social Services 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 \$159,251 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4561.105xxx (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, 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 (Keibel)

### **RESOLUTION NO. 419**

By Human Services and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE BROOME TRANSITIONAL JOBS PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH SWS INC. TO ADMINISTER SAID PROGRAM FOR 2009-2010**

WHEREAS, the Department of Social Services requests authorization to accept the Broome Transitional Jobs Program Grant, adopt a program budget in the amount of \$230,954 and to enter into an agreement with the SWS Inc., to administer said program for the period August 15, 2009 through September 30, 2010, and

WHEREAS, said program grant provides education, training and subsidized job placements for low or no income TANF eligible individuals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$230,954 from the New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243 for the Department of Social Services Broome Transitional Jobs Program Grant for the period August 15, 2009 through September 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 \$230,954, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with SWS Inc., PO Box 310, 204 Court Street, Binghamton, New York 13901 to administer said program for the period August 15, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$230,954 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 (Keibel)

#### **RESOLUTION NO. 420**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING REVISION OF THE PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 296 of 2008, authorized and approved the acceptance of the Preventive Dentistry/Dental Sealant Program Grant for the Department of Health and adopted a program budget in the amount \$58,098 for the period July 1, 2008 through June 30, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase for a cost of living adjustment in the amount of \$10,844 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Preventive Dentistry/Dental Sealant Program Grant to reflect an increase of \$10,844 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 \$68,942, and be it

FURTHER RESOLVED, that Resolution 296 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 (Keibel)

#### **RESOLUTION NO. 421**

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

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ETC INSTITUTE FOR PROFESSIONAL SERVICES FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) FOR 2008-2009**

WHEREAS, this County Legislature, by Resolution 250 of 2008, authorized an agreement with ETC Institute for professional services for the Binghamton Metropolitan Transportation Study (BMTS) at a cost of \$120,086.00 for the period June 1, 2008 through May 30, 2009, and

WHEREAS, said agreement is necessary for the Binghamton Regional Household Travel Survey, and

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

WHEREAS, the Director of Binghamton Metropolitan Transportation Study (BMTS) 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 ETC Institute, 725 West Frontier Circle, Olathe, Kansas 66061 to extend the term of the agreement through July 31, 2009 at no additional cost to the County for the Binghamton Transportation Study (BMTS), and be it

FURTHER RESOLVED, that Resolution 250 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 (Keibel)

### **RESOLUTION NO. 422**

By Human Services, Personnel and Finance Committees

Seconded by Mr. Cleary

#### **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, as amended by Resolution 190 of 2009 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 \$8,161,219 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funding for DSS staff 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 \$221,922 in grant appropriations within the Medicaid Administrative CAP to allow for one additional Principal Social Services Examiner and add the 2009 retiree health insurance costs, 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 \$221,922 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 \$8,383,141, and be it

FURTHER RESOLVED, that Resolution 676 of 2008 and Resolution 190 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 (Keibel)

**RESOLUTION NO. 423**

By County Administration, Public Works and Finance Committees Seconded by Mr. Sanfilippo  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7 OF 2009, ENTITLED: "A RESOLUTION AMENDING THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES AND CHARGES."**

RESOLVED, that Local Law Intro. No. 7 of 2009, entitled: "A Resolution Amending the Broome County Charter and Code, As Amended, Regarding Landfill Fees and Charges," 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. 7 OF 2009**

**RESOLUTION AMENDING THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES AND CHARGES**

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

Section 1. Chapter 179-9 Fees and Charges, as amended, be and hereby is amended as follows:

A. Landfill charges

(3) Commencing January 1, 1994 and as amended, the following separate charges will apply at the Broome County Landfill: [Last amended 1-22-2004 by L.L. No. 2-2004]

(a) [Nonfriable asbestos] Aggregate materials such as brick, stone, concrete, and asphalt, bulk metals and pallets: \$45 per ton.

[1] Friable asbestos and other similar particulate material: \$100 per ton.]

(c) [Commencing April 1, 1998, the following separate charges shall apply at the Nanticoke Landfill] Minimum municipal solid waste (MSW) charges:

[1] The minimum charge per weighed commercial vehicle shall be \$4, regardless of vehicle weight.

[2] The minimum charge per weighed residential vehicle shall be ~~[\$2]~~ \$4, regardless of vehicle weight.

[3] The minimum charge per unit containing refrigerants such as Freon shall be \$10.

(g) Auto shredder fluff: ~~[\$23.50]~~ \$15 per ton. To be accepted from in-County and out-of-County processors on an as-needed basis and used as an alternative daily cover material subject to rules and regulations as may be promulgated by the Division of Solid Waste from time to time and provided the processor(s) furnish(es) documentation showing the fluff to have been tested and to be in compliance with applicable Department of Environmental Conservation requirements and/or the Environmental Conservation Law. [Amended 12-15-2005 by L.L. No. 8-2005]

(h) Backyard compost bins: ~~[\$36]~~ \$45 each tax included, such charge to be effective January 1, 2010

(j) Asbestos:

[1] Bagged friable asbestos and other similar particulate material: \$100 per ton

[2] Bulk loads of friable asbestos \$60 per ton, proper approvals and variances to be shown prior to acceptance.

[3] Nonfriable asbestos \$40 per ton

(k) Waste-to-energy incinerator ash: \$15 per ton to be accepted under the direction of the Deputy Commissioner of Public Works for Solid Waste Management, who may enter into agreements with vendors and /or brokers as necessary and appropriate in order to receive this material as alternative cover for the landfill, and provided the processor(s) furnish(es) documentation showing the ash to have been

**tested and to be in compliance with applicable Department of Environmental Conservation requirements and/or the Environmental Conservation Law.**

Section 2. Section 2. That this Local Law shall take effect immediately upon filing with the Secretary of State.

Material **bold underlined** added

Material **bold brackets** deleted

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

**RESOLUTION NO. 424**

By Public Works Committee

Seconded by Mr. Cleary

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY LANDFILL FEES AND CHARGES AND RENDERING NEGATIVE DECLARATION WITH RESPECT THERETO**

WHEREAS, it is necessary to amend the Broome County Charter and Code with respect to Broome County Landfill fees and charges, and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of modifying fees and charges at the Broome County Landfill, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that said modification will not have a significant effect on the environment, and be it FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B".

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

**RESOLUTION NO. 425**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTHERN TIER HOME BUILDERS REMODELERS ASSOCIATION FOR RENTAL OF THE BROOME COUNTY VETERANS MEMORIAL ARENA FOR 2010-2012**

WHEREAS, the Arena Manager requests authorization for an agreement with the Southern Tier Home Builders Remodelers Association for rental of the Broome County Veterans Memorial Arena with revenue to the County in the amount of \$36,000 plus expenses, for the periods March 12, 2010 through March 15, 2010, March 11, 2011 through March 14, 2011 and March 10, 2012 through March 13, 2012 and

WHEREAS, said agreement is necessary for the Southern Tier Home Builders Remodelers Association to hold the Southern Tier Homebuilders Show at the Broome County Veterans Memorial Arena, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Home Builders Remodelers Association, 2807 North Street, Endwell, New York 13760 for rental of the Broome County Memorial Arena for the period March 12, 2010 through March 15, 2010, March 11, 2011 through March 14, 2011 and March 10, 2012 through March 13, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$9,500 per year, total amount not to exceed \$28,500 plus expenses for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 655027.0159.306000 (Revenue), and be it

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

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

#### **RESOLUTION NO. 426**

By Finance Committee

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH MARSH USA FOR INSURANCE COVERAGE FOR BROOME COUNTY FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 457 of 2008, authorized renewal of an agreement with Marsh USA for insurance coverage for County-owned property, boiler and machinery, and inland marine at an amount not to exceed \$190,000 for the period October 2, 2008 through October 1, 2009, and

WHEREAS, said services are necessary to procure insurance for County-owned property, and

WHEREAS, said agreement expires by its terms on October 1, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$190,000, for the period October 2, 2009 through October 1, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Marsh USA, PO Box 4988, Syracuse, New York 13221-4988, for insurance coverage for County-owned property, boiler and machinery, and inland marine for the period October 2, 2009 through October 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$190,000 for the term of the agreement, and be it

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

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

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

#### **RESOLUTION NO. 427**

By Human Services, Personnel, and Finance Committees

Seconded by Ms. Messina

#### **RESOLUTION AUTHORIZING RENEWAL OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH OPPORTUNITIES FOR BROOME TO ADMINISTER SAID PROGRAM FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 496 of 2008, as amended by Resolution 561 of 2008 and letter authorization, authorized and approved renewal of the Home Energy Assistance Program (HEAP) Grant for the Department of Social Services, adopted a program budget in the amount of \$551,030 and authorized an agreement with Opportunities for Broome to administer said program for the period October 1, 2008 through September 30, 2009, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$520,787, adopt a program budget and renew the agreement with Opportunities for Broome for the period October 1, 2009 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$520,787 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 Services Home Energy Assistance Program (HEAP) Grant for the period October 1, 2009 through September 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 \$520,787, and be it

FURTHER RESOLVED, that the Department of Social Services is authorized to accept and allocate additional administrative funding as may be allocated by New York State from October 1, 2009 through September 30, 2010, 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 this County Legislature hereby authorizes an agreement with Opportunities for Broome, 171 State Street, Binghamton, New York 13901 to administer said program for the Department of Social Services' Home Energy Assistance Program for the period October 1, 2009 through September 30, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4561.105xxx (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, 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-17, Nays-0, Abstain-1 (Hutchings), Absent-1 (Keibel)

### **RESOLUTION NO. 428**

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

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING HIRING OF BETH E. HUBER AS WIC NUTRITION SERVICES DIRECTOR AT ABOVE THE MINIMUM SALARY FOR THE DEPARTMENT OF HEALTH**

WHEREAS, the Commissioner of Health has recommended the hiring of Beth E. Huber as WIC Nutrition Services Director, BAPA, Grade 21, Step 1, at an annual salary of \$ 48,636 (3% above the minimum), and

WHEREAS, Beth E. Huber is qualified as a WIC Nutrition Services Director and has experience and education to justify said salary, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the hiring of Beth E. Huber, 1025 Reynolds Road, Apt. P6, Johnson City, New York, 13790, as WIC Nutrition Services

Director, BAPA, Grade21, Step 1 at an annual salary of \$ 48,636 (3% above the minimum), at budget line 480376.1000.105476, effective October 5, 2009.

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

**RESOLUTION NO. 429**

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

Seconded by Mr. Cleary

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

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for the EI Admin 08/09 Grant, as requested by BF# 8121, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105499	Salaries-Full Time	\$15,804
	480376	1600	105499	Salaries-Temporary	\$ 863
	480376	8010	105499	State Retirement	\$ 717
	480376	8060	105499	Health Insurance	\$ 3,683
TO:	480376	1500	105499	Salaries-Part-time	\$21,067

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for the CSHCN 08/09 Grant, as requested by BF# 8120, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1500	105498	Salaries-Part time	\$1,104
TO:	480376	8060	105498	Health Insurance	\$1,104

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize funds for the WIC 08/09 Grant, as requested by BF#s 8077 and 8078, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105476	Salaries-Full Time	\$ 2,327
	480376	1500	105476	Salaries-Part Time	\$59,041
	480376	8010	105476	State Retirement	\$19,407
	480376	8030	105476	Social Security	\$ 5,691
	480376	8040	105476	Workers Comp	\$ 636
	480376	8050	105476	Life Insurance	\$ 104
	480376	8060	105476	Health Insurance	\$11,839
	480376	8063	105476	Disability Insurance	\$ 65
	480376	8070	105476	Unemployment	\$ 3,636
TO:	480376	1600	105476	Salaries, Temp	\$18,522
	480376	1700	105476	Salaries, Overtime	\$ 1,308
	480376	4422	105476	Bldg & Land Rent	\$20,737
	480376	4449	105476	Other Operational Exp	\$32,382
	480376	8062	105476	Retiree Health Ins.	\$29,797

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

**RESOLUTION NO. 430**

By Finance, Public Works and Transportation and Rural Development Committees

Seconded by Mr. Nirchi

**RESOLUTION AMENDING THE 2008 CAPITAL IMPROVEMENT PROGRAM FOR THE AIRPORT STORM WATER MANAGEMENT PLAN**

RESOLVED, that the 2008 Capital Improvement Program is hereby revised as follows:

FROM:

2009 JOURNAL OF PROCEEDINGS

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				<u>County*</u>
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>		
502394	Airport Storm Water Management Plan	\$130,000	0	0		\$130,000
		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	10	14	0	0

TO:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				<u>County*</u>
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>		
5023 94	Airport Storm Water Management Plan	\$142,000	0	0		\$142,000 0
		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	10	14	0	0

\*County's portion funded by PFC 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-18, Nays-0, Absent-1 (Keibel)

**RESOLUTION NO. 431**

By Finance Committee

Seconded by Mr. Nirchi

**RESOLUTION REQUESTING AMENDMENT TO THE NEW YORK STATE TAX LAW REGARDING HOTEL OR MOTEL OCCUPANCY TAXES IN BROOME COUNTY**

WHEREAS, Section 1202-B of the Tax Law permits Broome County to levy a 5% tax on hotel or motel occupancy, and

WHEREAS, Section 1202-B of the Tax Law states that the occupancy tax shall be effective for three years unless extended by subsequent action of the Broome County Legislature, and

WHEREAS, it is desired at this time to have Section 1202-B of the Tax Law amended to permit Broome County to extend the occupancy tax indefinitely until terminated by subsequent action of the Broome County Legislature, now, therefore, be it

RESOLVED, that this County Legislature requests that Section 1202-B of the Tax Law be amended to permit Broome County to extend the occupancy tax indefinitely until terminated by subsequent action of the Broome County Legislature, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is directed to forward copies of the Resolution to the New York State Legislature.

Mr. Whalen made a motion, seconded by Ms. Messina to table to a date uncertain. **Motion carried.** Ayes18, Nays-0, Absent-1 (Keibel)

**RESOLUTION NO. 432**

By Human Services and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING ACCEPTANCE OF A 2009 BACK-TO-SCHOOL PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009**

WHEREAS, the Commissioner of Social Services requests authorization to accept a 2009 Back to School Program Grant and adopt a program budget in the amount of \$1,700,400 for the period August 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides to Temporary Assistance and Food Stamp recipients a one time \$200 payment per eligible child to help defray the cost of back to school items including books, pencils, pens, notebooks, calculators, backpacks, shoes, school uniforms, pants, skirts, dresses and other essential clothes and school items, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,700,400 from the Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243 for the Department of Social Services' 2009 Back to School Program Grant for the period August 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 \$1,700,400, 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 (Keibel)

**RESOLUTION NO. 433**

By Transportation and Rural Development, Public Works, Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION (NYSEG) FOR AN EASEMENT AT THE BINGHAMTON INTERMODAL TRANSPORTATION TERMINAL**

WHEREAS, the New York State Electric and Gas Corporation (NYSEG) has requested an easement through land owned by Broome County at the Binghamton Intermodal Transportation Terminal located in the City of Binghamton to install electric service to the intermodal terminal, and

WHEREAS, the Department of Public Works has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

RESOLVED, that this County Legislature hereby grants NYSEG an easement running through land owned by Broome County at the Binghamton Intermodal Terminal in the City of Binghamton, as more fully described in a map annexed hereto as Exhibit "A" and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, NYSEG will pay Broome County the sum of \$1.00, 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.



**RESOLUTION NO. 436**

By Public Works and Finance Committees

Seconded by Mr. Cleary

**RESOLUTION AUTHORIZING AN AGREEMENT WITH STEARNS & WHEELER, LLC FOR ENGINEERING SERVICES IN CONNECTION WITH SECTION III FINAL CLOSURE AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Deputy Commissioner of Public Works for the Division of Solid Waste Management requests authorization for an agreement with Stearns & Wheeler, LLC, for Engineering Services at a cost not to exceed \$230,000, for the period October 1, 2009 through December 31, 2011, and

WHEREAS, said services are necessary to retain the services of an engineer to design, supervise construction and provide Construction Inspection Services, for the Final Closure of Section III of the Broome County Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns and Wheeler, LLC, Environmental Engineers and Scientists, One Remington Park Drive, Cazenovia, New York 13035 to provide engineering services for the design and construction of the final closure of Section III of the Broome County Landfill, for the period October 1, 2009 through December 31, 2011 for the Department of Public Works, Division of Solid Waste Management for the period October 1, 2009 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$230,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2018.501552 (Design Section III Closure - Landfill), 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 (Keibel)

**RESOLUTION NO. 437**

By County Administration, Public Health and Environmental Protection and Public Works Committees

Seconded by Mr. Cleary

**RESOLUTION SUPPORTING EXTENDED PRODUCER RESPONSIBILITY**

WHEREAS, manufactured goods and packaging constitute approximately 75% of the materials managed by solid waste facilities in the United States, based on figures by the U.S. Environmental Protection Agency; and

WHEREAS, residents and businesses in Broome County are required to spend large sums of money to manage discarded manufactured goods and packaging; and

WHEREAS, hazardous and hard-to-recycle product management costs are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of hazardous products; and

WHEREAS, New York State policy currently makes local governments responsible for achieving waste diversion goals, which is an unfunded mandate; and

WHEREAS, the municipal waste management system in the United States was established a century ago to manage far simpler and more homogeneous wastes like ashes, food scraps and horse manure, rather than the manufactured goods and packaging which dominate today's municipal waste stream; and

WHEREAS, local governments such as Broome County have no input into the design or marketing of products, may not profit from the products and do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by citizens and local governments to manage products are, in effect, subsidies to producers that enable and encourage producers to design products for disposal and without regard to end of life management; and

WHEREAS, some corporate producers have implemented take-back efforts which have been helpful, but there is a need for consistent industry-wide practices and this can only be accomplished by legislation on a Federal level, and

WHEREAS, Extended Producer Responsibility (EPR) is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products, so those who produce products bear the costs of recycling and responsible disposal; and

WHEREAS, when producers are responsible for ensuring their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, United States Government can advance EPR through a variety of mechanisms including requiring the manufacturers of many products sold to the federal government to take financial responsibility for collecting and recycling those products at the end of their useful life; by incorporating EPR policies into federal product procurement practices; by favoring vendors and manufacturers that take back their product and associated packaging at the end of life; and

WHEREAS, Broome County supports nationwide efforts to hold producers responsible for hazardous product discard management and other product waste management costs; now, therefore, be it

RESOLVED, that the County intends to encourage United States Congress to transfer responsibility for the costs of managing certain products at end-of-life to producers (brand owners and first importers); and be it

FURTHER RESOLVED, that Broome County urges Congress to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to repair, reuse and recycle; and be it

FURTHER RESOLVED, that the Deputy Commissioner of the Broome County Division of Solid Waste Management is requested to send letters to Congressional officials and to use other advocacy methods to urge support for EPR legislation; and be it

FURTHER RESOLVED, that Congress is urged to include EPR language, such as specifying product and packaging collection and recycling requirements, in contracts for commodities, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

**RESOLUTION NO. 438**

By Finance, Personnel, and County Administration Committees

Seconded by Mr. Herz

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE COUNTY LEGISLATURE**

RESOLVED, that in accordance with a request from the Clerk of the Legislature, for the salary of the Legislative Assistant and the Third Deputy Clerk, as requested by BF# 0947, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	240010	1600	101000	Salaries-Temp	\$13,128.46
TO:	240010	1000	101000	Salaries-Fulltime	\$ 7,518.85
	240028	1600	101000	Salaries-Temp	\$ 5,609.61

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

Mr. Whalen announced that there will be a public hearing on the 2010 recommended budget on October 8<sup>th</sup> at 5:30 and that budget hearings will start October 19<sup>th</sup> at 3:00. The final schedule will be mailed out.

Mr. Whalen made a motion to adjourn, seconded by Mr. Sanfilippo. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Keibel). The meeting was adjourned at 6:07 p.m.

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